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**FINAL  
RECORD  
NO. 29**



No. 7056-3

**The Johnson & Watson  
Company** DAYTON, Ohio

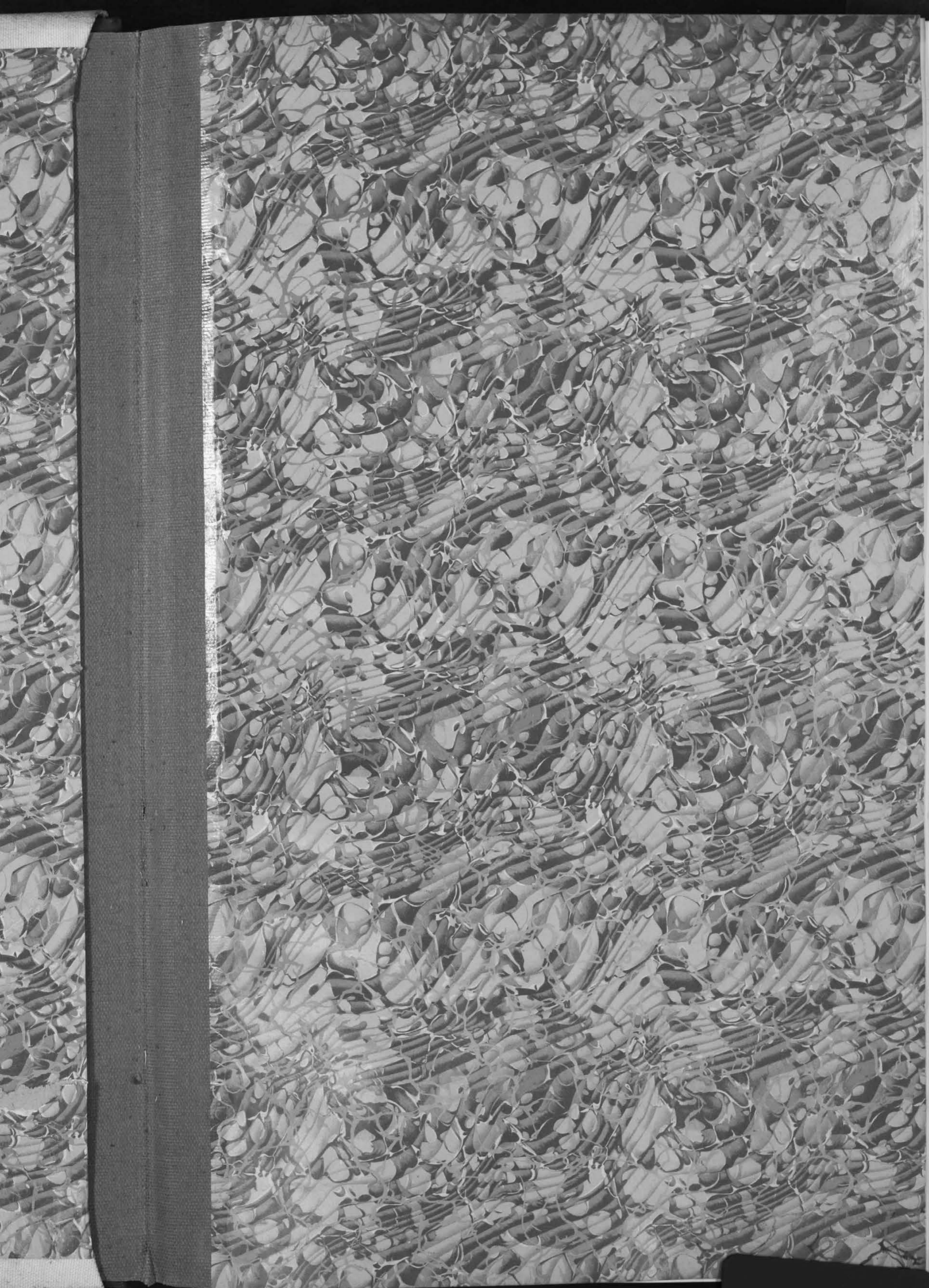


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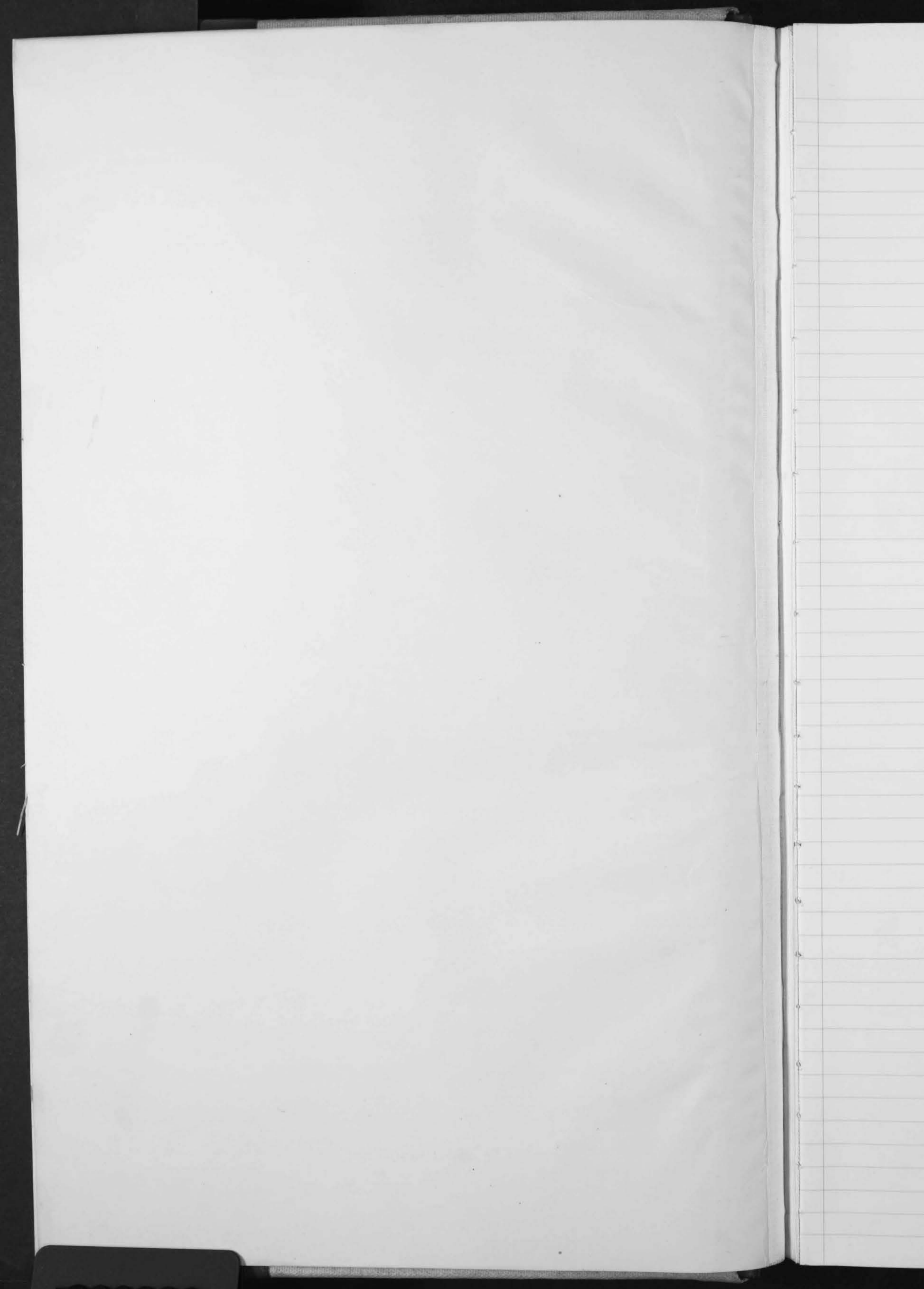


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Petition

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<p>Petition To Invest in Production Real Estate and to Borrow Money and Mortgage Real Estate.</p> <p>In The Probate Court of Union County, Ohio</p> <p>In the matter of The Guardianship of Ralph C. Myers and Alice L. Myers, minors.</p>	<p>Petition To Invest in Production Real Estate and To Borrow Money and Mortgage Real Estate.</p>
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The plaintiff represents that he is the duly appointed, and qualified guardian of Ralph C. Myers of the age of --- years on the --- day of 1916. and of Alice L. Myers of the age of --- years on the day of --- 1916 both of whom reside with the petitioner in Marysville, Ohio.

The following are the names and residences of the next of kin of said wards residing in this State to wit: Ralph C. Myers, Alice L. Myers and Adam C. Myers all of whom reside in Marysville, Ohio.

Petition That said wards are the owners in fee simple of the following described real estate situated in the County of Union, in the State of Ohio, and in the Village of Marysville, and bounded and described as follows:

Bring the undivided one half interest in the following premises:

Beginning at a point in the center of Elmwood Avenue and one hundred feet west from the north west corner of S. R. Berger's lot recently purchased from F. A. Thompson: Thence south-easterly 206 feet to the north line of an alley, and one hundred feet west from the south-west corner of S. R. Berger's lot; thence westerly along the north margin of said alley fifty (50) feet to a stake; thence north westerly 206 feet to the center of said Elmwood Avenue; thence easterly with the center of said Elmwood Avenue fifty (50) feet to the place of beginning containing 37/100 of an acre more or less.

That Lottis M. Myers is the owner of the other undivided one half interest in said real estate.

That the following is the nature and amount of the encumbrance on said real estate described above, showing when the same is due and payable and the rate of interest thereon together with the names and residences of the holder of said lien, to wit: A Mortgage to the Citizens Home and Savings Company of Marysville, Ohio, upon which there is now due about \$300.00, drawing interest at



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7 per cent. and payable \$1.00 per week. There are no debts due as aforesaid except the taxes on said premises which are due and payable December 20<sup>th</sup> 1916; the amount of said taxes is \$ ---; that said premises are in fair condition and will not require any improvements at the present time; that the income from said real estate is about \$5.00 per month, but the property is occupied by the guardian and said wards, hence no income is derived therefrom.

Said wards own no other property of any kind except said real estate hereinbefore described; that the amount probably necessary to maintain said wards is about \$100.00 per year.

The plaintiff further represents that the said Lottie M. Myers and the plaintiff, her husband, are now living in the premises hereinbefore described and of which the said Lottie Myers owns a one-half interest, and the said wards own the other one-half interest; that prior to the 20<sup>th</sup> day of November 1916, there was pending in the Court of Appeals of this County a petition filed by the said Lottie M. Myers praying for the partition and sale of said premises; that the plaintiff herein was resisting the partition of said premises by the plaintiff on the ground that the said Lottie M. Myers and this plaintiff had entered into a contract between themselves by the terms of which the plaintiff had agreed to pay to said The Citizens Home and Savings Company said mortgage as the same became due and claimed that he had fully performed all of the conditions of said contract on his part to be performed, and that if said land was partitioned and sold as prayed for in said petition that it would result in a great and irreparable injury and loss to said wards, and prayed that said Lottie M. Myers be enjoined from partitioning and selling said premises; on the said 20<sup>th</sup> day of November 1916, the plaintiff and the said Lottie M. Myers for the purpose of making settlement of said partition case, and in order to prevent the partitioning and sale of said premises and to prevent the loss to said wards compromised and settled said matter; the plaintiff thereby agreed, with the consent and approbation of this Court, to purchase the undivided one half interest of the said Lottie M. Myers in said property and to pay her therefor the sum of \$700.00; in order to make payment of said \$700.00 he agreed to make application

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to the Citizens Home and Savings Company for a loan of \$700.00 on the whole of said premises, and out of the \$700.00 he was to pay the mortgage now on said premises and to pay to the said Lottie M. Myers the balance remaining of said \$700.00 after deducting the said mortgage, taxes, and expenses and to give to said Lottie M. Myers his notes as such guardian for the balance remaining unpaid of said \$700.00. In said agreement and compromise the said Lottie M. Myers agreed to sell and convey to this plaintiff her undivided interest in said premises and to accept therefor the sum of \$700.00 payable as hereinbefore alleged.

The plaintiff further represents and claims that it would be for the best interest of his said wards to purchase said real estate of the said Lottie M. Myers for the sum of \$700.00; that by so doing it will concern the one half interest in said premises now owned by said wards and to place into such shape and condition that it cannot be prejudiced by the application of the said Lottie M. Myers for partition and sale of said premises.

That it will enable the plaintiff to support and properly care for said minors without the necessity of borrowing any funds for their support and will provide them a comfortable and suitable home with their father. Said real estate is productive and is reasonably worth the sum of \$700.00 and is situated in the State of Ohio, County of Union and in the Village of Marysville, and is the other undivided one half interest of the premises hereinbefore described; that the rental of said real estate is reasonably worth the sum of \$5.00 per month, but that the same is now and will hereafter be occupied by the plaintiff and his wards.

A copy of said contract between the plaintiff and the said Lottie M. Myers, of the date of February 3<sup>rd</sup> 1915, is hereto attached; a copy of the contract and agreement between the plaintiff and said Lottie M. Myers settling said partition suit is also hereto attached, and a copy of the journal entry in the Court of Appeals of this County in said partition case is also attached.

Wherefore the plaintiff prays that said wards and the said Adam C. Myers, and the said The Citizens Home and Savings Co. may be made parties defendant to this petition, that they be notified of the pendency and prayer hereof in such way as the court shall direct; and that

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he may be authorized to purchase said above described real estate, and to borrow the sum of \$700.00 to pay said mortgage taxes, and expenses, and to mortgage all of said lands premises and for other proper relief.

The plaintiff further prays for the consent and approbation of the Court in purchasing said real estate as aforesaid, and in borrowing said money, and mortgaging said premises as is provided by law.

Adam C. Myers, Guardian of

Ralph C. Myers and Alice S. Myers.

State of Ohio, Union County, S.S.:

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Adam C. Myers, Guardian, the plaintiff named in the foregoing petition, being duly sworn, says that he believes the facts stated in said petition are true.

Adam C. Myers,

Sworn to before me and signed in my presence, this 20<sup>th</sup> day of November, 1916.

John H. Willis, Notary Public

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"Exhibit A."

Articles Of Agreement.

Exhibit A.

Article Of Agreement.

This article of agreement entered into at Mansville Ohio, this 3<sup>rd</sup> day of February, 1916, by and between Adam C. Myers, Guardian of Ralph C. Myers, and Alice S. Myers, minors, Lottie M. Myers, S.M. Overfired and Adam C. Myers, witnesses:

That the said Lottie M. Myers and Adam C. Myers her husband, has this day agreed to sell unto the said Adam C. Myers, Guardian, his successor and assigns from the following real estate situate in the County of Union, in the State of Ohio, and in the Village of Mansville, and bounded and described as follows:

Being the undivided one-half interest of the following described premises-

Beginning at a point in the center of Elmwood Avenue and one hundred feet west from the north west corner of S. R. Berger's lot recently purchased from F. A. Thompson; thence south easterly 206 feet to the north line of an alley, and one hundred feet west from the south west corner of S. R. Berger's lot; thence westerly along the north margin of said alley fifty (50) feet to a stake; thence North westerly 206 feet to the center of said Elmwood Avenue; thence easterly with the center of said Elmwood Avenue fifty (50) feet to the place of beginning containing 31/100 of an acre more or less.

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together with the privileges and appurtenances therunto belonging.

And the said Adam C. Myers Guardian as aforesaid for himself and for his successors and assigns doth agree to pay to said Lottie M. Myers her Executors, Administrators and assigns for the real estate aforesaid the sum of \$1122.00 payable as follows:

\$800.00 cash on the delivery of the deed for said property, said sum to be paid by the said Adam C. Myers, Guardian, cancelling and discharging a certain note and mortgage now held by the said Guardian against the property herein to be conveyed, and to pay \$322.00 by assuming the payment in said deed for said property, by proper covenants therein, a certain mortgage now on said property held by The Citizens Home and Savings Company of Marysville, Ohio, and the said Adam C. Myers, Guardian also agrees to pay one half of all taxes and assessments of every description that now are or hereafter may be levied against said property.

Now if the said Adam C. Myers, Guardian or his successor and assigns shall well and truly pay the purchase money as herein provided as the same shall become due and payable, the said Lottie M. Myers and Adam C. Myers, her husband, will well and truly make, execute and deliver unto the said Adam C. Myers, Guardian, his successors and assigns a general warranty deed of the real estate aforesaid, on or before the 15th day of February 1915, said deed to be subject however to said mortgage to the said The Citizens Home and Savings Company of Marysville, Ohio.

But on failure of the said Adam C. Myers, Guardian, to pay the purchase money or any part thereof, or the taxes as above provided, then this agreement to be void as regards the said Lottie M. Myers at her option.

It is further mutually agreed by the said Adam C. Myers and the said Lottie M. Myers that the said Lottie M. Myers is to have the right and privilege of selling one other certain lot which she now owns in the Village of Marysville, and which she purchased of Reams and Webb, at any time that she may desire so to do, but not for less than \$225.00 and the said Adam C. Myers agrees to sign deed for said lot releasing his right of dower therein whenever the same may be sold by the said Lottie M. Myers as hereinabove

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provided, the said Adam C. Myers, trustee, upon the sale of said lot is to receive from said Lottie M. Myers a sum of money out of said purchase price equal in amount to his down interest therein calculated according to down table at his age at time of sale.

It is further agreed by said Adam C. Myers and Lottie M. Myers on the one part and S. M. Overfield on the other part that the said S. M. Overfield and his son Edward Overfield are to board with said Adam C. and Lottie M. Myers for such time as may be agreeable to all of said parties for the sum of \$4.00 per week, said \$4.00 per week to be paid to said Lottie M. Myers by said S. M. Overfield, which said \$4.00 per week is to be used by said Lottie M. Myers in purchasing groceries and products from the Larkin Company according to a contract now existing between the said Lottie M. Myers and said Company; all of said groceries and products so purchased are to be used by the said Lottie M. Myers for the exclusive benefit of the said Adam C. Myers and Lottie M. Myers and other members of said household, including the two children of the said Adam C. Myers, and in the event that said S. M. Overfield and son shall cease to board with the said Myers then the said Adam C. Myers shall pay to the said Lottie M. Myers the sum of \$1.00 per month to be used by her in purchasing groceries and products from said Larkin Company according to said contract, and all of said groceries and products are to be used by the said Lottie M. Myers for the exclusive benefit of the said Adam C. Myers, and Lottie M. Myers and their said household.

All of the Larkin goods now owned by the said Lottie M. Myers are to be her own property, she to do with them as she pleases. It is further mutually agreed by the said Lottie M. Myers and Adam C. Myers, her husband, on the one part, and Adam C. Myers Guardian, on the other part, that the said Lottie M. Myers is to care for and control the two said wards of the said guardian, the same as if they were her children, and the said Adam C. Myers Guardian is to compel said children to obey and respect said Lottie M. Myers the same as if they were her children.

The said Adam C. Myers Guardian, is not to make any charge against the said Lottie M. Myers or Adam C. Myers, her husband, for the use and occupancy of said property herein agreed to be conveyed to him, and the said Lottie M. Myers or

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Adam L. Myers, her husband, is to make no charge against Adam L. Myers, Guardian, for any care and attention that the said Lottie M. Myers may give to said children by reason of this contract, it being the understanding between said parties that the care and attention to said children on the part of the said Lottie M. Myers shall be in full payment for the use and occupancy of said property by the said Lottie M. Myers, and that the use of said property by the said Lottie M. Myers shall be in full payment for any care and attention given to said children by the said Lottie M. Myers.

It is further mutually agreed by the said Adam L. Myers, Guardian, and Lottie M. Myers, on the one part and S.M. Overfield on the other part, that said S.M. Overfield paying the \$4.00 per week as herein before provided, shall have the use of one room in the cellar of said dwelling, and the right to keep the same locked if he so desires.

In consideration of the above premises the said S.M. Overfield agrees to pay to said Lottie M. Myers, for said board and room the sum of \$4.00 per week so long as it is agreeable with all the parties to this contract, and to vacate said premises upon notice so to do by either the said Adam L. Myers or Lottie M. Myers.

It is further mutually agreed by the said Adam L. Myers and Lottie M. Myers, that they are to live together in a peaceable manner as husband and wife, and to respect and treat each other with kindness and consideration.

In Witness Whereof, the parties hereto have hereunto set their hands in triplicate this 3<sup>rd</sup> day of February, 1915.

Executed in the presence of John K. Willis  
Elizabeth Burger.

Lottie M. Myers.  
Adam L. Myers.  
S.M. Overfield.  
Adam L. Myers -  
Guardian.

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The State of Ohio, Union County, ss:  
Be it Remembered, That on this 3<sup>rd</sup> day of February, 1915, before me, the subscriber, a Notary Public, in and for said County, personally came the above named, Lottie M. Myers, Adam L. Myers, S.M. Overfield, and Adam L. Myers, Guardian, who acknowledged the signing of the foregoing instrument to be their voluntary act and deed, for the uses and purposes therein mentioned.

In Testimony Whereof, I have hereunto subscribed



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8605- my name and affixed my official seal on the day and year last aforesaid.  
John A. Willis, Notary Public

8605- "Exhibit B" Contract Of Settlement.  
In the Court of Appeals, Union County, Ohio,  
No. 8605-

Exhibit B. Lottie M. Myers.  
Plaintiff  
v.  
Adam C. Myers, et al.  
Defendants.

Contract Of Settlement.

This agreement made and entered into at Marysville, Ohio, this 20<sup>th</sup> day of November 1916, by and between Lottie M. Myers and Adam C. Myers as Guardian of Ralph C. Myers and Alice L. Myers and also as an individual witnesseth: that in consideration of the settlement of the above action the said Adam C. Myers as guardian of Ralph C. Myers and Alice L. Myers has agreed to make application to the Probate Court of Union County, Ohio, for an order to purchase the remaining undivided one-half of the premises described in the petition herein for the sum of \$700.00 and the said Lottie M. Myers has agreed to convey said remaining undivided one-half of said premises to said Adam C. Myers, as Guardian as aforesaid by a deed of Quitclaim, which has this day been executed and delivered to Richard L. Learner in escrow, to be held by him until such a time as the said Adam C. Myers as Guardian aforesaid shall be enabled to get the order of the Probate Court and carry out the terms on his part to be performed, when the same shall be delivered to the said Adam C. Myers as Guardian aforesaid. As a part of the terms of this settlement the said Adam C. Myers agrees to borrow on said real estate on first mortgage all the money that he can possibly secure on the same and after the payment of the mortgage now on said premises, the taxes now due on said premises, and an attorney fee for this cause, then he shall pay the balance in full to said Lottie M. Myers in cash and shall give his notes as such Guardian after deducting the amount paid in cash for the balance of said sum of \$700.00 payable at the rate of \$100.00 per year and secured by a second mortgage on said real estate containing the condition that if any one of said are not paid when due, then that all of said notes still unpaid shall at once become due and

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Final Record, Union County Probate Court

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payable. Said notes are to bear interest at the rate of 6 per cent per annum payable semi-annually. Said money is to be borrowed, said order of the Probate Court, obtained and all the obligations of this contract to be performed as speedily as possible. It is further agreed by the said Adam C. Myers as a part of the terms of this settlement that should the said Lottie M. Myers hereafter desire to sell the lot which she owns adjoining said property whether before or after she shall build a dwelling upon the same, that he will sign a deed to the purchaser conveying away his inchoate dower in the same without requiring the payment of any money upon her part. It is also agreed that the said Adam C. Myers as an individual shall pay the costs of the above action and the same is to be dismissed without record.

attest  
 John H. Hillis  
 Lottie Myers,  
 Adam C. Myers, Esq.,  
 Adam C. Myers.

8605

"Exhibit B"

Exhibit B.

Lottie M. Myers,  
 Plaintiff.  
 vs

Adam C. Myers, Esq.,  
 et al.  
 Defendants.

In the Court of Appeals, Union County, Ohio.

No. 8605.

Journal Entry.

This day comes the parties by their attorneys and compromised and settled said cause upon the following agreement:

Plaintiff has agreed to convey to Adam C. Myers guardian of Ralph C. Myers and Alice L. Myers for a consideration of \$700.00 to her to be paid by said Adam C. Myers, guardian as aforesaid, the following described premises, situated in the Village of Mansville, County of Union and State of Ohio, and bounded and described as follows: Being the undivided one-half interest of the following real estate, Beginning at a point in the center of Ellwood Avenue, and one hundred feet west from the north-west corner of S. R. Berger's lot recently purchased of S. A. Thompson; thence south easterly 206 feet to the north line of an alley, and one hundred feet west from the south west corner of S. R. Berger's lot; thence westerly along the north margin of said alley 50 feet to a stake; thence north westerly 206

Final Record, Union County Probate Court

8605-

feet to the center of said Ellwood Avenue; thence easterly with the center of said Ellwood Avenue 50 feet to the place of beginning. Containing  $3\frac{1}{100}$  of an acre more or less; that this cause is to be, and hereby is dismissed at the cost of the defendant, Adam L. Myers; that the said Adam L. Myers Guardian is to make application to the Probate Court of Union County, Ohio, for authority to purchase said real estate for said minor at said price; that in making said payments to said Lottie M. Myers the said Adam L. Myers Guardian is to place a mortgage upon the property for whatever amount he can borrow thereon and to pay the net proceeds thereof, after deducting the amount due on the mortgage now on said premises, the taxes, now due on said property and attorney fees for this cause, to the said Lottie M. Myers, and to give her his notes as such guardian for the balance thereof, payable \$1,000.00 per year and drawing interest at 6 per cent per annum, payable semi-annually, for further details of settlement see contract of this date, Adam L. Myers to pay costs and action dismissed without record.

Approved:

Richard L. Cameron,  
Attorney for Plaintiff.

John H. Willis,  
Attorney for Defendant.

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Journal Entry. Probate Court, Union County, Ohio,  
November 23-1916.  
In the matter of  
The Guardianship  
Of Ralph L. Myers and  
Alice L. Myers Minors  
Petition to Invest in Production  
Real Estate.  
Order for Hearing and Notice.  
This day, Adam L. Myers, Guardian of Ralph L. Myers and Alice L. Myers appeared in open court and filed his petition praying for the consent and approbation of the court in making investment in certain production Real Estate therein described.  
It is ordered that the 27<sup>th</sup> day of November 1916, at 8:30 O'clock A.M. be and hereby is fixed as the time when said petition will be heard. And it is further ordered that notice thereof be given to said wards in writing personally 2 days before said day of hearing, and this cause is continued.

Edward H. Porter, Probate Judge.

8605-

Notice.

Notice

In the matter of  
The Guardianship  
Of Ralph L. Myers and  
Alice L. Myers Minors.  
Probate Court, Union County, Ohio,  
No. 8605-  
Petition to Invest in Production Real Estate  
Notice.

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Final Record, Union County Probate Court

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To Ralph C. Myers, and Alice L. Myers  
 You are hereby notified that on the 23<sup>rd</sup> day of November 1916 Adam C. Myers as your Guardian filed in said Probate Court his Petition praying for the consent and approbation of said Court to incur the sum of Seven Hundred Dollars, in certain production Real Estate described in said petition. Said petition will be for hearing before said Court on the 27<sup>th</sup> day of November, 1916 at 8:30 o'clock A.M.

In Witness Whereof, I have hereunto subscribed my name and caused the seal of said Court to be affixed, at Marysville, Ohio, this 23<sup>rd</sup> day of November, 1916.

*Seal* Edward H. Porter, Probate Judge.

8605-

The State Of Ohio, Union County, ss.

I, Adam C. Myers, Guardian as aforesaid bring duly sworn, say, that on the 24<sup>th</sup> day of November 1916, I served this writ by delivering a copy thereof personally to each of the following named persons, to wit: Ralph C. Myers, Alice L. Myers, and Adam C. Myers, and on the same day I served this writ by delivering a true copy thereof personally upon Adam C. Myers the legal Guardian of the said Ralph C. Myers and Alice L. Myers.

Adam C. Myers.

Done to before me and signed in my presence, this 25<sup>th</sup> day of November 1916.

*Seal* John H. Hillis, Notary Public.

8605-

Notice To Defendants.

The State of Ohio, Union County, ss.

To Ralph C. Myers, and Alice L. Myers, and Adam C. Myers, and Adam C. Myers Guardian of Ralph C. Myers and Alice L. Myers.

You are hereby notified, that on the 23<sup>rd</sup> day of November 1916, the undersigned as I Guardian, filed in the Probate Court of Union County, Ohio, a petition, the object and prayer of which is that he may be authorized by said Court to borrow money, and mortgage Real Estate belonging to the said Ralph C. Myers and Alice L. Myers situated in the County of Union, in the State of Ohio, and in the Village of Marysville, and described as follows, to wit:

Beginning at a point in the center of Ellwood Avenue and one hundred feet west from the North west corner of S. R. Berger's lot recently purchased from F. A. Thompson; thence south easterly 206 feet to the North line of an alley, and one hundred feet west from the south west corner

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Final Record, Union County Probate Court

8605-

of S. R. Berger's lot; thence westerly along the north margin of said alley fifty (50) feet to a stake; thence north-westerly 206 feet to the center of said Elwood Avenue; thence easterly with the center of said Elwood Avenue fifty (50) feet to the place of beginning containing  $\frac{31}{100}$  of an acre more or less.

Said petition will be for hearing by said Court, on 27 day of November 1916, at 8:30 O'clock A.M., at which time unless you show cause to the contrary, an order will be asked, as prayed for in said petition.

Dated this 23 day of November 1916.

Adam C. Myers.

Guardian of Ralph C. and Alice L. Myers.

Affidavit of Service.

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The State of Ohio Union County, ss.

Affidavit of Service

I, Adam C. Myers guardian as aforesaid being duly sworn, say, that on the 24 day of November 1916, I served this writ by delivering a true copy thereof personally to the following named persons to-wit:

Ralph C. Myers, Alice L. Myers, and Adam C. Myers, and on the same day I served this writ by delivering a true copy thereof personally upon Adam C. Myers, the legal Guardian of the said Ralph C. Myers and Alice L. Myers.

Adam C. Myers.

Shown to before me and signed in my presence, this 25 day of November, 1916.

Seal

John H. Willis, Notary Public

8605-

Report of Guardian as to Terms of Loan

Report of Adam C. Myers Guardian of Ralph C. Myers and Alice L. Myers Plaintiffs vs His Wards et al. Defendants. Report as to Terms of Loan. Probate Court, Union County, Ohio. Petition to Borrow Money and Mortgage Real Estate. Report as to Terms of Loan.

In obedience to the order of said Court, the copy of which is herewith returned, I have made full and diligent inquiry and find that the best terms obtainable in making the loan on behalf of my said Wards are as follows:-

I can borrow the \$700.00 from The Citizens Home and Savings Company of Marysville, Ohio, at 6 per cent, payable in weekly installments according to the Constitution and by laws of said The Citizens Home and Savings Company.

The notes to be given to Lottis M. Myers are to

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Final Record, Union County Probate Court

8605- bear interest at 6 per cent per annum payable semi-annually, and said amount is to be payable \$100.00 per year, and in case of default in the payment of any of said notes the balance remaining unpaid is to become due and payable.  
 Dated this 27<sup>th</sup> day of November, 1916.  
 Adam C. Myers, Guardian

8605- The State of Ohio, Union County, ss.  
 Adam C. Myers, being duly sworn, says that the statements in the foregoing report are true as he truly believes.  
 Adam C. Myers  
 known to before me and signed in my presence, this 27<sup>th</sup> day of November, 1916.  
 John H. Hillis, Notary Public

8605- Journal Entry: Orders Confirming and Authorizing Loan, Probate Court, Union County, Ohio, November 27<sup>th</sup> 1916  
 Orders: Adam C. Myers, Guardian  
 Confirming of Ralph C. Myers, and Alice L. Myers, minor Plaintiff  
 Authorizing His Wards et al. Defendants  
 Loan. Orders -  
 Petition to Borrow Money and Mortgage Real Estate.

This day this cause came on to be heard on the report of said Adam C. Myers, Guardian, of the rate of interest and time for which he can borrow the amount heretofore found necessary to be borrowed. And the court having carefully examined said report, finds the terms proposed satisfactory to the court. It is ordered that the same be accepted, and is hereby confirmed, and said Guardian is authorized and ordered as such Guardian to execute a note or notes for said amount, and to execute a mortgage on the lands designated in the former order herein.  
 It is further ordered that this proceeding be recorded and that said Guardian pay the costs herein taxed at \$ --- within ten days.  
 Edward H. Porter, Probate Judge

8605- Journal Entry: Probate Court, Union County, Ohio, Nov. 27<sup>th</sup> 1916  
 Orders as to Adam C. Myers, Guardian of Ralph C. Myers and Alice L. Myers Plaintiff  
 Amount of Loan His Wards et al. Defendants  
 Orders as to Amount of Loan  
 This day this cause came on to be heard upon the petition, evidence and testimony and the court



Final Record, Union County Probate Court

8605-

bring fully advised in the premises finds: that all the defendants herein have been duly and legally notified of the pendency, and prayer of the petition and are now properly before the court: And that the statements and allegations in said petition are true.

And it appearing to the court to be for the best interest of the estate of said Wards that the prayer of the petition be granted, the court hereby fixes the amount necessary to be borrowed, at the sum of Seven Hundred Dollars from the Citizens Home and Savings Co. and to execute his notes as such guardian to Lottie M. Myers as prayed for in said petition, and directs that the premises described in the petition be encumbered by a mortgage to the said The Citizens Home and Savings Company for \$700.00, and that the notes given to said Lottie M. Myers be secured by a second mortgage on said premises.

And it is ordered that said Guardian be and he is hereby directed to ascertain and report to the court, the rate of interest and time for which he can borrow said amount so found necessary to be borrowed, and this cause is continued.

Edward H. Porter, Probate Judge

8605-  
Order  
Approving  
Mortgage

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Filed Apr. 3-1917

8605

Writ to Guardian

The State of Ohio

Probate Court

Union County, ss.

Writ  
To  
Guardian

To Adam L. Myers Guardian of Ralph L. Myers and Alice L. Myers.

In obedience to an order and decree of said court, made this day in a certain cause wherein you as such Guardian, are Plaintiff and your said Wards et al. are Defendants, a true copy of which is hereto attached, you are directed to ascertain the rate of interest and time for which you can borrow the sum of Seven Hundred Dollars and the notes to Lottie M. Myers by mortgaging the real estate therein described, to secure the same.

You will make due report thereof to this court forthwith upon the execution of said Order.

Witness my signature and Seal of said Probate Court at Mansfield, Ohio, this 27<sup>th</sup> day of November, 1916.

*sent*

Edward H. Porter, Probate Judge

Journal Entry:

Probate Court, Union County, Ohio,  
November, 27- 1916

Petition

8605:



Final Record, Union County Probate Court

8655  
Order  
Approving  
Instrument

In the Matter of  
The Guardianship  
Of Ralph L. Myers, <sup>and</sup>  
Alice L. Myers, Minors.

Petition To Invest in Productive  
Real Estate.  
Order Approving Instrument, etc.

This day this cause came on to be heard upon the petition, evidence and testimony; and the court being fully advised in the premises finds that the statements in said petition are true, and that it is to the interest of said Wards to make the investment in the Productive Real Estate as set forth and described in said petition. The court does therefore consent to and approve the same. It is ordered that this proceeding be recorded and that said Guardian pay the costs herein taxed at \$ - within ten days.

Eduard W. Porter, Probate Judge.

8605  
Filed Apr. 3-1917

In the Matter of  
The Guardianship  
Of Ralph L. Myers and  
Alice L. Myers, Minors

Petition  
In The Probate Court of Union County, Ohio  
No. 8605  
Petition.

Now comes Adam L. Myers and represents to the court that he is the duly appointed, qualified and acting guardian of the property of Lottie M. Myers an insane person who is now confined in the State Hospital for the insane at Columbus, Ohio, and also of Ralph L. Myers and Alice L. Myers.

Petition

That on the 23<sup>rd</sup> day of November 1916, Adam L. Myers as Guardian of Ralph L. Myers and Alice L. Myers commenced an action in this court praying for the consent and approval of the Probate Court to invest certain funds of said guardianship in productive real estate to be purchased of the said Lottie M. Myers and also praying for the consent and approval of said Court to mortgage certain premises belonging to said Wards.

On the 27<sup>th</sup> day of November 1916, said Court gave its consent and approval to the investment in said real estate to be purchased from the said Lottie M. Myers.

The applicant further represents that said proceedings were erroneous in so far as the same affected the purchase of said property from the said Lottie M. Myers for this reason to wit: That at said time the said Lottie M. Myers was of

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County, Ohio,  
- 1916

Final Record, Union County Probate Court

8605-

unsound mind and that the condition of the said Lottie M. Myers does not appear in the record of said proceedings.

The applicant further represents that through an omission on the part of the Clerk of said court no consent and approval was given by said court for said guardian of said wards to mortgage said property.

On the 22<sup>nd</sup> day of April, 1916, a decree for partition was entered in said cause and thereupon the defendant, Adam C. Myers, guardian of Ralph C. Myers and Alice L. Myers gave notice of appeal of said cause to the Court of Appeals of this County.

On the 20<sup>th</sup> day of October, 1916, said Court of Appeals found that said parties had compromised and settled said cause and thereupon dismissed the same at the costs of the said Adam C. Myers, individually.

The Court also found that by the terms of said agreement the said Lottie M. Myers then agreed to convey to said Adam C. Myers, guardian of Ralph C. Myers and Alice L. Myers as aforesaid the premises hereinbefore described for the sum of \$700.00 and that said Adam C. Myers, guardian as aforesaid, was to make application to the Probate Court of Union County, Ohio for authority to purchase said real estate, and also for authority to mortgage all of said premises to borrow the money with which to make said payment to the said Lottie M. Myers. Said contract was never consummated for the reason that the Probate Court had no authority to give its consent and approval to the purchase of said real estate of the said Lottie M. Myers.

That said proceedings were erroneous as to the said Lottie M. Myers for the reason that she was of unsound mind at the time, and that her said condition does not appear in the record of said proceedings.

That said Lottie M. Myers was prevented from prosecuting said matter in this court because of her insanity.

This applicant further represents that he has a valid defense against the finding of this court and against the alleged contract upon which said suit was dismissed, as follows: That at the time said Lottie M. Myers entered into said contract and dismissed this cause she was insane, and has since been adjudged insane and committed to the State Hospital at Columbus, Ohio.

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Final Record, Union County Probate Court

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8605- Whereupon the Applicant prays that said judgment be vacated and that he be permitted to make said defense hereto and for such further relief as is equitable.  
Adam C. Myers.  
By John H. Willis. His Attorney.

8605- State of Ohio.  
Union County, ss.  
Adam C. Myers being first duly sworn says that  
Oath the facts stated and allegations made in the foregoing petition are true as he truly believes.  
Adam C. Myers.  
Sworn to before me and subscribed in my presence this 29<sup>th</sup> day of March, 1917.  
John H. Willis Notary Public

8605- Wainw  
In The Probate Court of Union County, Ohio  
No. 8605;  
In The Matter Of  
The Guardianship  
Of Ralph C. Myers and  
Alice L. Myers;  
Wainw.  
Now comes Adam C. Myers guardian as aforesaid and Adam C. Myers in his own right, and each hereby waives the issuance and service of notice herein, and of all rule days for pleading, and enter their appearance herein.  
Adam C. Myers, Guardian  
of Ralph C. Myers and Alice L. Myers.  
Adam C. Myers.

8605- Order For Notice.  
In The Probate Court Of Union County, Ohio  
No. 8605-  
Order For Notice.  
In The Matter Of  
The Guardianship  
Of Ralph C. Myers and  
Alice L. Myers.  
On the 3<sup>rd</sup> day of April 1917, came Adam C. Myers as Guardian of Ralph C. and Alice L. Myers, and also Guardian of Lottie M. Myers, and filed his petition duly verified asking for the vacation of an order of this court made herein on the 27<sup>th</sup> day of November, 1916.  
Whereupon it is ordered by said court that said cause be set for hearing on the 22<sup>nd</sup> day of May 1917, and that notice thereof shall be given to Ralph C. Myers and Alice L. Myers, and Adam C. Myers their next of kin, to the said Ralph C. Myers and Alice L. Myers.  
It is further ordered that the above notice shall



Final Record, Union County Probate Court

8605-

be in writing, and delivered to each of said parties personally. Or if that cannot be done then by leaving a copy at their usual place of residence, such notice to be served three days before the day that said application is set for hearing.

Eduard H. Porter, Probate Judge.

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Notice.

Probate Court, Union County, Ohio.

No. 8606-

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In the matter of  
The Guardianship  
of Ralph L. Myers and  
Alice L. Myers, Minors

Petition to Intervene in Productive  
Real Estate

Notice.

Notice

To Alice L. Myers, Ralph L. Myers and Adam L. Myers  
You are hereby notified that on the 3<sup>rd</sup> day of  
April, 1917, Adam L. Myers, as guardian of Lottie M.  
Myers and as your Guardian filed in said  
Probate Court his Petition praying for vacation of an  
order of this Court made herein on the 27<sup>th</sup> day of  
Nov. 1916, in this matter. Said petition will be  
for hearing before said Court on the 22<sup>nd</sup> day of May  
1917 at 9 o'clock A.M.

In Witness Whereof I have hereunto subscribed my  
name and caused the seal of said Court to be  
affixed, at Marysville, Ohio, this 17<sup>th</sup> day of May, 1917.

Eduard H. Porter, Probate Judge

Affidavit  
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The State of Ohio, Union County, ss.

I, Adam L. Myers Guardian as aforesaid, being  
duly sworn, say, that on the 18<sup>th</sup> day of May 1917,  
I served this writ by delivering a copy thereof per-  
sonally to each of the following named persons, to-wit:  
Ralph L. Myers, Alice L. Myers, and Adam L. Myers, and on the  
same day I served this writ by delivering a true  
copy thereof personally upon Adam L. Myers, the legal  
Guardian of the said Ralph L. Myers and Alice L. Myers,  
Adam L. Myers.

Sworn to before me and signed in my presence,  
this 18<sup>th</sup> day of May 1917.

John H. Hillis, Notary Public

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Answer.

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Notice.

The State of Ohio, Union County, ss.

To Ralph L. Myers, Alice L. Myers and Adam L. Myers  
guardian of Ralph L. Myers and Alice L. Myers, Minors,  
You are hereby notified, that on the 3<sup>rd</sup> day of  
April 1917, the undersigned as Guardian, filed in  
the Probate Court of Union County, Ohio, a petition,  
the object and prayer of which to vacate an order  
of this Court made herein on the 27<sup>th</sup> day of

Notice

Final Record, Union County Probate Court

8605-

November 1916 in this matter.

Said petition will be for hearing by said Court, on the 22<sup>nd</sup> day of May, 1917, at 9 o'clock A.M. at which time unless you show cause to the contrary, an order will be asked, as prayed for in said petition.

Dated this 17<sup>th</sup> day of May, 1917.

Adam C. Myers, Guardian of Ralph C. Myers, and Alice L. Myers.

Affidavit of Service.

8606-

The State of Ohio, Union County, ss.

Affidavit of Service

I, Adam C. Myers, Guardian as aforesaid being duly sworn, say, that on the 18<sup>th</sup> day of May, 1917, I served this writ by delivering a true copy thereof personally to the following named persons, to wit: Ralph C. Myers, Alice L. Myers, and Adam C. Myers, and on the same day I served this writ by delivering a true copy thereof personally upon Adam C. Myers, the legal guardian of the said Ralph C. Myers and Alice L. Myers.

Adam C. Myers,

known to be for me and signed in my presence, this 18<sup>th</sup> day of May, 1917.

John H. Hillis, Notary Public.

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Answer.

In the Probate Court Union County, Ohio,

No. 8605.

Answer.

Answer.

In the Matter of The Guardianship of Ralph C. Myers and Alice L. Myers, Minors.

Now comes the defendant Adam C. Myers, guardian of Lottie M. Myers, and upon leave of the court first had, and for answer herein says that since the filing of the application herein the said Lottie M. Myers has been adjudged insane, and is now confined in the State Hospital for the insane at Columbus, Ohio; that it is impossible and impracticable for the said Lottie M. Myers to carry out her part of said agreement as set forth in the application herein, and that it is impossible for the said Adam C. Myers as guardian of the said Ralph C. Myers and Alice L. Myers to borrow money on said property as contemplated in said application, for the reason of the lack of jurisdiction of this court to authorize the purchase of said property; and that the said Lottie M. Myers at the time she entered into said contract agreeing to convey said real estate to



Final Record, Union County Probate Court

8605

the said Adam C. Myers guardian as aforesaid she was of unsound mind.

Wherefor this defendant prays that said application and proceedings be dismissed, and such other relief as may be necessary.

Adam C. Myers Guardian of Lottie M. Myers.

By John H. Willis. His Attorney.

8605

State of Ohio,  
Union County, ss.

Each

Adam C. Myers being first duly sworn says that the facts stated and allegations made in the foregoing pleadings are true as he verily believes.  
Adam C. Myers.

Known to before me and subscribed in my presence this 6<sup>th</sup> day of June, 1917.

John H. Willis, Notary Public

8605

Journal Entry:

In The Probate Court Of Union County, Ohio.

Journal Entry

In The Matter Of  
The Guardianship  
Of Ralph C. Myers and  
Alice L. Myers, Minors.

No. 8605-

Journal Entry

This day this cause came on to be heard upon the petition of Adam C. Myers guardian as aforesaid, and upon due consideration whereof the Court finds that it has become impossible for the said Lottie M. Myers to carry out said agreement as set forth in the application heretofore filed herein, and that it is impossible for the said Adam C. Myers guardian of said Ralph C. Myers and Alice L. Myers to borrow money on said property as contemplated in said application, and that said proceedings in so far that they affect said Lottie M. Myers are erroneous, and that the said Lottie M. Myers is of unsound mind, and that her said condition does not appear of record in said proceedings, and that the applicant herein has a valid defense in said original case, and is entitled to have the former judgment and findings of this Court set aside.

Wherefor the prayer of said petition is granted, and said finding, consent, approval, and judgment in said matter is set aside, and a new hearing in said case is granted.

Leave given defendant Adam C. Myers guardian of Lottie M. Myers to file answer instantler,

8605

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Journal Entry

Entry

8756

Filed June 18<sup>th</sup> 1917

Petition

8756



Final Record, Union County Probate Court

8605

Edward H. Porter, Probate Judge.

Approved: John H. Willis Atty. Adam C. Myers, Guardian  
Cameron and Cameron Atty. for Lottis M. Myers.

8605

Journal Entry

In The Probate Court, Union County, Ohio,

Journal Entry

In The Matter of  
The Guardianship  
Of Ralph C. Myers and  
Alice L. Myers Minors

No. 8605

Journal Entry

This day this cause came on to be heard upon the pleadings, exhibits and evidence, and upon consideration whereof the court doth find upon the issues joined in favor of the defendant, Adam C. Myers guardian of Lottis M. Myers, and that said application to purchase said real estate and to borrow said money is dismissed.

It is ordered that the said Adam C. Myers as guardian of Lottis M. Myers pay one half of the costs herein taxed, and that the said Adam C. Myers as guardian of Ralph C. Myers and Alice L. Myers pay one half of the costs herein taxed.

Edward H. Porter, Probate Judge.

8756

Filed June 18<sup>th</sup> 1917

Petition To Borrow Money and Mortgage Real Estate  
In The Probate Court, Union County, Ohio.

No. 8756

Adam C. Myers Guardian  
Of Ralph C. Myers and  
Alice L. Myers Minors  
and Lottis M. Myers.

Petition To Borrow money  
and  
Mortgage Real Estate.

Plaintiff

vs.

His Wards and Adam C. Myers and The Citizens Home and Savings Company of Marysville, Ohio.

Petition

Petition

Defendants.

The plaintiff represents that he is the duly appointed and qualified guardian of Ralph C. Myers of the age of sixteen years on the 14<sup>th</sup> day of November, 1916, and residing at Marysville, Ohio, and of Alice L. Myers of the age of twelve years on the 25<sup>th</sup> day of April 1917, and residing at Marysville, Ohio, and also of Lottis M. Myers, an insane person, and that he was appointed as such guardian of all of said wards by the Probate Court of Union County, Ohio.

8756

The following are the names and residences of





Final Record, Union County Probate Court

8756

Ohio, about \$303.<sup>58</sup> with interest at six per cent. and is due according to the rules and regulations of said The Citizens Home and Savings Company. Chas. H. Willis Rochester, N.Y. tax sale certificate in the sum of about \$76.<sup>79</sup>. May be redeemed at any time within two years from date of sale. Current taxes \$1.<sup>35</sup> and tax for the year 1917, payable to the County Treasurer. Judgments for costs \$65.<sup>00</sup> payable to the clerk of the court, now due.

That the following is the amount and character of all valid debts due from said wards, to whom due, when the same became or will become due, and the rate of interest thereon, to wit:

\$ 303.<sup>58</sup> to The Citizens Home and Savings Company of Marysville, Ohio, due according to the rules and regulations of said company.

\$ 76.<sup>79</sup> taxes to The Citizens Home and Savings Company, which are now due.

Petition

\$ 1.<sup>35</sup> current taxes, and taxes for the year 1917, not yet ascertained.

\$ 65.<sup>00</sup> costs in cases No. 9792 and 9794 Court of Common Pleas, and No. 32 in Court of Appeals, and Probate Court now due.

\$ 30.<sup>00</sup> to R. H. Cameron, Marysville, Ohio, Attorney fees, now due.

\$ 75.<sup>00</sup> to John H. Willis, Marysville, Ohio, Attorney fees, now due.

\$ 24.<sup>88</sup> to Emmert Conrad Co., 6% interest, now due.

\$ 38.<sup>28</sup> to Union Banking Company, 6% interest, now due.

\$ 16.<sup>76</sup> to The Marysville Light and Water Co., Marysville, Ohio, now due, 6%.

\$ 60.<sup>00</sup> to A. C. Myers, Guardian, money advanced, 6%.

That the income from said real estate is nothing. Property is occupied by wards and the guardian as a family homestead.

The following is a statement of said wards personal property and the income therefrom:

Lottie M. Myers has a few articles of household goods, the other wards have no personal property; no income therefrom.

That the amount probably necessary to maintain said wards; nothing to be deducted from the property or the money to be borrowed to maintain said wards.

The Plaintiff therefore prays that said wards and said Adam C. Myers and The Citizens Home and Savings Company of Marysville, Ohio, may be made parties defendants to this petition, and they be

8756



Final Record, Union County Probate Court

8756

be notified of the pendency, and prayer hereof in such way as the court shall direct; and that he may be authorized to borrow the sum of Seven Hundred Dollars to pay such mortgages, debts, taxes and costs, and to mortgage so much of said Wards lands as may be necessary to secure such loan, and for other proper relief.

Adam C. Myers Guardian of Ralph C. and Alice Myers. and Lottie M. Myers.

8756

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Ad

Of

and

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The State of Ohio, Union County, ss

Clark

Adam C. Myers, Guardian, the plaintiff named in the foregoing petition, being duly sworn, says that he believes the facts stated in said petition are true.

Adam C. Myers,

Sworn to before me and signed in my presence, this 16<sup>th</sup> day of June, 1917.

seals

John H. Hillis, Notary Public

Motion

8756

Order for Notice,

In the Probate Court, Union County, Ohio.

Order for Notice

Adam C. Myers, Guardian of Ralph C. Myers, and Alice L. Myers, Minors, and Lottie M. Myers, an insane person, Plaintiff

No. 8756  
Petition To Borrow money and Mortgage Real Estate

His Wards and Adam C. Myers, and The Citizens Home and Savings Company of Marysville, Ohio. Defendants

Order for Notice,

8756

Journal Entry

This day Adam C. Myers Guardian of Ralph C. Myers and Alice L. Myers and also of Lottie M. Myers appeared in open court, and filed his petition duly verified, praying for authority to borrow money and to mortgage real estate therein described, belonging to his said Wards. It is ordered that the time of hearing said petition be and hereby is fixed for the 23<sup>rd</sup> day of June 1917, at 10 O'clock A.M.

It is further ordered that said Guardian cause notice thereof, and of the filing and demand of said petition, to be given to said Ralph C. Myers, Alice L. Myers, Lottie M. Myers, Adam C. Myers and The Citizens Home and Savings Company.

Defendants in writing to be served upon them personally, and by leaving copies thereof at the usual place of residence of each of those who cannot be served personally, three days before

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Final Record, Union County Probate Court

8756

said day of hearing, and this cause is continued.  
Edward H. Porter. Probate Judge.

8756

Motion.

In the Probate Court, Union County, Ohio.

Adam L. Myers, Guardian  
Of Ralph L. Myers, <sup>and</sup>  
Alice L. Myers Minors  
<sup>and</sup> Lottie M. Myers.  
Plaintiff

No. 8756

vs.  
His Wards, and Adam  
L. Myers, and The Citizens Home <sup>and</sup>  
Savings Company of Marysville, Ohio.  
Defendants.

Motion.

Motion

Now comes the plaintiff by John H. Willis his attorney,  
and moves the Court for an order appointing  
a guardian ad litem for the minor defendants,  
Ralph L. Myers and Alice L. Myers, and Lottie M. Myers  
an insane person, and represents to the Court  
that said minor defendants and said Lottie M.  
Myers, have been regularly and properly served  
with process herein. Plaintiff suggests Norman  
L. Bown as such guardian ad litem.

John H. Willis, Attorney for Plaintiff.

8756

Journal Entry: In the Probate Court of Union County, Ohio.

No. 8756.

Journal  
Entry

Adam L. Myers, Guardian  
Of Ralph L. Myers, <sup>and</sup> Alice L.  
Myers, Minors, <sup>and</sup> Lottie M. Myers.  
Plaintiff.

Journal Entry.

vs.  
His Wards, <sup>and</sup> Adam L. Myers <sup>and</sup>  
The Citizens Home <sup>and</sup> Savings  
Company of Marysville, Ohio.  
Defendants.

This cause coming on this day to be heard  
upon the motion of the plaintiff, for an order  
appointing a guardian ad litem for the  
minor defendants, Ralph L. Myers, and Alice L.  
Myers, and Lottie M. Myers, an insane person,  
upon consideration whereof the Court being fully  
advised in the premises finds that said  
motion is well taken and does sustain the  
same.

Wherefore it is ordered by the Court that Norman  
L. Bown, be appointed, and he hereby is appointed  
guardian ad litem for said minor defendants,  
Ralph L. Myers and Alice L. Myers, and Lottie M. Myers,



Final Record, Union County Probate Court

8754

an insane person. Thereupon said Norman L. Brown and accepted said appointment.

Eduard H. Porter, Probate Judge.

8756

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Notice To Defendants.

8756

The State Of Ohio, Union County, ss.

To Ralph C. Myers, Alice L. Myers, Lottie M. Myers, Adam C. Myers and The Citizens Home and Savings Company of Marysville, Ohio.

Notice To Defendants

You are hereby notified that on the 18<sup>th</sup> day of June 1917 the undersigned as Guardian filed in the Probate Court of Union County, Ohio, a petition, the object and prayer of which is that he may be authorized by said court to borrow money and mortgage Real Estate belonging to the said Ralph C. Myers, Alice L. Myers and Lottie M. Myers, situated in the County of Union, in the State of Ohio, and in the Village of Marysville, and described as follows, to wit:

Affidavit

Beginning at a point in the center of Elwood Avenue and One hundred feet from the north west corner of S. R. Berger's lot recently purchased from F. A. Thompson. Thence south easterly 206 feet to the north line of an alley, and one hundred feet west from the south west corner of S. R. Berger's lot. Thence westerly along the north margin of said alley, fifty feet to a stake. Thence north westerly 206 feet to the center of said Elwood Avenue. Thence easterly with the center of said Elwood Avenue fifty feet to the place of beginning, containing 3/100 of an acre more or less.

8756

Answer of Guardian ad Litem.

Also the following tract situate in the same County, State and in the Village of Marysville:

Beginning at a point in the center of Elwood Avenue and fifty feet west from the north west corner of S. R. Berger's lot, recently purchased from F. A. Thompson and at the northwest corner of Kenton Dull's lot; thence in a south easterly direction 206 feet to the north margin of an alley, and south west corner of said Kenton Dull's lot; thence westerly on the north margin of said alley fifty feet to a stake; thence north westerly 206 feet to the center of Elwood Avenue; thence easterly with the center of said avenue fifty feet to the place of beginning, containing 3/100 of an acre more or less, and bring the premises conveyed by Homer H. D. Dull to said grantors herein.

Said petition will be for hearing by said court, on the 23<sup>rd</sup> day of June, 1917, at 10 o'clock A.M., at which time unless you show cause to the contrary, an order will be asked, as prayed for in said petition.

8756

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Final Record, Union County Probate Court

Norman L.  
 Judge.  
 Adam L.  
 company of  
 day of June  
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 L. Myers, Alice  
 the County  
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 Affidavit  
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 Answer  
 of  
 Guardian  
 ad litem.  
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Dated this 18<sup>th</sup> day of June - 1917.  
 Adam L. Myers,  
 Guardian of Ralph L. Myers, et. al.  
 Affidavit of Service.  
 The State of Ohio, Union County, ss.  
 I, Adam L. Myers, being duly sworn, say, that on the  
 18<sup>th</sup> day of June 1917, I served this writ by delivering a  
 true copy thereof personally to the following named  
 persons, to wit:  
 Ralph L. Myers, and Alice L. Myers minors, and  
 Adam L. Myers, their legal guardian, and also Adam  
 L. Myers and The Citizens Home and Savings Company  
 of Marysville, Ohio.  
 And on the 19<sup>th</sup> day of June, 1917, I served this writ  
 by delivering a true copy thereof personally to  
 the following named persons, to wit:  
 Lottis L. Myers an insane person, and Adam L. Myers,  
 her legal guardian.  
 Adam L. Myers,  
 sworn to before me and signed in my presence, this  
 23<sup>rd</sup> day of June, 1917.  
 Norman L. Bown, Notary Public.  
 Answer of Guardian Ad litem  
 In The Probate Court of Union County, Ohio.  
 Adam L. Myers, Guardian  
 Of Ralph L. Myers, and  
 Alice L. Myers and  
 Lottis M. Myers,  
 Plaintiffs  
 vs.  
 His Wards, and Adam L. Myers,  
 and The Citizens Home and  
 Savings Company of Marysville, Ohio,  
 Defendants.  
 Answer of Guardian  
 Ad litem.  
 Now comes Norman L. Bown, heretofore appointed  
 guardian ad litem herein for the minor  
 defendants, Ralph L. Myers and Alice L. Myers, and  
 Lottis M. Myers, an insane person, and for answer  
 herein says that he has no knowledge or infor-  
 mation concerning the matters alleged in the petition  
 sufficient to enable him to form a belief respecting  
 them, therefore he denies each and every allegation of  
 said petition, and further says that said infants  
 and said insane person are ignorant of their  
 rights herein, wherefor he requests the Court to  
 protect their interests described in the petition.  
 Norman L. Bown, as Guardian,  
 Ad litem for Ralph L. Myers, Alice L. Myers minors, and  
 Lottis M. Myers, an insane person.

Final Record, Union County Probate Court

8756

Journal Entry: Probate Court, Union County, Ohio.

8756

Adam C. Myers, Guardian of

June 23-1917.

Ralph C. Myers and Alice L. Myers, Minors,  
and Luther M. Myers, an insane person.

Petition to Borrow Money  
and Mortgage Real Estate.

Plaintiff.

Cause as to  
Amount  
of  
Loan.

His Wards, et al. Defendants.

Order as to Amount of Loan.

This day this cause came on to be heard upon the petition, evidence and testimony and the court being fully advised in the premises finds: That all the defendants herein have been duly and legally notified of the pendency and prayer of the petition and are now properly before the court: And that the statements and allegations in said petition are true. And it appearing to the court to be for the best interest of the estate of said Wards that the prayer of the petition be granted, the court hereby fixes the amount necessary to be borrowed, at the sum of Seven Hundred (\$700.00) Dollars, and directs that the following described lands of said Wards be encumbered by Mortgage to secure the same, to-wit:

8756

Situated in the County of Union, State of Ohio, and in the Village of Marysville, to-wit:

Beginning at a point in the center of Elwood Avenue and one hundred feet from the north west corner of S. R. Bergie's lot recently purchased from F. A. Thompson. Thence south easterly 206 feet to the north line of an alley, and one hundred feet west from the southwest corner of S. R. Bergie's lot. Thence westerly along the north margin of said alley fifty (50) feet to a stake. Thence north westerly 206 feet to the center of said Elwood Avenue. Thence easterly with the center of said Elwood Avenue fifty (50) feet to the place of beginning, containing 31/100 of an acre more or less.

Writ. to  
Guardian

8756

Repor.  
as to  
Terms  
of  
Loan.

Also the following tract situate in the same County, State and in the Village of Marysville,

Beginning at a point in the center of Elwood Ave. and fifty feet west from the north west corner of S. R. Bergie's lot, recently purchased from F. A. Thompson, and at the north west corner of Fenton Dull's lot: thence in a south easterly direction 206 feet to the north margin of an alley, and south west corner of said Fenton Dull's lot; thence westerly on the north margin of said alley fifty feet to a stake; thence north westerly 206 feet to the center of Elwood Avenue; thence easterly with the center of said Avenue fifty feet to the place of

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Final Record, Union County Probate Court

Ohio, 717, borrow money Real Estate.

8756

beginning, containing 3/100 of an acre more or less, and bring the premises conveyed by Horace H. Dull to said grantors herein. And it is ordered that said Guardian be and he is hereby directed to ascertain and report to the court, the rate of interest and time for which he can borrow said amount so found necessary to be borrowed, and this cause is continued.

Eduard H. Porter, Probate Judge.

amount of Loan, upon the court bring all the ally notified and are now statements ne. And it interest of of the the amount Seven Hundred following bered by

8756

Writ To Guardian

To Execute Order and Report Terms of Loan.

The State of Ohio, Union County, ss. Probate Court.

To Adam C. Myers, Guardian of Ralph C. Myers, Alice L. Myers, Mirros, and Lottie M. Myers, an insane person.

In obedience to an order and decree of said court, made this day in a certain cause wherein you as such Guardian, are Plaintiff, and your said Wards et al., are Defendants, a true copy of which is hereto attached, you are directed to Ascertain the rate of interest and time for which you can borrow the sum of Seven Hundred Dollars, by mortgaging the real estate therein described, to secure the same.

Writ To Guardian

You will make due report thereof to this court, forthwith upon the execution of said Order.

Witness my signature and Seal of said Probate Court, at Mansfield, Ohio, this 23. day of June, 1917.

Eduard H. Porter, Probate Judge.

Ohio, and of Elwood north west from F. A. to the North West from hence westly fifty (50) by 206 feet and eastly fifty (50) by 31/100

8756

Report of Guardian, as to Terms of Loan.

Probate Court, Union County, Ohio.

Report as to Terms of Loan.

Adam C. Myers, Guardian of Ralph C. Myers, Alice L. Myers, and Lottie M. Myers. Plaintiff.

Petition To Borrow Money and Mortgage Real Estate.

His Wards et al.

Defendants.

Report as to Terms of Loan.

same Mansfield, of Elwood north west from of Fenton direction by, and lot; thence alley 206 feet by with the place of

In obedience to the order of said court, the copy of which is herewith returned, I have made full and diligent inquiry and find that the best terms obtainable in making the loan on behalf of my said Wards, are as follows: To borrow \$700.00 from the Citizens Home and Savings Co. of Mansfield, Ohio, with interest at 6% per Annum, and payable according to the rules and regulations of said Company.



Final Record, Union County Probate Court

8756

Dated this 23<sup>rd</sup> day of June, 1917.

Adam C. Myers, Guardian

8756

The State of Ohio, Union County, ss.

Arch.

Adam C. Myers being duly sworn, says that the statements in the foregoing report are true as he truly believes

Adam C. Myers

sworn to before me and signed in my presence, this 23<sup>rd</sup> day of June, 1917.

Norman C. Bown, Notary Public

8756

Journal Entry: Order Confirming and Authorizing Loan.

Probate Court, Union County, Ohio.

Adam C. Myers, Guardian of  
Ralph C. Myers, and  
Alice L. Myers, and  
Lottie M. Myers.

June 23<sup>rd</sup> 1917

Petition to Borrow Money and  
Mortgage Real Estate.

Plaintiff

vs.

The said Wards, et al.

Order.

Defendants.

This day this cause came on to be heard on the report of said Adam C. Myers, Guardian, of the rate of interest and time for which he can borrow the amount heretofore found necessary to be borrowed. And the court having carefully examined said report, finds the terms proposed satisfactory to the court.

It is ordered that the same be accepted, and is hereby confirmed, and said Guardian is authorized and ordered as such Guardian to execute a note or notes for said amount, and to execute a mortgage on the lands designated in the former order herein. It is further ordered that this proceeding be recorded and that said Guardian pay the costs herein taxed at \$ within ten days.

Eduard H. Potter, Probate Judge.

8719

Filed Apr 28  
1917

Petition for Sale of Real Estate To Pay Debts.

Probate Court Union County, Ohio.

Auson James as Executor  
Of the Estate of  
Lennard James, Deceased  
Plaintiff

No 8719.

Petition

Sarah Ann James, Mary Bonnette,  
Lydia Walker, Rosa Phillips,  
Elizabeth Brown, William H. James,  
Sylvester James, Perry H. James.

Civil Action

Petition To  
Sell Real Estate,

8719

Final Record, Union County Probate Court

8719

Ucha Diggitt, Florence Benton <sup>and</sup>  
Emma Freshwater;

No. 8719.

Josephine D. Reynolds, & Edward Montgomery,  
Lemuel Montgomery, Bessie Randall, <sup>and</sup>  
Anna H. Chapman, as Executrix of the  
Estate of Charles S. Chapman, deceased,  
Defendants.

Petition.

The Plaintiff represents that he is the duly appointed and qualified Executor of the estate of Lemuel James, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Two hundred, (\$200.00) Dollars, as near as can be ascertained at this time;

that the charges of Administration of said estate will amount to about One hundred and fifty (\$150.00) Dollars; and that the total value of the personal estate and effects of said deceased is but about Two hundred and thirty, (\$230.00) Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Lemuel James died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit:

Petition.

In the Village of Marysville, and bounded and described, as follows, viz: Being Lots No<sup>s</sup> 551, 552, 553, 554, 558, and 557, of Sunny Side Park Addition to said Village of Marysville, Ohio, which includes the Wm. Robinson Addition to said Village.

For a more definite description of said Lots reference is hereby made to the recorded Plat of said Addition, as found in the Recorder's (Office) of said Union County, Ohio.

The said decedent died leaving the defendant Sarah Ann James, his widow, who has elected to take the provision made for her in said Decedent's Will, in lieu of Dower; that the defendants, Mary Bonnette, Lydia Walker, Rosa Phillips, Elizabeth Brown, William James, Sylvester James, Perry James, Ucha Diggitt, Emma Freshwater, Florence Benton, Josephine Reynolds, Edward Montgomery, Lemuel Montgomery, Bessie Randall and Anson James, the plaintiff herein, all of full age are the only heirs at law of said decedent, having the next estate of inheritance from said Lemuel James, deceased, in said premises; that the Defendants, Anna H. Chapman, as the Executrix of the Estate of Charles S. Chapman, deceased, claims an interest in the said above described Lot No.

8719

551, by way of mortgage lien thereon, for the pay<sup>ment</sup>.



Final Record, Union County Probate Court

8719

of a debt of the said Lemuel James deceased.  
 The Plaintiff therefore prays that the rights of said Sarah Ann James if any, in said premises may be ascertained and accord her; that the rights, interests and liens of the said Anna K. Chapman, as Executor, as aforesaid, be required to be set forth by her, if any such rights, interests, and liens, she have; and on default for answer, that she, and said Estate represented by her, be forever barred from the assertion of all rights, interests, and liens, whatsoever, against the said premises, according to equity; and that your petitioner may be authorized and ordered to sell said real estate free from the rights, if any, of said Sarah Ann James therein according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

James M<sup>c</sup> Campbell,  
 Attorney for the Plaintiff.

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Wainor

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Each

The State of Ohio, Delaware County, ss.  
 Anson James the above named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Anson James  
 known to before me and signed in my presence,  
 this 28<sup>th</sup> day of April 1917.

James M<sup>c</sup> Campbell,  
 Notary Public, Union County, Ohio.

8719

Filing Petition  
 To  
 Sell Real Estate

Journal Entry: In the Probate Court of Union County, Ohio,  
 Anson James, as Executor,  
 of the Estate of  
 Lemuel James, deceased,  
 Plaintiff,  
 v.  
 Sarah Ann James, <sup>and others,</sup>  
 Defendants

Saturday, April 28<sup>th</sup> 1917  
 Case No. 8719  
 Journal Entry

8719

Wainor

This day came the Plaintiff Anson James, as Executor of the Estate of Lemuel James deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Lemuel James, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Whereupon it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing,



Final Record, Union County Probate Court

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County, Ohio,  
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8719 pendency and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Eduard H. Porter Probate Judge

8719 Wainr  
In the Probate Court of Union County, Ohio.

Anson James, as Executor  
of the Estate of  
Lemuel James, deceased,  
Plaintiff.

No. 8719.

Wainr

v.

Sarah Ann James, Mary Bonnette,  
Lydia Walker, Rosa Phillips  
Elizabeth Brown, William James,  
Byerster James, Perry James,  
Utha Diggitt, Florence Beaton  
Josephine Reynolds, Eduard Montgomery,  
Lemuel Montgomery, Bessie Randall  
Emma Freshwater, and

Petition To  
Sell Real Estate

Wainr Of Process  
and  
Consent To Sell.

Anna K. Chapman, as Executor of the Estate of  
Charles S. Chapman, deceased,  
Defendants.

We the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby wainr service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Lemuel Montgomery

8719 Wainr  
In the Probate Court of Union County, Ohio.

Anson James, as Executor  
Of the Estate of Lemuel James, deceased,  
Plaintiff.

No. 8719

Wainr

Mary Bonnette, Lydia Walker,  
Rosa Phillips, Elizabeth Brown,  
William James, Byerster James,  
Perry James, Utha Diggitt  
Florence Beaton, Emma Freshwater,  
Josephine Reynolds, Eduard Montgomery,  
Lemuel Montgomery, Bessie Randall  
Sarah Ann James,  
Defendants.

Petition To Sell Real Estate

Wainr Of Process  
and  
Consent To Sell.

Final Record, Union County Probate Court

8719

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Sarah A. James. Mary Bonnette.  
Lydia Walker. Rosa Phillips  
Elizabeth Brown. Anson James  
W. H. James Emma Freshwater  
Ves James. Florence Benton.  
P. W. James Ucha Liggitt.  
Wainor

8719

In the Probate Court of Union County, Ohio,  
Anson James as Executor  
of the Estate of  
Lemuel James, deceased.  
Plaintiff  
vs  
Sarah Ann James, Mary Bonnette,  
Lydia Walker, Rosa Phillips,  
Sylvester James, Perry James,  
Ucha Liggitt, Florence Benton,  
Josephine Reynolds, Edward Montgomery,  
Lemuel Montgomery, Bessie Randall, et al.  
Emma Freshwater, and  
Anna H. Chapman, as Executrix of  
the Estate of Charles S. Chapman, deceased,  
Defendants.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Bessie Randall. Anna H. Chapman, Executrix  
of the estate of C. S. Chapman, Dec'd.  
Wainor

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Wainor

In the Probate Court of Union County, Ohio,  
Anson James as Executor  
of the Estate of  
Lemuel James, deceased.  
Plaintiff  
vs  
Petition to  
sell Real Estate.

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Final Record, Union County Probate Court

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Sarah Ann James, Mary Bonnette,  
Lydia Walker, Rosa Phillips  
Elizabeth Brown, William James,  
Sylvester James, Perry James,  
Emma Freshwater,  
Ucha Siggitt, Florence Benton  
Josephine Reynolds, Edward Montgomery  
Lemuel Montgomery, Bessie Randall, Ans.  
Anna K. Chapman, as Executrix of  
the estate of Charles S. Chapman, Deceased.  
Defendants.

Waiver of Process  
and  
consent  
to  
Bill.

We, the undersigned, parties defendant in the  
above entitled cause for the sale of Real Estate of the  
estate of said Decedent to pay debts, hereby waive  
service of process, and consent to the sale of the Real  
Estate in said Petition mentioned, as herein prayed  
for, and the statutory time for pleading is hereby  
waived and we consent that said Petition may be  
heard at such time as may be by the Court ordered.

to Edward Montgomery,  
Josephine D. Reynolds.

County, Ohio,  
No. 8719

To Sell Real  
Estate.

8719

Order For Appraisement.

Probate Court, Union County, Ohio.

Monday June 13<sup>th</sup> 1917.

Order for Anson James, as Executor,  
Appraisement Of the Estate of Lemuel James, dec'd.  
Plaintiff.

No. 8719

Journal Entry.

Of Process  
and  
out to Sell,

Sarah Ann James, et al.  
Defendants.

Order For Appraisement

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of the  
hereby waive  
sale of the  
as herein  
pleading  
said Petition  
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This day this cause came on to be heard upon the  
petition, proofs and exhibits, the Court find that  
all the defendants have been duly served with pro-  
cess, or have voluntarily entered their appearance  
in the case; and that as set forth in the  
petition, it is necessary to sell the real estate  
therein described, to pay the debts of the said  
Lemuel James, deceased.

And Sarah Ann James, the widow of the  
said Lemuel James, having by her election under  
the Will of said Decedent taken the provisions  
made for her therein in lieu of her dower; it  
is therefore ordered and adjudged by the Court  
that the said premises be appraised free of  
dower, by the oaths of Norman Bown, H. M. Wolgamot  
and H. C. Conkright, judicious and disinterested  
freeholders of the vicinity, whom the Court hereby  
appoint for that purpose, and that they return

Chapman, Executrix

County, Ohio,  
9

Estate.



Final Record, Union County Probate Court

8719 their proceedings to this court for confirmation,  
Edward H. Porter, Probate Judge.

8719 Order Of Appraisement  
The State Of Ohio Probate Court.  
Union County, Ohio

Order of Appraisement To Anson James, as Executor of the Estate of Lemuel James, Deceased. Asreeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Executor of the Estate of Lemuel James, Deceased, are Plaintiff and Sarah Ann James, et al. are Defendants, you are commanded that by the oaths of Norman Bown, W. M. Wolgamot, and H. E. Conright, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free of the dower estate of Sarah Ann James, therein, to wit:

Situate in the County of Union, and State of Ohio, and in the Village of Marysville, and bounded and described as follows, viz:

Being Lots, Nos. 551, 552, 553, 554, 581, and 587, of Sunny Side Park Addition to said Village, of Marysville, Ohio, which includes the Wm. Robinson Addition to said Village.

For a more definite description of said Lots reference is hereby made to the recorded Plat of said Addition, as found in the Recorder's Office of said Union County, Ohio.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you there and there this writ.

Witness my signature as Judge and Ex-officio Clerk of our said Probate Court and the Seal of said Court, at Marysville, Ohio, this 13<sup>th</sup> day of June 1917.

*seal* Edward H. Porter, Probate Judge  
Return.

8719 Return To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 14<sup>th</sup> day of June 1917.

Anson James, Administrator &c. Plaintiff

8719 Cash Of Appraisers

8719 Appraisers Return

8719 Order Approving of Appraisement

Final Record, Union County Probate Court

8719

Oath Of Appraisers.

The State of Ohio, Union County, ss.

Cash Of Appraisers

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

Norman L. Brown.

H. M. Wolgamot.

Appraisers.

H. E. Conkright.

Sworn to before me, and signed in my presence, this 14<sup>th</sup> day of June, 1917.

Edward H. Potter, Probate Judge.

8719

Appraisers' Return.

Appraisers' Return.

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at Fifteen Hundred and Thirty Dollars (\$1530.00) Dollars free down estate and in detail as follows:

Lot. no. 551 Eleven Hundred Dollars (\$1100.)

Lot. no. 552 Eighty five Dollars (\$85.)

Lot. no. 553 Seventy five Dollars (\$75.)

Lot. no. 554 One hundred Dollars (\$100.)

Lot no. 581 Eighty Dollars (\$80.)

Lot no. 582 Ninety Dollars (\$90.)

Given under our hands, this 14<sup>th</sup> day of June, 1917.

Norman Brown.

H. M. Wolgamot.

Appraisers.

H. E. Conkright.

8719

Journal Entry: Orders Approving Appraisement.

Probate Court, Union County, Ohio.

Orders Approving of the Estate of Appraisement

Anson James, as Executor.

Thursday, June 14<sup>th</sup> 1917.

Lemuel James, Deceased.

Petition To Sell Real Estate

Plaintiff

Order of Sale-

Sarah Ann James, et al. Defendants.

This day came the said Plaintiff, by his attorney, and produced to the Court, the report of Real Estate appraisement herein made by Norman Brown, H. M. Wolgamot and H. E. Conkright, in pursuance of a former order of this Court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be, and hereby is, approved and confirmed. And this cause is adjourned for

Plaintiff



Final Record, Union County Probate Court

8719 further order as to method of sale.  
 Edward H. Porter, Probate Judge.

8719 Journal Entry: Orders for Public Sale  
 Probate Court, Union County, Ohio.  
 Anson James, as Executor.  
 Of the Estate of  
 Lemuel James, Deceased.  
 Plaintiff.  
 vs  
 Sarah Ann James, et al.  
 Defendants.

Wednesday, June 20<sup>th</sup> 1917.  
 Petition To Sell Real Estate.  
 Orders of Sale.

Cause for  
Public  
Sale.

This day came the said Plaintiff, by his attorney, thereupon, pursuant to adjournment, this cause came on to be further heard as to method of sale of the real estate in the petition described.

Whereupon, the court being fully advised in that behalf—

It is therefore further ordered that said Anson James, as such Executor, proceed according to law to sell the real estate, described in the petition free of down, at public auction, at the north door of the Court House of said County at Marysville for not less than two-thirds the appraised value thereof, on the following terms, to wit, one-third cash in hand on day of sale, one-third in one year and one-third in two years from the day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. It is further ordered that said petitioner give notice four weeks consecutively of the terms and time and place of sale, prior thereto, in some newspaper of general circulation in Union County, Ohio, where said real estate is situate.

It is further considered and ordered by the court that the said Executor be, and he is hereby, authorized to employ an auctioneer on and for the sale of said real estate, and to charge the reasonable expense of such employment to the Administration Account of said Estate.

And said petitioner is ordered to make return to this court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge  
 Legal Notice.

8719  
Notice

Executor's Sale of Real Estate.  
 In pursuance of an order of the Probate Court

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Final Record, Union County Probate Court

8719 of Union County Ohio. I will offer for sale at public  
 auction on the 21<sup>st</sup> day of July 1917, at One O'clock P.M.  
 at the North door of the Court House in the Village of  
 Legal Marysville, Ohio, the following described real estate,  
 notice. tract: Situated in the County of Union and State of Ohio,  
 town: In the Village of Marysville, and bounded and  
 described as follows, viz:  
 Being Lots No's. 551, 552, 553, 554, 581 and 582 of Sundry  
 side Park Addition to said Village of Marysville, Ohio,  
 which includes the Wm. Robinson Addition to said Village.  
 For a more definite description of said Lots reference  
 is hereby made to the recorded Plat of said Addition  
 as found in the Recorder's Office of said Union County  
 Ohio. Total appraisement of said lots, \$1535.00; and  
 detail appraisements, thereof, viz: No. 551, at \$1100.00; No.  
 552 at \$85.00, No. 553, at \$75.00; No. 554, at \$100.00; No. 581 at  
 \$80.00, and No. 582 at \$90.00.  
 Said Lot, No. 551, fronting on South Mulberry Street,  
 of said Addition, has thereon a dwelling house numbered  
 520. Said house has two stories and has connected  
 there-with a good well and cistern.  
 Terms of sale: One third in hand, One third  
 in one year, and one third in two years from  
 day of sale, with interest. Deferred payments  
 to be secured by mortgage upon the premises sold.  
 Anson James,  
 Executor of the estate of Lemuel James, deceased,  
 James M. Campbell, atty for Executor.  
 June 20<sup>th</sup> 1917.

8719 The State Of Ohio.  
 Union County, ss.  
 Village of Marysville  
 Personally appeared before me John H. Shearer and  
 made solemn oath, that the notice, a copy of  
 which is hereto attached was published for four  
 consecutive weeks on and next after June 20<sup>th</sup> 1917,  
 in the Marysville Evening Tribune, a newspaper of  
 general circulation in the Village aforesaid,  
 John H. Shearer,  
 sworn to before me and signed in my presence  
 this 14<sup>th</sup> day of July, A.D. 1917.  
 J. M. Huber, Notary Public.

8719 Order Of Sale - Free of Down.  
 Order The State of Ohio. Probate Court.  
 of Sale. Union County, ss.  
 To Anson James as Executor of the Estate of

Final Record, Union County Probate Court

8719

of Lemuel James, Deceased. *Meeting:*  
 In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Executor of the estate of Lemuel James, Deceased, are Plaintiff and Sarah Ann James, et al. are defendants, you are commanded to proceed according to law, to sell at Public sale, for not less than two-thirds of the appraised value thereof free the dower of Sarah Ann James, widow of Lemuel James, deceased, the following described premises, to-wit:

Situate in the County of Union, and State of Ohio, and in the Village of Marysville, and bounded and described as follows, viz:

Being Lots, Nos. 551, 552, 553, 554, 581 and 582 of Sunny Side Park Addition to said Village of Marysville, Ohio which includes the Mrs. Robinson Addition to said Village.

For a more definite description of said Lots reference is hereby made to the recorded Plat of said Addition, as found in the Recorder's Office of said Union County, Ohio.

Said Sale to be free the dower of Sarah Ann James widow, as aforesaid, and to be upon the following terms: to-wit, one-third cash in hand on day of sale, one-third in one year and one-third in two years from the day of sale;

The deferred payments to be secured by mortgage on the premises, and to bear interest from the day of sale, payable annually.

You will make return of your proceedings to this Court forthwith upon execution of this Order.

Witness my signature and the Seal of said Probate Court at Marysville, Ohio, this 20<sup>th</sup> day of June, 1917.



Eduard W. Porter, Probate Judge.  
 Return.

8719

Return

To the Probate Court of Union County, Ohio:

In obedience to the foregoing Order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 21<sup>st</sup> day of July, 1917.

Amos James, Plaintiff, Executor, &c.

Report of Sale.

8719

Report of Sale

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Evening Tribune a newspaper printed and of general circulation in Union County, Ohio,

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8719

Motion

Leave to Plead.

8719

Entry granting leave to Plead.



Final Record, Union County Probate Court

8719

where said real estate is situate, for at least four consecutive weeks prior to the 21<sup>st</sup> day of July, 1917, the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day, at the hour of One O'clock, P.M. I attended at the published place of sale and offered said real estate for sale from of the down estate of Sarah Ann James therein, when Thomas Randall bid to pay for the same the sum of Ten Hundred and Twenty and <sup>00</sup>/<sub>100</sub> Dollars, which being the highest and best bid that was offered, and being two-thirds the appraised value of said premises as a whole, I then and there sold the same to him for that sum.

Anson James Plaintiff, as

Executor of Lemuel James, deceased.

Dated the 21<sup>st</sup> day of July, 1917.

8719

Motion.

No. 8719

Motion

Union County, Ohio, Probate Court

Dear to Executrix of

Anson James, Executor.

Estate of Charles S.

Of the estate of Lemuel James, Deceased.

Chapman, died to

Pliff.

plead.

v.

Sarah Ann James, et al. Defendants.

Now comes Anna K. Chapman as Executrix of the estate of Charles S. Chapman, deceased, and represents to the court that said estate is interested in the proceedings herein as party defendant and therefore moves for leave to plead herein.

John H. Kinkade, Attorney.

for Anna K. Chapman, Executrix of estate of Charles S. Chapman,

7-23-17.

8719

In Probate Court Union County, Ohio.

No. 8719

Anson James, Executor.

Of the Estate of Lemuel James, Deceased.

Plaintiff.

Entry granting leave to plead.

v.

Sarah Ann James, et al. Defendants

This day this cause came on to be heard on the motion of Anna K. Chapman as Executrix of the estate of Charles S. Chapman, deceased, to be allowed to plead herein as an answering defendant and it appearing to the court that it is right and proper the motion is granted and leave is given



Final Record, Union County Probate Court

8719

to plead accordingly for the benefit of the estate of  
Charles S. Chapman, deceased.

7-23-'17.

Edward H. Porter Probate Judge

8719

Answer and cross-petition.

In Probate Court, Union County, Ohio.

Answer James, as Executor  
of the estate of  
Lemuel James, Deceased,  
Plaintiff.

No. 8719

Answer and cross-petition of  
Executrix of  
C. S. Chapman Decd.

Answer and  
cross-petition  
of

Executrix of  
C. S. Chapman,  
Deceased.

Sarah Ann James, et al.  
Defendants.

Now comes Anna K. Chapman, Executrix of the estate  
of Charles S. Chapman, deceased, one of the defendants  
in the above entitled cause, and admits that the  
Plaintiff is the duly appointed and qualified  
Executor of the estate of Lemuel James, deceased, but  
she knows nothing of the other matters and things set  
forth in said petition, and therefor denies them.

By way of cross-petition this defendant says that  
on or about 14<sup>th</sup> day of December, 1914, the said  
Lemuel James, deceased was indebted to the said  
Charles S. Chapman, now deceased, in the sum of  
\$600. payable December, 14<sup>th</sup> 1917, with interest from  
December 14<sup>th</sup> 1916, at the rate of 7% per annum.  
That in order to secure the payment of said  
indebtedness the said Lemuel James, and his wife  
Sarah Ann James (defendant) executed and delivered  
to said Charles S. Chapman now deceased a  
mortgage, now a part of his said estate, dated  
December, 14<sup>th</sup> 1914 on Lot No. 587 of Sunny Side Park  
Addition to the Village of Marysville, Ohio, described  
in the petition of the Plaintiff herein for sale in  
this cause.

That on the 11<sup>th</sup> day of December  
1914, at 3 o'clock P.M. said mortgage was  
delivered to the recorder of Union County, Ohio,  
and was recorded in book 72 page 112 of the  
Mortgage records of said county. That in said  
Mortgage it is provided that if the said Lemuel  
James shall pay or cause to be paid said  
indebtedness of \$600. and interest thereon at 6%  
per annum then this conveyance shall be void.

This defendant says that no part of said  
indebtedness of \$600. has been paid and that  
there is now due and unpaid and owing  
to the estate of Charles S. Chapman and to this  
answering defendant as his said Executrix, thereon  
the said sum of \$600. with interest from

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Oath.

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Motion to  
set aside  
Return of  
Jury  
and  
Order to  
re-advise.

Final Record, Union County Probate Court

estate of  
Judge  
Ohio  
petition of  
in Decd.

8719

December, 14-1916. at the rate of 6% per annum the sum of \$ 21.<sup>90</sup> Total. \$ 621.<sup>90</sup> due July 23-1917.  
Wherefor this defendant prays that said premises may be sold that said indebtedness due said estate of Charles S. Chapman deceased to wit the said sum of \$ 621.<sup>90</sup> be paid in full out of the proceeds of sale, to this answering defendant as Executrix of the estate of said Charles S. Chapman, deceased, and for all proper relief.  
Anna K. Chapman, Executrix.  
of the Estate of Charles S. Chapman. By John H. Kinkade, Her Attorney

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The State of Ohio, Union County, ss.  
John H. Kinkade being duly sworn says that he is the Attorney for Anna K. Chapman, Executrix of the estate of Charles S. Chapman, deceased, the above answering defendant and that this claim made in the foregoing pleading is upon an instrument of writing for money only, in possession of this affiant and that the said Anna K. Chapman is now absent from the State of Ohio, and that the facts stated in the foregoing pleading are true as he verily believes.  
John H. Kinkade.  
Known to and subscribed by John H. Kinkade, before me this 21<sup>st</sup> day of July, 1917.  
Carrie H. Hombrick, Deputy Clerk,  
Probate Court.

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Motion to  
set aside  
Return of  
Sale,  
and  
Order to  
re-advertise.

Motion.  
In The Probate Court, of Union County, Ohio,  
Case No. 8719  
Anson James, as Executor,  
Of The Estate of  
Lennet James, Deceased,  
Plaintiff,  
vs.  
Sarah Ann James, et al,  
Defendants.  
Now comes Anson James, as Executor of the estate of Lennet James, Deceased, plaintiff herein, by his Counsel of record, and moves the Court to set aside his return of sale of real estate, heretofore made in the above entitled cause, and to order the re-advertisement of said real estate, in the petition described, in accordance with the terms of the former order of the Court in that behalf; and, for grounds of said Motion, says:  
That Thomas Raudall, the purchaser of said real

Motion to set aside Return of Sale.

and for Order to re-advertise.



Final Record, Union County Probate Court

8719

estate under said former order of this Court for the sale thereof has failed and refused to settle and pay therefor under the terms of said order of sale, or otherwise. Wherefore, the Plaintiff, moves the Court to set the said return of sale aside and to order a readvertisement and sale of said real estate pursuant to law.

Anson James, Ex. &c.  
James M<sup>c</sup> Campbell His attorney,

8719

Journal Entry:-

In The Probate Court of Union County, Ohio,

Anson James, as Executor,

Case No. 8719.

Of The Estate of

Thursday, August, 16<sup>th</sup> 1917.

Lemuel James, deceased,

Journal Entry,

Plaintiff,

vs.

Orders setting aside

Sarah Ann James, et al,

Order of Sale and Return of Sale thereon.

Defendants.

And now this Cause coming on to be heard upon the motion heretofore filed herein by the Plaintiff to set aside and vacate the order of sale heretofore issued herein, and the report of sale therewith returned, and to order a readvertisement of the real estate in the petition described for a sale thereof at public auction, and the evidence;

The Court, being fully advised, finds that Thomas Randall, the purchaser under the former order of sale of said real estate, has had full notice in the premises and voluntarily appears before the Court and confesses his default as set forth in said motion, and still refuses to comply with the terms of said sale.

Whereupon, it is considered and ordered by the Court that the said order of sale heretofore issued herein, together with the report of sale therewith returned and filed, be, and the same are hereby, set aside, vacated and held for naught; and

It is further considered and adjudged by the Court that another writ of sale in the premises issue to the said Executor, plaintiff herein, commanding him to advertise and sell the real estate in the petition described at public vendue on the following terms, to-wit: One-third cash, in hand on day of sale, one-third in one year and one-third in two years from the day of sale, with interest and secured by mortgage on the premises sold, with interest payable annually; and that the said Anson James, as such Executor, return

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Legal Notice,

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Orath.



Final Record, Union County Probate Court

8719 his proceedings to this court forthwith upon execution of the said Order of Sale. And this cause is, accordingly adjourned.

Edward H. Porter, Probate Judge

8719

Legal Notice.

Executor's Sale of Real Estate.

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at public Auction on Saturday, the 15<sup>th</sup> day of Sept. 1917, at 1 O'clock P. M. at the North door of the Court House in the Village of Marysville, Ohio, the following described real estate to-wit: Situated in the County of Union and State of Ohio, to-wit: In the Village of Marysville, and bounded and described as follows: viz: Being Lots, No's 551, 552, 553, 554, 581 and 582 of Sunny Side Park Addition to said Village of Marysville, Ohio, which includes the 20<sup>th</sup> Robinson Addition to said Village.

For a more definite description of said Lots reference is hereby made to the recorded Plat of said Addition as found in the Recorder's Office of said Union County, Ohio.

Total Appraisement of said Lots \$1550.00; and detail Appraisement, thereof, viz: No. 551, at \$1100.00; No. 552, at \$85.00; No. 553, at \$70.00; No. 554, at \$100.00; No. 581, at \$80.00, and No. 582, at \$90.00.

Said Lot, No. 551, fronting on South Mulberry Street of said Addition, has thereon a dwelling house numbered 520. Said house has two stories and has connected therewith a good well and cistern.

Terms of Sale: One-third in hand, one-third in one year, and one-third in two years from day of sale, with interest. Deferred payments to be secured by mortgage upon the premises sold.

Auson James,

Executor of the Estate of Lemuel James, deceased.  
James M. Campbell, atty for Executor. Aug. 16-1917 - H.T.

8719

The State of Ohio, Union County, ss. Village of Marysville.

Personally appeared before me John H. Shearn and made solemn oath, that the notice, a copy of which is hereto attached was published for four consecutive weeks on and next after August 16-1917 in the Marysville Evening Tribune, a newspaper of general circulation in the Village aforesaid.

John H. Shearn

Final Record, Union County Probate Court

8719

Shown to before me and signed in my presence, this 8<sup>th</sup> day of September A.D. 1917.  
Printing Fees. \$ 13.<sup>75</sup> *Seal* J.M. Huber. Notary Public.

8719

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Order Of Sale. Free of Dower.

The State of Ohio, Union County, ss. Probate Court,  
To Anson James, as Executor of the Estate of Lemuel James, Deceased. Greeting:

8719

Order of Sale  
Free of Dower

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Executor of the estate of Lemuel James, deceased, are Plaintiff and Sarah Ann James et al. are Defendants, you are Com-manded to proceed according to law, to sell at public sale, for not less than two-thirds the appraised value thereof free of the dower of Sarah Ann James, widow of Lemuel James, deceased, the following described premises, to-wit:

Report  
of  
Offer  
of  
Sale

Situate in the County of Union, and State of Ohio, and in the Village of Marysville, and bound ed and described as follows, viz:

Being Lots, Nos. 551, 552, 553, 554, 581, and 582, of Sunny Side Park Addition to said Village of Marysville, Ohio, which include the William Robinson Addition to said Village.

8719

For a more definite description of said Lots reference is hereby made to the recorded plat of said Addition, as found in the Recorder's Office of said Union County, Ohio.

Application of  
to  
Free Real Estab.  
at  
Private Sale.

Said sale to be free the dower of Sarah Ann James, widow as aforesaid, and to be upon the following terms: to-wit: One-third cash in hand on day of sale, one-third in one year and one-third in two years from the day of sale;

The deferred payments to be secured by Mortgage on the premises and to bear interest from the day of sale, payable annually.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court at Marysville, Ohio, this 16<sup>th</sup> day of August 1917.

*Seal* Edward H. Porter, Probate Judge.

8719

Return.

To the Probate Court of Union County Ohio:  
In obedience to the foregoing order, I have caused the same to be duly executed, as

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Final Record, Union County Probate Court

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will fully appear by the proceedings hereto attached.  
Dated the 31<sup>st</sup> day of December, 1917.

Anson James, Executor &c. Plaintiff

8719

Report Of Offer Of Sale.

Report  
of  
Offer  
of  
Sale

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Mansfield Evening Tribune, a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate, for at least four consecutive weeks prior to the 15<sup>th</sup> day of September 1917, the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour of One O'clock P. M., I attended at the north door of the Court House and offered said real estate for sale free of the dower estate of Sarah Ann James, therein, when no one appearing to bid thereon or therefor, the same was not sold for want of bidder.

Anson James, Executor &c. Plaintiff

Dated the 31<sup>st</sup> day of December, 1917.

8719

Application To Sell Real Estate at Private Sale -  
Probate Court, Union County, Ohio

Application  
to  
Sell Real Estate  
at  
Private Sale.

Anson James, as Executor,  
of the Estate of  
Lemuel James, Decd.  
Plaintiff.

No. 8719  
Petition To Sell Real Estate

at  
Private Sale.

Sarah Ann James, et al,  
Defendants.

Application.

The said Plaintiff represents that it would be for the best interest of the said estate to sell lot No. 5-82 of the real estate described in the petition in this case at private sale, for the following reasons:

1. Said Lot has been twice offered for sale, at public vendue, with other lots described in the petition, and failed to sell for want of bidder;
2. Plaintiff has a bona fide offer of more than the appraisement for said lot; and -
3. A private sale of said lot will save to said Estate costs of publication, and other expenses, incident to a public sale thereof.

And he therefor asks for an order authorizing him to sell said real estate at private sale.

Anson James, as Ex. of the Estate of Lemuel James, deceased, by James M. Campbell  
his attorney.



Final Record, Union County Probate Court

8719

The State of Ohio, Union County, ss.

James Mc Campbell, bring duly sworn, says that he is the Attorney of the Plaintiff, duly authorized herein; that the Plaintiff is not a resident of this County, and that the various matters set forth in the foregoing Application are true as he verily believes.

James Mc Campbell.

Sworn to before me, and signed in my presence, this 21 day of May, 1918.

seal

Agnes D. Porter, Deputy Clerk.

8719

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Affidavit Of Disinterested Persons.

The State of Ohio, Union County, ss.

Affidant

Jeff L. Richey and W. H. Husted bring duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate of Lemuel James, deceased, to sell said real estate at private sale than at public sale, as they verily believe.

Jeff L. Richey.

W. H. Husted.

Sworn to before me, and signed in my presence, this 21 day of May, 1918.

seal

Agnes D. Porter, Deputy Clerk.

8719

8719

Journal Entry: Order Approving Bond for Private Sale

Bond for Private Sale

Arson James, as Executor of the Estate of Lemuel James, Deceased.

Probate Court, Union County, Ohio.

Tuesday, May 21, 1918.

Petition To Sell Real Estate

Order of Sale.

Plaintiff

vs.

Order of Sale.

Sarah Ann James, et al.

Defendants.

This day this cause came on further to be heard upon the Plaintiff's Application for an order to sell Lot No. 582 of the real estate in this petition described, and the evidence.

And it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said estate to sell Lot No. 582 of the real estate described in the petition at private sale. It is therefor further ordered that said Arson James, as such Executor proceed to sell real estate free from dower of Sarah Ann James, at private sale, for not less than the appraised

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Final Record, Union County Probate Court

8719 value thereof, on the following terms, to wit, one fourth cash in hand on day of sale; one fourth in one month; one fourth in two months, and one fourth in three months from day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. And said petitioner is ordered to make return to this court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge.

8719 Order of Sale Free of Dower  
 The State of Ohio Probate Court  
 Union County, ss.  
 Order of Sale To Anson James as Executor of the Estate of Lemuel James, Deceased, Kruting:  
 In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Executor of the Estate of Lemuel James, Deceased, are Plaintiff and Sarah Ann James et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than the appraised value thereof free of dower of Sarah Ann James widow of Lemuel James, deceased, the following described premises, to wit:  
 It being Lot No. 582, of Sunny Side Park Addition to said Village of Marysville, Ohio, which includes the Wm. Robinson Addition to said Village.  
 For a more definite description of said Lot reference is hereby made to the recorded Plat of said Addition, as found in the Recorder's Office, of said Union County, Ohio.  
 Said sale, to be free the dower of Sarah Ann James, widow of Lemuel James, Deceased, and to be upon the following terms: One fourth cash in hand on day of sale; one fourth in one month; one fourth in two months; and one fourth in three months from day of sale.  
 The deferred payments to be secured by mortgage on the premises and to bear interest from the day of sale.  
 You will make return of your proceedings to this court forthwith upon execution of this order.  
 Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 21 day of May, 1918.  
 Edward H. Porter, Probate Judge.



Final Record, Union County Probate Court

8719

Return.

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 23<sup>rd</sup> day of May, 1918.

Anson James Executor, Plaintiff.

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Report Of Sale

Report

of

Sale.

In obedience to the within order, I sold said premises on the 21<sup>st</sup> day of May, 1918, to Elbert Blue, and Pearl Blue for the sum of One Hundred (\$100.00) Dollars, said sum being more than the appraised value of the same.

Anson James, Executor &c. Plaintiff.

Dated the 23<sup>rd</sup> day of May, 1918.

8719

The State of Ohio, Union County, ss.

oath

The above named Anson James, being duly sworn, says, that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Anson James.

Sworn to before me and signed in my presence, this 23<sup>rd</sup> day of May, 1918.

Edward H. Porter, Probate Judge.

8719

Application  
To sell  
Real Estate  
at  
Reduced  
price &c.

8719

Journal Entry:

Confirming Sale  
and

Ordering

Distribution

In the Probate Court of Union County, Ohio.

Anson James, as Executor of  
Levin James, Deceased,  
Plaintiff

No. 8719

Thursday, May 23- 1918.

Journal Entry.

Sarah Ann James, et al.  
Defendants.

Confirming Sale and  
Ordering Distribution.

This day this cause came on to be heard on the return of the Order of Sale heretofore issued herein to Anson James, as Executor &c. and of this proceedings and sale thereunder.

Thereupon the court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this court, it is therefore considered and ordered by the court that said sale be and the same hereby is approved and confirmed; and said Anson James as such Executor is hereby ordered to



Final Record, Union County Probate Court

8719

execute and deliver to Elbert Blue and Pearl Blue, the purchasers, a good and sufficient deed for the premises so sold, to wit: Lot No. 572, as described in the petition.

And the Court coming now to distribute the proceeds of said sale in the hands of said Executor viz: \$100.00 orders that he pay:

First:- To the Treasurer, the taxes, penalties, and interest thereon against said lands amounting to the sum of \$ ---

Second:- To the Clerk of this Court, the costs of this action, (including \$ --- as the allowance to the said Executor), herein taxed at \$ --- and

Third:- That he pay and distribute the balance of proceeds of said sale to the party or parties thereto entitled by law.

Edward H. Porter, Probate Judge.

8719

Application to sell Real Estate at Reduced price, &c.

In the Probate Court of Union County, Ohio.

Anson James, as Executor,

Case No. 8719

Of the estate of

Application for Order fixing

Lemuel James, Deceased,

price, and Order to sell Real

Plaintiff.

Estate at private sale.

v.

Sarah Ann James, et al.

Defendants.

Application  
To sell  
Real Estate  
at  
Reduced  
price &c.

Now comes Anson James, as Executor of the Estate of Lemuel James, deceased, by his Attorney of record, and respectfully represents to the Court that Lots Nos. 551, 552, 553, 554, and 587, described in the petition, appraised in the aggregate at \$1440.00, have been twice offered for sale at public vendue and have not been sold for want of bidders; that, after diligent effort, he has been unable to find buyers for said lots, either of said lots all together or singly, at the appraisement thereof, at private sale; that said lots, in the judgment of this Applicant, are each and all excessively appraised, and, by reason of that fact, cannot be sold; and that, therefore, further advertisement of said lots for sale at public vendue, with the attendant large increase of costs, is not warranted.

But, this Applicant represents that he has now a bona fide offer, in case, for said lots taken together, of the sum of \$950.00 which sum this Applicant believes is a fair valuation of said lots and the best price he can obtain there for;

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Final Record, Union County Probate Court

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together, or as a whole property, which the court finds to be the reasonable value thereof; and that in order to effect a sale of said lots, it is necessary for this court to fix the price at which the same may be sold in the interest of economy in the administration of said estate.

Wherefore, it is considered, ordered and adjudged by the court that said Executor, plaintiff herein, proceed to sell said above described lots, at private sale, as a whole property, at the sum of \$950.00 which the court fix as the price for the purpose of such sale.

It is further ordered that said sale be made for cash, and that an Order of Sale issue to said Plaintiff authorizing the sale of said real estate, upon the terms aforesaid; and, on execution of said order, said Plaintiff is ordered to report his proceedings thereunder forthwith to this court, and cause adjourned,  
Edward W. Porter, Probate Judge.

8719

Order Of Sale. Free of Dower.

The State Of Ohio, Probate Court,  
Union County, ss.

To Anson James, as Executor of the Estate of Lemuel James, Deceased. Greeting:

Order  
of  
Sale.

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Executor of the estate of Lemuel James, deceased, are Plaintiff and Sarah Ann James, et al, are Defendants, you are commanded to proceed according to law, to sell at private sale, for the sum of \$950.00 free of the dower of Sarah Ann James, widow of Lemuel James, deceased, the following described premises, to wit:

Situated in the County of Union, and State of Ohio, to wit: In the Village of Marysville, and bounded and described, as follows, viz: Lots No. 551, 557, 553, 554 and 551, in Sunny Side Park Addition to the Village of Marysville, Ohio, which includes the Mrs. Robinson Addition to said Village.

For a more definite description of said Lots reference is hereby made to the Recorded Plat of said Addition, as found in the Recorder's (Office) of said Union County, Ohio.

Said sale to be free of the dower estate of Sarah Ann James, widow, as aforesaid, and to be upon the following terms: Cash in hand, and in full, on day of sale-

You will make return of your proceedings



Final Record, Union County Probate Court

8719

to this Court forthwith upon execution of this order.  
Witness my signature and the seal of said  
Probate Court at Marysville, Ohio, this 5<sup>th</sup> day of June, 1918.  
Eduard W. Porter, Probate Judge

8719

Return

Return.

To the Probate Court of Union County, Ohio:  
In obedience to the foregoing order, I have caused the same  
to be duly executed, as will fully appear by the pro-  
ceedings hereto attached.

Dated the 7<sup>th</sup> day of June, 1918.

Anson James, Executor & Plaintiff

8719

Report Of Sale.

Report

of

In obedience to the within order, I sold said prem-  
ises on the 4<sup>th</sup> day of June 1918 to John Low for the  
sum of Nine Hundred and fifty and <sup>no</sup>/<sub>100</sub> Dollars, said  
sale sum being the value of the same, fixed by the Court,  
Anson James.

Dated the 7<sup>th</sup> day of June, 1918.

8719

Oath.

The State of Ohio, Union County, ss.

The above named Anson James, Executor & of the Estate  
of Lemuel James, deceased, being duly sworn, says that  
the sale above reported has been made after diligent  
endeavor to obtain the best price for said property,  
and that said sale is for the highest price he could  
get for said property.

Anson James

Sworn to before me and signed in my presence  
the 7<sup>th</sup> day of June, 1918.

Eduard W. Porter, Probate Judge

8719

Journal Entry:

Journal Entry

Anson James as Executor  
of the Estate of  
Lemuel James, Deceased,  
Plaintiff.

vs

Sarah Ann James, et al.  
Defendants.

In the Probate Court of Union County, Ohio.

No. 8719

Friday, June 7<sup>th</sup> 1918.

Journal Entry.

Confirming Sale  
and

Ordering  
Distribution

Confirming Sale and  
Ordering Distribution

This day this cause came on to be heard on the  
return of the Order of Sale hereto for issued herein  
to Anson James, as Executor & Plaintiff, and of this  
proceeding and sale thereunder.

Thereupon the Court after having carefully  
examined said return, and being satisfied  
that such sale has in all respects been made

8719

8826

Filed  
Oct. 19<sup>th</sup> 1917

Final Record, Union County Probate Court

8719

According to law and the former order of this Court it is therefor considered and ordered by the Court that said sale be and the same hereby is approved and confirmed; and said Anson James as such Executor is hereby ordered to execute and deliver to John Low, the purchaser, a good and sufficient deed for the premises so sold.

And the Court finds, upon the answer and cross-petition of Anna K. Chapman, as Executor of the estate of Charles S. Chapman, deceased, that there is due the estate of said decedent, on the claim set forth in said Answer, the sum of \$618.<sup>00</sup>; and the mortgage securing the same is a valid lien upon the lands in the petition described. And it is ordered that satisfaction of said mortgage be entered upon the record thereof in the office of the Recorder of Union County, Ohio.

And the Court coming now to distribute the proceeds of said sale in the hands of said Executor viz: \$950.<sup>00</sup>, orders that he pay:

First: - To the Treasurer, the taxes, penalties, and interest thereon against said lands, amounting to the sum of \$ -

Second: - To the Clerk of this Court, the costs of this action, herein taxed at \$ -

Third: - To Anna K. Chapman, as Executor of the estate of Charles S. Chapman, deceased, the sum of \$618.<sup>00</sup> bring the amount of her lien upon said lands, and

Fourth: - The balance of the proceeds of said sale, to the party or parties thereto entitled by law.

Eduard H. Porter, Probate Judge.

8826

Petition To Sell Real Estate.

Filed  
Oct. 19<sup>th</sup> 1917

Probate Court, Union County, Ohio.

No. 8826.

William King, Executor  
Of The Estate of  
Anna Jackson, deceased.  
Plaintiff.

vs.  
Mary Carr, Willie Ricketts  
and Willie Speer.  
Defendants.

Petition.

The plaintiff represents that he was on the 17<sup>th</sup> day of May, 1917, duly appointed and qualified as executor of the estate of Anna Jackson, late of Magnetic Springs, Union County, Ohio, and is



Final Record, Union County Probate Court

8826

still acting as such executor; that the amount of debts due from the deceased is \$500.00 as near as they can be ascertained; that the charge of administration of said estate will amount to about \$300. and that the total value of the personal estate and effects of said deceased is but \$307.00 being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Anna Jackson died seized in fee simple of the following described real estate, situate in the Village of Magnolia Springs, County of Union, and State of Ohio, to-wit, being one frame dwelling house situate on the south side of Catherine Street in said Village, County and State aforesaid, and being Lot No. 52.

Plaintiff further represents that by the provisions of the will of the decedent, Anna Jackson, the only parties interested are Mary Carr, a daughter, William Dickster and Willie Spear, grandchildren; that there are no dower rights or interests.

The plaintiff prays, therefore, that he may be authorized and ordered to sell said real estate and for all other proper orders and relief in the premises.

John R. King, Attorney for Plaintiff.

8826

State of Ohio, ss.  
County of Union

oath

William King, the within named plaintiff, being first duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Wm. King.

Sworn to before me and signed in my presence, this 19<sup>th</sup> day of October, 1917.

Edward H. Porter, Probate Judge.

8826

Probate Court, Union County, Ohio,  
No. 8826

Entry

Entry;  
William King,  
Executor of the  
estate of  
Anna Jackson, Deceased,  
Plaintiff.

Mary Carr, Willie Dickster  
and Willie Spear,  
Defendants.

Entry

This day came William King, executor of the estate of Anna Jackson, deceased, and filed herein his

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Order  
for  
Appraisement



Final Record, Union County Probate Court

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8826 petition for the sale of the real estate therein described, to pay debts of the said deceased. And on his motion summons is issued for Mary Carr, daughter, Willie Ricketts and Willie Spear, grandchildren, directed to the Sheriff and returnable according to law. The said cause is set for hearing on the 19<sup>th</sup> day of November 1917, that being the first day at which the same can be heard after answer day.  
Edward H. Porter, Probate Judge.

8826 Wainr.  
In the Probate Court of Union County, Ohio.  
No. 8826.  
Wainr  
Mrs. King, Executor  
Of the Estate of  
Anna Jackson, Deceased,  
Plaintiff.  
vs  
Mary Carr, Willie Ricketts,  
and Willie Spear,  
Defendants.  
Petition To Sell Real Estate.  
Wainr of Process and  
Consent To Sell.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the court ordered.  
Mary P. Carr,  
Mr. Wm. Ricketts,  
W. H. Spears.

8826 Order For Appraisement.  
Probate Court, Union County, Ohio.  
Nov. 21 1917.  
Order For Appraisement  
For  
Appraisement  
Mrs. King, Executor,  
Of the Estate  
Anna Jackson, Deceased,  
Plaintiff.

vs  
Mary Carr, Willie Ricketts,  
and Willie Spear,  
Defendants.  
Order For Appraisement.

This day this cause came on to be heard upon the petition, proofs and exhibits the court find that all the defendants have been duly served with process, or have voluntarily entered their appearance in

Final Record, Union County Probate Court

8826

the case; and that as set forth in the petition, it is necessary to sell the real estate therein described, to pay the debts of the said Anna Jackson, deceased. It is therefore ordered and adjudged by the court that the said premises be appraised free of down, by the oaths of William Neel, David Franklin, and J. H. Ballard, judicious and disinterested freeholders of the vicinity, whom the court hereby appoint for that purpose, and that they return their proceedings to this court for confirmation.

Eduard W. Porter, Probate Judge

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Oath of Appraisers

8826

Order Of Appraisement

The State of Ohio

Probate Court

Union County, ss.

To Wm. King, Executor of Estate of Anna Jackson, Deceased, Greeting:

Order Of Appraisement

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Executor aforesaid are Plaintiff and Mary Larr et al. are Defendants, you are commanded that by the oaths of William Neel, David Franklin and J. H. Ballard, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises free of the down estate of any person, therein, to wit:

Situated in the Village of Magnetic Springs, Union County, Ohio. Being one frame building house situated on the south side of Catharine Street in said Village County and State aforesaid and being Lot No 52.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and bear you there and there this writ.

Witness my signature as Judge and Ex-officio clerk of our said Probate Court and the seal of said court, at Marysville, Ohio, this 21 day of November, 1917.

Eduard W. Porter, Probate Judge

8826

Return

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

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Appraisers Return

8826

Application of

Real Estate at Private Sale

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Final Record, Union County Probate Court

8826

Dated the 22<sup>nd</sup> day of Nov. 1917,

Wm. King, Executor

Of the Estate of Anna Jackson, Deceased,

8826

Oath of Appraisers.

The State of Ohio, Union County, ss.

Oath

of Appraisers

W. the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

Wm. Neil.

David Franklin, Appraisers,

J. H. Ballard,

Known to before me, and signed in my presence this 22<sup>nd</sup> day of Nov. 1917.

Wm. King, Notary Public.

8826

Appraisers Return.

Appraisers Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned, appraisers, estimate the value of said real estate at Fifteen Hundred Dollars to said decedent estate of Anna Jackson, deceased.

Given under our hands, this 22<sup>nd</sup> day of November, 1917.

Wm. Neil.

David Franklin,

Appraisers.

J. H. Ballard.

Fees of Appraisers \$1.00 per day each.

8826

Application to Sell Real Estate at Private Sale

Probate Court, Union County, Ohio.

Wm. King, Executor

No. 8826

Application to

of Anna Jackson, Deceased, Plaintiff.

Petition to Sell Real Estate

to Sell Real Estate at Private Sale.

vs Mary Leary, et al.

Application.

Defendants.

The said Plaintiff represents that it would be for the best interest of the said Estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

Property going down and can be sold at the appraised value also will be to the best of interest of all parties interested and that a sale of said property at the appraised value would be an advantageous one.

And he therefore asks for an order authorizing



Final Record, Union County Probate Court

8826

him to sell said real estate at private sale.  
Wm. King, Executor.  
Of the Estate of Annie Jackson, Dec'd.

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The State of Ohio Union County, ss.

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Wm. King, being duly sworn, says that the various  
matters set forth in the foregoing Application are true as  
he verily believes.

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Wm. King

Sworn to before me, and signed in my presence,  
this 23<sup>rd</sup> day of November, 1917.

Edw. Edward H. Porter, Probate Judge

8826

Affidavit of Disinterested Persons.

Affidavit of  
Disinterested  
Persons.

The State of Ohio  
Union County, ss.

Wm. Nell, and David Franklin being duly sworn,  
say they know the facts set forth in the application to  
which this affidavit is attached; that they have no  
interest whatever in the matters therein referred to,  
and that it will be more for the interest of the  
said Estate and all parties concerned to sell said  
real estate at private sale than at public sale as  
they verily believe.

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Wm. Nell, David Franklin,

Sworn to before me, and signed in my presence,  
this 23<sup>rd</sup> day of Nov. 1917.

Edw. Edward H. Porter, Probate Judge

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Order  
Approving  
Appraisement  
and  
for Bond.

Journal Entry: Order Approving Appraisement and for Bond.

Probate Court, Union County, Ohio.

Wm. King, Executor.  
Of the Estate of  
Annie Jackson, Dec'd.  
Plaintiff.

Nov. 23- 1917

Petition to Sell Real Estate

Mary Leary, et al.  
Defendants.

Order For Bond, Etc.

This day came the said Plaintiff, by his  
attorney, and produced to the Court, the report  
of an appraisement herein made by Wm. Nell,  
David Franklin and J. K. Ballard in pursuance  
of a former order of this Court; and it appear-  
ing upon examination that said report is in  
all respects regular and correct, it is ordered  
that the same be and hereby is approved and  
confirmed.

It is further ordered that said Wm. King execute

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Order  
Approving  
Bond for  
Private Sale.

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Final Record, Union County Probate Court

8826 Within 5 days, to the State of Ohio, a bond with sufficient freehold sureties to be approved by the Court, in the sum of Three Thousand (\$ 3000.00) Dollars, conditioned according to law, and this cause is continued.  
Edward H. Porter, Probate Judge.

8826

Bond.

Know all men by these Presents: That we Wm. King, Lutisha King, and David Franklin are held and firmly bound unto the State of Ohio, in the sum of Three Thousand Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors, and administrators.

Signed by us, and dated at Magnetic Springs, Ohio, this 23<sup>rd</sup> day of Nov. 1917.

The condition of the above Obligation is such, that whereas, the above bound Wm. King was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Executor, of the estate of Anna Jackson, deceased,

Bond

And whereas, the said Wm. King, as such Executor has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said decedent described in said petition:

And whereas said Court, on the 21<sup>st</sup> day of Nov. 1917 made an order requiring said Wm. King to execute a bond according to the statute in such cases made and provided.

Now, if the said Wm. King, Executor, as aforesaid shall account for all the further assets arising from the sale of said Real Estate and that shall remain after payment of the debts and charges for which the land shall be sold, and to dispose of the same according to law: then this obligation to be void, otherwise to remain in full force.

Wm. King

Lutisha King

David Franklin

This Bond approved in open Court, this 23<sup>rd</sup> day of November, 1917.

Seal

Edward H. Porter, Probate Judge

8826

Orders

Approving

Bond for Private Sale

Journal Entry: Order Approving Bond for Private Sale Probate Court, Union County, Ohio, November, 23<sup>rd</sup> 1917  
Wm. King, Executor, of the Estate of Annie Jackson, Deid. Plaintiff vs. Mary Carr, et al. Defendants. Order of Sale

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Final Record, Union County Probate Court

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This day this cause came on further to be heard, and it appearing to the Court, that the said W<sup>m</sup>. King Executor the plaintiff above named, has given bond as heretofore ordered, in the sum of Three Thousand Dollars, with David Franklin and Lutish King freeholders as sureties, it is ordered that said bond be and hereby is approved.

And it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale. It is therefore further ordered that said W<sup>m</sup>. King as such Executor proceed to sell said real estate free from dower, at private sale for not less than Fifteen Hundred Dollars the appraised value thereof, on the following terms, to wit, one third cash in hand on day of sale, one third in one year and one third in two years from day of sale: deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Edward W. Porter, Probate Judge

Order Of Sale Free of the Dower,  
Probate Court.

8826

The State of Ohio

Union County, ss

Order  
Of  
Sale.

To William King Executor of the Estate of Anna Jackson Deceased, Greeting;

In obedience to an order and decree of the Probate Court within and for said County, made this day, in a certain cause, wherein you as Executor of the Estate of Anna Jackson, deceased, are Plaintiff and Mary Carr, et al, are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than the appraised value thereof free of dower,

Situated, in the Village of Magnetic Springs, Union County, Ohio, being one frame building house situated on the south side of Catherine Street, in said Village, County, and State aforesaid, and being Lot No. 52.

Said sale to be free of dower, and to be upon the following terms:

One third cash in hand, one third in one year, and one third in two years,

The deferred payments to be secured by mortgage on the premises and to bear interest from the day of sale, payable annually.

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Final Record, Union County Probate Court

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You will make return of your proceedings to this court forth with upon execution of this order.

Witness my signature and the seal of said Probate Court at Marysville, Ohio this 24<sup>th</sup> day of January, 1918.  
Eduard W. Porter, Probate Judge.

8826

Return.

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 2<sup>nd</sup> day of April 1918.

Wm. King, Ex.

8826

Report Of Sale.

Report

of Sale

In obedience to the within order, I sold said premises on the first day of April, 1918, to Croghan Bailey for the sum of Fifteen Hundred (\$1500.00) Dollars, said sum being the appraised value of the same.

Wm. King, Ex.

Dated the 2<sup>nd</sup> day of April, 1918.

8826

The State of Ohio, Union County, ss.

Oath

The above named Wm. King, Executor of estate of Anna Jackson being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Wm. King, Executor.

Sworn to before me and signed in my presence, this 1<sup>st</sup> day of April, 1918.

Eduard W. Porter, Probate Judge.

8826

Order Of Confirmation

Order Of Confirmation

William King, Exr. of The Estate of Anna Jackson, Deceased, Plaintiff.

No. 8826, Entry.

Mary Leary et al. Defendants.

Order Of Confirmation

This day this cause came on to be heard on the report of William King, Executor of the Estate of Anna Jackson, deceased, of his proceedings under the former order of this court, and upon the motion of said petitioner to confirm the sale made in obedience to said order, and the court having carefully examined said report and

Final Record, Union County Probate Court

8826

finding the proceedings of said petition in all respects correct, and being satisfied that said sale was fairly and legally made, it is ordered that the same be, and hereby is, approved and confirmed.

It is further ordered that said petitioner execute a deed of all his right, title and interest of the said William King, as Executor, of the estate of Anne Jackson, deceased, in said real estate, to the purchaser Croghan Bailey, upon the purchaser executing to said William King, Executor, a mortgage upon the premises sold to secure the deferred payments of the purchase money.  
Edward H. Porter, Probate Judge.

8770

8770  
Filed July 16, 1917

Petition for Sale of Real Estate to Pay Debts,  
Probate Court, Union County, Ohio.

A. T. Coons Administrator  
Of the Estate of  
Mary B. Crawford, deceased  
Plaintiff.

No. 8770  
Civil Action.

vs.

H. B. Evans,  
Lulu Tolentaugh,  
May Wright,  
Lulu Cunningham,  
Burt O. Drown, and  
Harry Hornbeck,  
Defendants

Petition  
to  
Sell Real Estate.

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the Estate of Mary B. Crawford late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Five Hundred Dollars as near as can be ascertained that the charges of Administration of said estate will amount to about One Hundred and fifty Dollars; and that the total value of the personal estate and effects of said deceased is but no Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Mary B. Crawford, died seized in fee simple undivided one half of the following described real estate, situate in the County of Union and State of Ohio, to wit: Part of Survey No. 12542

Beginning at a stone (Witnessed by a small sugar tree) the South West corner of lands formerly owned by George P. Farley and in the North line of Survey No. 11346; thence with the line of said Survey South 78° N. 113.2° goes to a stone; (Witness

Petition

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Real Estate



Final Record, Union County Probate Court

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a water Elm) the South east corner of a 100 acre tract of land formerly owned by John Ogaw; Thence with the East line of said land, North 13° East 161.75 poles to a stake in the center of the Richmond Miller Gravel Road; Thence with the center of said road North 75° West 40.40 poles to a stone in the South line of lands formerly owned by Jonathan G. Miller; Thence with said line North 78° East 15.8 poles to a stone; (witnessed by an iron pipe) in the West line of said lands formerly owned by George P. Fawley; Thence with said line South 13° West 182.50 poles to the beginning.

Containing 122 acres by the same more or less. See Volume 91 Page 633 Records of Deeds, Union County, Ohio.

Petition

The said defendants, H. B. Evans, Lulu Bolenbaugh, Lucy Wright, Lulu Cunningham, Burt O. Drown and Harry Hornbeck, are the only next of kin of said decedent, having the next estate of inheritance from said Mary B. Crawford, deceased, in said premises.

The Plaintiff therefore prays that your petition may be authorized and ordered to see said real estate free of said dower, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

The State of Ohio, Union County, ss.

A. T. Coons the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.  
A. T. Coons.

Done to before me and signed in my presence, this 16<sup>th</sup> day of July, 1917.

Milton Haines, Notary Public.

8770

Journal Entry: Filing Petition To See Real Estate.

Filing Petition To See Real Estate

In the Probate Court of Union County, Ohio.  
A. T. Coons, Administrator  
Of the Estate of Mary B. Crawford,  
Deceased.  
Plaintiff.  
vs.  
H. B. Evans, et al.  
Defendants.  
July, 16<sup>th</sup> 1917.  
Case No. 8770.  
Journal Entry.

This day came the Plaintiff A. T. Coons as Administrator of the estate of Mary B. Crawford, deceased, and presented to this Court his petition duly verified praying an order for the sale of real estate



Final Record, Union County Probate Court

8770

of the said Mary B Crawford, deceased, to pay the debts, and the costs of administering the estate of the said decedent.

Whereupon it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency, and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Eduard H. Porter, Probate Judge

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Wainr

In the Probate Court of Union County, Ohio

A. T. Coons Administrator

No. 8770

of the Estate of

Mary B Crawford, deceased, Petition To Sell Real Estate

Plaintiff.

vs

Wainr

H. B. Evans

Lulu Bolentaugh

Mary Wright

Lulu Cunningham

Burl O. Drown, and

Harry Hornbeck.

Defendants.

Wainr of Process

and

Consent To Sell.

We, the undersigned parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

H. B. Evans.

Harry Hornbeck.

Lulu <sup>her</sup> Bolentaugh,

Mark

Mary Wright

Lulu Cunningham.

8770

Affidavit

In the Probate Court of Union County, Ohio

A. T. Coons Administrator

No. 8770

of the Estate of

Mary B Crawford, deceased,

Plaintiff.

Affidavit

To Obtain Service

By Publication.

vs

H. B. Evans et al. Defendants

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Service by Publication

Legal Notices

Final Record, Union County Probate Court

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State of Ohio Union County ss-  
A. T. Coons the said Plaintiff, being first duly sworn,  
says that the residence of the defendant, Burl O. Drown  
one of the heirs of the deceased is unknown to the  
plaintiff and cannot with reasonable diligence  
be ascertained; And that service of summons  
cannot be made on him. And, that the case  
is one of those mentioned in Section 11292 of the  
General Code of Ohio.

A. T. Coons.

Drown to befor me and signed in my presence  
this 20<sup>th</sup> day of August, 1917.

Wm. H. Faires, Notary Public.

8770

Journal Entry: Order Service by Publication,  
Probate Court, Union County, Ohio.

Service  
by  
Publication

A. T. Coons, Administrator of  
The Estate of Mary B. Crawford,  
Deceased.  
Plaintiff

August, 20<sup>th</sup> 1917.

Orders Service  
By Publication.

H. B. Evans et al.

Defendants

This day came the Plaintiff and filed herein  
an affidavit under the Statute in that behalf  
for the purpose of procuring service by publication;  
and it appearing to the court that the Defendant  
Burl O. Drown is a non-resident of Ohio, that  
service of Summons on him cannot be made  
in this State; that the residence of said  
Defendant is unknown to the Plaintiff, and  
that said defendant is a necessary party and  
that the residence of such defendant so  
unknown to the Plaintiff cannot with reasonable  
diligence be ascertained, and that service of  
Summons on such defendant cannot be made,  
it is ordered that proceedings against said  
unknown heir be had without naming them.

It is ordered that the publication be made  
for six consecutive weeks, in a newspaper printed  
in this County, that it contain a summary  
statement of the object and prayer of the  
petition, mention the court wherein it is filed,  
and notify the persons thus to be served when  
they are required to answer.

Edward H. Porter Probate Judge

Administrator's Sale

Notice to Non-Resident Defendant

Burl O. Drown, an heir at law, of Mary B. Crawford,

Final Record, Union County Probate Court

8770

deceased, whose residence is unknown, will take notice that on the 16<sup>th</sup> day of July, 1917, A. T. Coons, Administrator of the estate of Mary B. Crawford, deceased, filed his petition in the Probate Court of Union County, Ohio, alleging that the personal estate of said decedent is insufficient to pay her debts and the charges of administering her estate; that she died seized in fee simple of the undivided one-half interest of the following described real estate and praying for an order to sell the same: Situated in the Township of York, County of Union and State of Ohio: Being part of Survey No. 12542, Beginning at a stone (witnessed by a small sugar tree) the south west corner of lands formerly owned by George P. Lawley and in the north line of Survey No. 11346; thence with the line of said Survey, south 78 degrees, N. 113.25 poles to a stone (witnessed by a water elm) the south east corner of a 100 acre tract of land formerly owned by John Ogan; thence with east line of said land North 13 degrees, East 161.75 poles to a stake in the center of the Richmond-Miller Grant Road; thence with the center of said road North 75 degrees West 40.00 poles to a stone in the south line of lands formerly owned by Jonathan G. Miller; thence, with said line North 78 degrees, East 158 poles to a stone (witnessed by an iron pipe) in the west line of said lands formerly owned by George P. Lawley; thence with said line North 13 degrees, West 182.50 poles to the place of beginning, containing 122 acres or thereabouts more or less.

Said defendant is required to answer on or before the 20<sup>th</sup> day of September, 1917, or judgment will be taken accordingly.

A. T. Coons,

Administrator of the Estate of Mary B. Crawford, deceased,  
 Simons and Haines, Attorneys for Administrator.  
 Aug. 22, 1917.

8770

The State of Ohio, Union County, ss.

Cash.

Personally appeared before me John H. Shearer and made solemn oath that the notice, a copy of which is hereto attached was published for four consecutive weeks on and next after August 22<sup>nd</sup> 1917, in the Marysville Tribune, a newspaper of general circulation in the county aforesaid.

John H. Shearer,

Notary before me and signed in my presence this 16<sup>th</sup> day of September, A.D. 1917.

J. M. Huber, Notary Public

Printer's Fees \$ 16.<sup>25</sup>

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Application  
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 Sale at  
 Private Sale

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Cash.

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Affidavit

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Final Record, Union County Probate Court

<p>8770 Application Private Sale</p>	<p>Application to Sell Real Estate at Private Sale. Probate Court, Union County, Ohio, A. T. Coons, Administrator of the Estate of Mary B. Crawford, deceased, Plaintiff. vs. H. B. Evans, et al. Defendants.</p>	<p>no. 8770 Petition to Sell Real Estate Application.</p>
	<p>The said Plaintiff represents that it would be for the best interest of the said Estate to sell the real estate described in the petition in this case at private sale, for the following reasons: It can be sold for the full appraise ment. And saves cost of advertising said property for sale. And he therefor asks for an order authorizing him to sell said real estate at private sale.</p>	
<p>8770 oath.</p>	<p>The State of Ohio, Union County, ss. A. T. Coons, being duly sworn, says that the various matters set forth in the foregoing Application are true as he truly believes.</p>	<p>A. T. Coons, Administrator of the estate of Mary B. Crawford, deceased.</p>
<p>8770 Affidavit</p>	<p>Affidavit of Disinterested Persons. The State of Ohio, Union County, ss. W. H. Husted and J. J. Mayberry being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matter therein referred to, and that it will be more for the interest of the said Estate to sell said real estate at private sale than at public sale as they truly believe.</p>	<p>A. T. Coons, Edward M. Porter, Probate Judge</p>
	<p>W. H. Husted, J. J. Mayberry sworn to before me, and signed in my presence, this 7<sup>th</sup> day of May, 1918. Milton Haines, Notary Public</p>	
<p>8770.</p>	<p>Journal Entry: Order on Hearing, for Private Sale. Probate Court, Union County, O. May 7<sup>th</sup> 1918.</p>	

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Final Record, Union County Probate Court

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A. T. Coons, Administrator,  
of the Estate of Mary B. Crawford, Deceased.  
Plaintiff

Petition To sell  
Real Estate.

H. B. Evans et al. Defendants.

Order of sale.

Order of  
Sale

This day this cause came on to be heard upon the  
petition, evidence and testimony and the court being  
fully advised in the premises finds: That all the  
defendants herein have been duly and legally served  
with process or have voluntarily entered their ap-  
pearance herein and are now properly before the court.

That the statements and allegations in said petition  
are true.

That said Mary B. Crawford, deceased,  
did not leave a widow or entitled to dower in the  
estate to be sold, and an appraisement of such  
estate is contained in the inventory. It is ordered  
that another appraisement be and hereby is dis-  
pensed with. And the court being satisfied  
that it is necessary to sell the real estate of  
said Mary B. Crawford, deceased, described in the  
petition, to pay her debts. And it being made  
to appear to the court upon satisfactory evidence,  
that it would be more for the interest of said  
estate to sell the real estate described in the  
petition at private sale.

It is therefore further ordered that said A. T.  
Coons as such Administrator proceed to sell  
said real estate, free of dower at private sale  
for not less than the appraised value thereof  
on the following terms, to wit, Cash.

And said petitioner is ordered to make return  
to this court immediately after such sale is  
made and this cause is continued.

Edward H. Porter,

Probate Judge

8770

Order of  
Sale

The State of Ohio, Union County, ss.

Order Of Sale --- Free of Dower ---

Probate Court,

To A. T. Coons, Administrator of the Estate of Mary  
B. Crawford, Deceased. Greeting:

In obedience to an order and decree of the  
Probate Court, within and for said County, made  
this day, in a certain cause wherein you as  
Administrator of the Estate of Mary B. Crawford,  
deceased, are Plaintiff and H. B. Evans et al. are  
Defendants, you are commanded to proceed  
according to law, to sell at private sale, for  
not less than the appraised value thereof free  
of dower the undivided one-half of the

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Return

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Report  
of  
Sale.

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Final Record, Union County Probate Court

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following described premises, to-wit: Situate in the County of Union in the State of Ohio and Township of York Part of Survey No. 12542.

Beginning at a stone (witnessed by a small iron pipe) the South-west corner of lands formerly owned by George P. Hawley and in the North line of Survey No. 1346; thence with the line of said Survey South 78° W. 113.20 poles to a stone; (witness a water elm) the South-east corner of a 100 acre tract of land formerly owned by John Ogaw; thence with the East line of said land, North 13° East 161.75 poles to a stake in the center of the Richmond Miller Grant Road; thence with the center of said road North 75° West 40.20 poles to a stone in the South line of lands formerly owned by Jonathan G. Miller; thence with said line North 78° East 158 poles to a stone; (witnessed by an iron pipe) in the West line of said lands formerly owned by George P. Hawley; thence with said line South 13° West 152.80 poles to the beginning containing 177 acres, by the same more or less.

See Vol. 91, Page 633, Record of Deeds, Union County, Ohio.

Said sale to be free of the claim of any person and to be upon the following terms: Cash.

You will make return of your proceeding to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Mansville, Ohio, this 7<sup>th</sup> day of May, 1918.

*[Signature]* Edward W. Porter, Probate Judge.

8770

Return.

Return

To the Probate Court of Union County, Ohio:  
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
Dated the 13<sup>th</sup> day of June, 1918.

A. T. Coons

8770

Report of Sale

Report of Sale.

In obedience to the within order, I sold said premises on the 13<sup>th</sup> day of June, 1918, to H. B. Evans for the sum of Fifty three eighty one and 1/100 Dollars (\$5381.10) Dollars, said sum being the appraised value of the same.

A. T. Coons

Administrator of the Estate of Mary B. Crawford.  
Dated the 13<sup>th</sup> day of June, 1918.

8770

The State of Ohio, Union County, ss.  
The above named A. T. Coons, being duly sworn,



Final Record, Union County Probate Court

8770

says that the sale above reported has been made after diligent endeavor to obtain the best price for said property and that said sale is for the highest price he could get for said property.

A. T. Coons

known to him and signed in my presence, this 13<sup>th</sup> day of June 1918.

Milton Haines, Notary Public

8770

Journal Entry: Order Approving and Confirming Sale, Etc. Probate Court Union County Ohio, Thursday, June 13<sup>th</sup> 1918.

Orders Approving and Confirming Sale

A. T. Coons Administrator of the Estate of Mary B. Crawford, deceased. Plaintiff

Petition To Sell Real Estate

H. B. Evans et al. Defendants

Orders Approving and Confirming Sale

This day this cause coming on to be heard on the return of A. T. Coons Administrator of the estate of Mary B. Crawford, deceased, of his proceedings and sale under the former order of this court; the court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made.

It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said A. T. Coons as such Administrator make to the purchaser H. B. Evans a good and sufficient deed for the premises so sold.

It is further ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \*

Edward W. Porter, Probate Judge

8855

Filed Dec. 27 1917

Petition for Sale of Real Estate to Pay Debts. Probate Court, Union County, Ohio, No. 8855. Civil Action. Plaintiff: Stanley Brown, Executor of the Estate of Mary E. Wetmore, Deceased. Defendant: E. B. Taylor, Carrie Kater, Arthur Taylor, Nellie Moore, H. G. Moore, T. G. Moore, Ida Hoffman, Emma Dilson, Lynnell Moore, John Moore, Earl Moore, Edna Moore, Phila M. Harris and Ellen Moore.

Petition

E. B. Taylor, Carrie Kater, Arthur Taylor, Nellie Moore, H. G. Moore, T. G. Moore, Ida Hoffman, Emma Dilson, Lynnell Moore, John Moore, Earl Moore, Edna Moore, Phila M. Harris and Ellen Moore. Defendants

To Sell Real Estate Petition

8855

Petition

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Final Record, Union County Probate Court

885-5-

The Plaintiff represents that he is the duly appointed and qualified executor of the estate of Mary E. Wetherbe late of Belmont Township, Union County, Ohio deceased; that the amount of debts due from the deceased is Seven Hundred Dollars, as near as can be ascertained that the charges of administration of said estate will amount to about Two Hundred Dollars; and that the total value of the personal estate and effects of said deceased is but ~~two~~ ~~Dollars~~, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said Mary E. Wetherbe died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, and in the Village of Richmond in said County and bounded and described as follows;

Being the east half of out lot No. Nine (9). For a more specific description reference is hereby made to the recorded plat of said Village.

Petition

The said decedent died leaving David A. Wetherbe her widower, who at the time of her death was entitled to dower in said premises, and that on the 17<sup>th</sup> day of December, 1917, sold and conveyed said dower interest in said premises to the defendant, Nellie Moon, by good and sufficient deed for that purpose. The defendants, C. B. Taylor, Phila M. Harris, Lizzie Kater, Arthur Taylor, Nellie Moon, W. H. Moon, T. C. Moon, Ida Hoffmann, Emma Dilson, Leonard Moon, John Moon, and Nellie Moon as the grantee of David A. Wetherbe, are the only next of kin and so heirs at law of said decedent, having the next estate of inheritance from said Mary E. Wetherbe deceased, in said premises; that the defendants Nellie Moon, Earl Moon, Edna Moon, and Ellen Moon, are legatees and devisees named in the last will and testament of the said Mary E. Wetherbe.

The Plaintiff therefore prays that all the rights and interests of all the said defendants in and to said premises may be fully determined, adjusted and protected according to equity and that your petitioner may be authorized and ordered to see said real estate free of the dower interest of the widower according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

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Final Record, Union County Probate Court

8855

The State of Ohio Union County ss.

Stanley Bourn, the within named, Plaintiff, being duly sworn says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief

Stanley Bourn.

Known to before me and signed in my presence this 26<sup>th</sup> day of December 1918.

*(Signature)*

John H. Hillis Notary Public

885-5-

8855-

Probate Court Union County, Ohio  
Stanley Bourn, Executor  
of the estate of  
Mary E. Wetherker, Deceased,  
Plaintiff.

no. 8855-

Joint Action  
Petition To Sell  
Real Estate

Against  
E. B. Taylor et al.  
Defendants.

Prascrip.

To the Probate Judge:

Issue summons for said Edna Moore, and Ellen Moore who are minors and who resides with their mother Nellie Moore, directed to Stanley Bourn, plaintiff herein, and made returnable according to law

John H. Hillis, Plaintiff's Atty.

8855

Journal Entry: Filing Petition To Sell Real Estate.

In the Probate Court of Union County, Ohio

Stanley Bourn, Executor  
of Mary E. Wetherker dec'd,  
Plaintiff

Dec. 27<sup>th</sup> 1918.

no. 8855-

Journal Entry

E. B. Taylor et al.  
Defendants.

Filing Petition To Sell  
Real Estate.

This day came the Plaintiff Stanley Bourn Executor of the estate of Mary E. Wetherker and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said Mary E. Wetherker deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Whereupon, it is considered and ordered by this court that the said petition be filed and that due and legal notice of the filing, pendency and prayer, of the said petition, and of the times in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Edward H. Porter,

Probate Judge.

Summons.

8855-

Oath

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Hairs



Final Record, Union County Probate Court

885-5-

Summons.

The State of Ohio, Union County, ss.  
 To Executor Stanley Bown, of Union County, Executions  
 You are commanded to notify Edna Moon, and Ellw Moon, minors, making service of this summons upon them and also, if either of them can be found, upon their guardian or their father, or, if neither their guardian nor their father can be found, then upon their mother, or the person having the care of such infants, or with whom they live, that they have been sued by Stanley Bown as Executor of the estate of Mary E. Wetherby, deceased, in the Probate Court of Union County, and that unless they answer by the 6<sup>th</sup> day of April 1918, the petition of said Plaintiff against them filed in said Court such petition will be taken as true, and judgment rendered accordingly.

You will make due return of this summons on the 18<sup>th</sup> day of March, 1918.

Witness my hand and the seal of said Court, this 8<sup>th</sup> day of March, 1918.

Edward H. Porter

Probate Judge

Summons.

8855-

Oath

The State of Ohio, Union County, ss.  
 I, Stanley Bown, being duly sworn, say that I served this writ by delivering a copy thereof with the endorsements thereon personally to the within named defendants, <sup>Edna Moon and Ellw Moon, minors</sup> on the days hereafter named, viz: <sup>Edna Moon and Ellw Moon, minors</sup> on the 12<sup>th</sup> day of March, 1918, also William T. Moon, father of Edna Moon and Ellw Moon, minors, then being no legal Guardian, and said minors are residing with their father and also as to the within named minor defendants, March, 12<sup>th</sup> 1918.

Stanley Bown,

known to be for me and signed in my presence, this 18<sup>th</sup> day of March, 1918.

Edward H. Porter, Probate Judge

8855-

Wainor.

Wainor

In the Probate Court of Union County, Ohio.  
 Stanley Bown, Executor  
 of Mary E. Wetherby, Deceased  
 Plaintiff,  
 vs.  
 Emory Taylor et al.  
 Defendants.

Petition To  
 Sell Real Estate  
 No. 8855-  
 Wainor of Process  
 and Consent To Sell.

Final Record, Union County Probate Court

8855-

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Mrs. Carrie Kater

With Moon

E. B. Taylor

I. C. Moon

Arthur Taylor

Ida Hoffman

Nellie Moon

Emma Dilcawr, John Moon

8855-

Awsun

of

Nellie Moon

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Wainr

In the Probate Court of Union County, Ohio.

Stanley Bown, Executor

No. 8855-

of Mary E. Wetherbee, Decedent,

Petition To Sell

Plaintiff.

Real Estate.

Emory Taylor, et al.

Wainr of Process and

Defendants.

Consent To Sell.

Wainr

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading, is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Lynna A. Moon

Phila M. Harris

8855-

Wainr

In the Probate Court Union County, Ohio

Stanley Bown, Executor

Petition To Sell Real Estate

Of the Estate of

Mary E. Wetherbee, Decedent.

Plaintiff

v.

Wainr of Process and

E. B. Taylor, et al.

Consent to Sell.

Defendants

Wainr

We, the undersigned parties defendant in the above entitled cause for the sale of Real Estate to pay debts, hereby waive service of process and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading, is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Earl Moon

8855-

Oath.

All

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Final Record, Union County Probate Court

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Answer of Nellie Moon.

In the Probate Court, Union County, Ohio  
No. 885-5-

Stanley M. Brown, Executor  
of the Estate of

Mary E. Wetherbee, Deceased, Sale of Real Estate  
Plaintiff.

Answer  
of  
Nellie Moon.

E. B. Taylor et al.  
Defendants.

Answer of Nellie Moon.

Now comes Nellie Moon one of the defendants in the above entitled cause, and voluntarily enters her appearance herein and for answer to the petition in this case says that said Mary E. Wetherbee died testate on or about the 22<sup>nd</sup> day of September, 1917, and left David A. Wetherbee, her widow, surviving her, and who was thereby entitled to dower in the premises described in the petition; that the said David A. Wetherbee is 73 years of age; and that on the 4<sup>th</sup> day of December, 1917, he sold and conveyed all his right title and interest, including dower rights in the premises described in this petition to this answering defendant for a valuable consideration; that this answering defendant paid the consideration therein named to the said David A. Wetherbee and accepted said deed and caused the same to be placed of record in said County in Record of Deeds, Volume 116, Page 361, and thereby became the owner of all of the interests of the said David A. Wetherbee in said real estate; that she freely consents to said sale, as prayed for and makes an assignment of dower in said premises by metes and bounds or in rents and profits and asks the Court that said premises may be sold free of the dower estate therein of the said David A. Wetherbee or this answering defendant under and by virtue of said deed of conveyance to her and asks that the value of such dower estate may be allowed her in lieu thereof, out of the proceeds of the sale, such sum of money as the Court deems just and reasonable value of said dower interest in said real estate.  
Nellie Moon.

885-5-

State of Ohio, Delaware County, ss.

Oath.

Nellie Moon, being duly sworn, says that the allegations in the foregoing answer are true, as she verily believes.  
Nellie Moon.



Final Record, Union County Probate Court

8853- Sworn to before me and subscribed in my presence this 1<sup>st</sup> day of May, 1918.

H. V. Spicer, Notary Public

8855- Journal Entry: Orders On Hearing, of Appraisement Probate Court, Union County, Ohio,

Orders On Hearing of Appraisement

Stanley Brown Executor Of The Estate of Mary E. Wetherbee, deceased Plaintiff.

May 4<sup>th</sup> 1918. Petition To Sell Real Estate.

Order of Sale

E. B. Taylor, et al. Defendants.

Order of Appraisement, etc.

This day this cause came on to be heard upon the petition, evidence and testimony and the court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance herein and are now properly before the court, and that the statements and allegations in said petition are true. That said Nellie Moon the grantee of said David W. Wetherbee who is the widow of said Mary E. Wetherbee is entitled to his dower in said real estate. That said Nellie Moon by her answer herein waives the assignment of dower in said premises by metes and bounds, or in rents and profits, and consents to the sale of said premises free from said dower estate therein. And the court being satisfied that it is necessary to see the real estate of said deceased, described in the petition, to pay her debts.

It is ordered that Lloyd Kintner, G. F. Gree and Frank J. Graham, three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, be and they hereby are appointed to appraise said lands as a whole at their true value in money, free from the said dower estate of said David W. Wetherbee and his assignee Nellie Moon therein.

It is further ordered that said appraisers be sworn as required by law, and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this court on or before the 9<sup>th</sup> day of June, 1918, and this cause is continued.

Edward H. Porter, Probate Judge

8856- Journal Entry: Orders Approving Appraisement for Public Sale.

Probate Court, Union County, Ohio.

Order of Appraisement

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Final Record, Union County Probate Court

8855 Stanley Bourn, Executor  
 of the Estate of  
 Mary E. Wetherbee, deceased,  
 Plaintiff

May 16<sup>th</sup> 1918.  
 Petition to sell Real Estate

Order of  
 E. B. Taylor,  
 Defendants,  
 of  
 Sale

Orders of Sale, etc.

This day came the said Plaintiff, by his Attorney, and produced to the court, the report of an appraisement herein made by Lloyd Witten, C. F. Gill and Frank J. Graham in pursuance of a former order of this court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

It is therefore further ordered that said Stanley Bourn as such Executor proceed according to law to sell the real estate, described in the petition free of dower estate at public auction on the premises for not less than two-thirds the appraised value thereof, on the following terms, to wit, one-third cash in hand on day of sale, one-third in one year and one-third in two years, from the day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. It is further ordered that said petitioner give notice four weeks consecutively of the terms and time and place of sale, prior thereto, in some newspaper of general circulation in Union County, Ohio, where said real estate is situate. It is further ordered, upon motion of said Executor and upon good cause shown therefor, that publication of said notice in a German or Bohemian Newspaper, be and hereby is dispensed with.

And said petitioner is ordered to make return to this court, immediately after such sale is made, and this cause is continued.

Edward M. Porter, Probate Judge

8855- Order Of Appraisement.  
 The State of Ohio, Probate Court,  
 Union County, ss.

Order of Appraisement  
 To Stanley Bourn, Executor, of the estate of Mary E. Wetherbee, Deceased. Greeting;

In obedience to an order and decree of the Probate Court, within and for said county, made this day, in a certain cause, wherein you as Executor of the Estate of Mary E. Wetherbee, deceased, are

Final Record, Union County Probate Court

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Plaintiff and E. B. Taylor, et al. are Defendants. you are com-  
manded that by the oaths of L. Winter, G. F. Hill and Frank  
Graham, three judicious disinterested men of the vicinity,  
not of kin to the petitioners, who are freeholders of the  
County in which said real estate is situated, and upon  
actual view, you cause a just valuation and appraisement  
to be made according to law, of the following described  
premises, free from dower, to-wit: Situate in the County of  
Union, and State of Ohio, and in the Village of Richmond  
in said County, and bounded and described as follows:

Being the East half off of the West half of Out Lot No.  
Nine (9). For a more specific description reference is  
made to the Plat of said Village in the Recorder's Office,  
in the Court House, at Marysville, Ohio.

you will make return of your proceedings herein  
to our said Probate Court forthwith upon execution  
of said order, and have you then and there this writ.

Witness my signature as judge and Ex-Officio Clerk  
of our said Probate Court and the Seal of said Court,  
at Marysville, Ohio, this 9<sup>th</sup> day of May, 1918.

Edward H. Porter, Probate Judge

885-5

Return.

To the Probate Court of Union County, Ohio:

Return.

In obedience to the foregoing order, I have caused  
the same to be duly executed, as will fully appear  
by the proceedings hereto attached.

Dated the 13<sup>th</sup> day of May, 1918.

Stanley Brown, Executor.

885-5

Oath Of Appraisers,--

The State of Ohio, Union County, ss.

Oath  
of  
Appraisers

We, the undersigned appraisers, do make solemn  
oath that we will, upon actual view, honestly and  
impartially appraise the within described real estate  
at its fair cash value, and perform the duties  
required of us, in pursuance of the foregoing  
order.

Lloyd Winter

G. F. Hill

Frank Graham

Appraisers.

Sworn to before me, and signed in my presence,  
this 13<sup>th</sup> day of May, 1918.

Stanley Brown, Executor.

885-5

Appraisers' Return.

Appraisers  
Return

In obedience to the foregoing order, after being  
first duly sworn, and upon actual view of the  
premises therein described, we, the undersigned  
Appraisers, estimate the value of said real  
estate at Fourteen Hundred (\$1400.00) Dollars

885-5

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Order  
of  
Sale

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Return.



Final Record, Union County Probate Court

8856

Given under our hands, this 13<sup>th</sup> day of May, 1918.

Lloyd Winter,  
Frank Graham, Appraisers,  
A. F. Rice

8858

Order Of Sale Free of Dower

The State of Ohio, Union County ss. Probate Court  
To Stanley Brown, Executor of the Estate of Mary E. Wetherbee, Deceased. Greeting:

Order of Sale

In obedience to an order and decree of the Probate Court within and for said County, made this day in a certain cause, wherein you as Executor are Plaintiff and E. B. Taylor et al. are Defendants, you are commanded to proceed according to law, to sell at Public Sale, for not less than two thirds the appraised value thereof free of the dower of David A. Wetherbee widower of Mary E. Wetherbee and Nellie Moon Assignee of David A. Wetherbee the following described premises, to wit:

Situate in the County of Union and State of Ohio and in the Village of Richmond in said County and bounded and described as follows:

Being the east half of out lot No. Nine (9).

For a more specific description reference is hereby made to the recorded plat of said Village.

Said sale to be upon the premises and to be upon the following terms: One third cash on day of sale;

One third in one year; one third in two years; with interest at six per cent per annum from date of sale.

The deferred payments to be secured by mortgage on the premises and to bear interest from the day of sale, payable Annually.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court at Marysville, Ohio, this 16<sup>th</sup> day of May, 1918.

 Edward H. Porter, Probate Judge,  
Return.

8855

Is the Probate Court of Union County, Ohio:

Return.

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 23<sup>rd</sup> day of June, 1918.

Stanley Brown.

Final Record, Union County Probate Court

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Report Of Sale.

Report of Sale.

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Richmond Gazette - a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situated, for at least four consecutive weeks prior to the 22<sup>nd</sup> day of June 1918 the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour of One O'clock P.M. I attended upon the premises and offered said real estate for sale free of the dower estate of David A. Wetherbee, widower of Mary E. Wetherbee and Nellie Moore, assignee of David A. Wetherbee, therein, when William T. Moore and Nellie Moore bid to pay for the same the sum of Twelve Hundred (1200.) Dollars, which being the highest and best bid that was offered, and being more than two-thirds the appraised value of said premises, I then and sold the same to him for that sum.

Stanley Brown

Dated the 22<sup>nd</sup> day of June, 1918.

885-5

Report Of Sale

Report of Sale.

In obedience to the within order, I sold said premises on the 22<sup>nd</sup> day of June 1918, to William T. Moore and Nellie Moore, for the sum of Twelve Hundred (1200.) Dollars, said sum being more than two-thirds the appraised value of the same.

Stanley Brown

Dated the 22<sup>nd</sup> day of June, 1918.

The State of Ohio Union County, ss.

The above named Stanley Brown being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Stanley Brown.

Sworn to before me and signed in my presence this Tenth day of July 1918.

[Signature]

John H. Hillier,

Notary Public.

885-5. Orders of Confirmation Distribution

Journal Entry: Orders of Confirmation, Distribution, Probate Court, Union County, Ohio.  
 Stanley Brown, Executor of  
 Mary E. Wetherbee, deceased  
 vs.  
 Plaintiff.  
 E. B. Taylor, et al. Defendants.

Wednesday, July 10<sup>th</sup> 1918.  
 Petition To Sell Real Estate,  
 Orders of Confirmation  
 Distribution etc.

885-5.

8855

This day this cause came on to be heard on the report of Stanley Bown, Executor of Mary E. Wetherbe of her proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; and the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made; it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Mary E. Wetherbe et al. in said real estate to the purchaser William T. and Nellie Moore, upon the said purchaser executing to said Executor a mortgage upon the premises sold to secure the deferred payments of the purchase money.

And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale amounting to the sum of Two Hundred Dollars; and the said David A. Wetherbe, widow, Nellie Moore, Assignee, having by answer herein waived the assignment of dower in said premises by metes and bounds, or in rent and profits, and asked that the value of such dower be allowed and paid her out of the proceeds of the said sale; the Court finds the just and reasonable value of her dower interest in said real estate to be the sum of One Hundred Twenty-four and 5/100 Dollars.

It is further ordered that said Executor, out of the money in his hands, pay:  
 First: To the Treasurer of this County, the sum of \$ 8.<sup>00</sup> being the taxes payable and interest thereon, against said property.  
 Second: The costs and expenses incurred in the sale of said property including an attorney fee of \$ 25.<sup>00</sup> to John H. Wallis, and \$ 68.<sup>00</sup> the percentage of said Executor herein, amounting to the sum of \$ 93.<sup>00</sup>

Third: To Nellie Moore, his assignee of David A. Wetherbe the sum of \$ 124.<sup>00</sup>, which the Court finds to be the value of his dower interest in said premises.

It is further ordered that the balance of said proceeds, amounting to the sum of \$ 974.<sup>00</sup> be accounted for by said Executor according to law. And it is further ordered that this proceeding be recorded, and that said

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Final Record, Union County Probate Court

8855 petitioned pay the costs herein, taxed at \$ 28.00 out of the proceeds of said sale, within ten days.  
Edward H. Porter, Probate Judge

8892 Petition To Sell Real Estate.  
Filed In Probate Court of Union County, Ohio.  
Feb. 25<sup>th</sup> 1918 The Board of County Commissioners No. 8892.  
of Union County, Ohio.  
Plaintiff.

v.  
Cornelius Makie, and  
Mary Ma Kie.  
Defendants.

A. T. Coons, P. V. Burson and J. J. Mayberry say that they are the duly qualified, elected and now acting members consisting of the Board of County Commissioners of Union County, Ohio.

That under the authority of the laws of the State of Ohio, they have as such Board the charge and control of the management of the County Infirmary of Union County, Ohio. That on or about the 6<sup>th</sup> day of December, 1917, they received upon a warrant duly issued by the Township Board of Trustees of Allen Township in said county and State, the defendant, Cornelius Makie and who upon said date was admitted to the Infirmary as a ward of the County and is now being cared for at the expense of said County of Union.

The Plaintiff further says that the defendant, Cornelius Makie is possessed of and now owns in his own name the following described real estate to-wit:-

Situated in the Township of Allen, County of Union and State of Ohio. Being a part of V. M. Survey No. 2979. Beginning at a stone and brick in place of an Elm, corner to Thomas Stillings in the North easterly line of Survey, 2979; Thence with said line, S. 35° E. 47 poles to a stone and brick; Thence S. 55° W. 37<sup>50</sup>/<sub>100</sub> poles to a stone; Thence N. 35° W. 49 poles to a stone in the line of said Thomas Stillings; Thence with said line N. 55° E. 37<sup>50</sup>/<sub>100</sub> poles to the place of beginning, containing 11 acres and ninety-two poles more or less.

The plaintiff further says that under the authority of sections 2548-2552 both inclusive of the General Code of the State of Ohio, they are

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authorized to take possession of said property, and sell the same and apply the proceeds to the support of the said defendant, Cornelius Ma Gill, and that they now have possession of said property.

Second: The Plaintiff further says that the defendant Mary Ma Gill is the wife of said Cornelius Ma Gill and as such has an inchoate dower interest in said land.

Wherefore the plaintiff Board prays that the defendants Cornelius Ma Gill and Mary Ma Gill may be made defendants to this petition, and notified of the pendency hereof according to law, and that the plaintiff Board may be ordered to sell said real estate, free of the said interest of defendant, Mary Ma Gill, but that out of the proceeds of said sale, the inchoate dower interest of said Mary Ma Gill may be paid to her in cash as by the rules of law in such cases are made and provided for.

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

By Milton Barnes. Prosecuting Attorney.

Petition

County, Ohio

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State of Ohio.

Union County, ss:

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A. T. Coons being first duly sworn, says that he is the President of the said Board of County Commissioners, the plaintiff mentioned in the foregoing petition and that the facts stated and allegations made therein are true as he truly believes.

A. T. Coons.

Known to before me and subscribed in my presence this 25<sup>th</sup> day of February, 1918.

Edward H. Porter, Probate Judge.

8892

Journal Entry: Orders Fixing Time of Hearing <sup>and for Notice</sup> Probate Court, Union County, Ohio.

Orders

Fixing  
Time of  
Hearing  
and for  
Notice.

Board of County Commissioners February 25<sup>th</sup> 1918  
Guardian of  
Cornelius Ma Gill, an  
Inmate of the Union  
County Infirmary.

Plaintiff

Petition To Sell Real Estate

Order For Notice.

vs  
Their Wards et al.

Defendants

This day The Union County Board of Com-

8892.

missioners as Guardian of Cornelius Ma Gill

Final Record, Union County Probate Court

8892

appeared in open court and filed their petition duly verified asking for the sale of real estate therein described belonging to their said ward, Cornelius Ma Gill. It is ordered that the time of hearing said petition be and hereby is fixed for the 30<sup>th</sup> day of March 1918. at One O'clock P.M.

It is further ordered that said Guardian cause notice thereof and of the filing and demand of said petition, to be given to said Cornelius Ma Gill and a summons issue to Mary Ma Gill (wife of said ward), Defendants, in writing to be served upon them personally and by leaving copies thereof at the usual place of residence of each of those who can not be served personally 20 days before said day of hearing and this cause is continued.

Edward H. Porter, Probate Judge

8892

Sheriff's Return

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Precipe

Probate Court Union County, Ohio

Precipe

Board of County Commissioners of Union County, Ohio

vs. 8892  
Civil Action

Plaintiff

vs

Precipe

Cornelius Ma Gill, et al

To the Probate Judge

Defendants

Issue summons for said Cornelius Ma Gill and Mary Ma Gill

"Endorse action to see Real Estate" directed to the Sheriff of said county returnable according to law.

Milton Haines, Plaintiff's atty,

8892

Summons On Petition To see Real Estate

The State of Ohio, Union County, ss.

Summons

To the Sheriff of said county:

You are commanded to notify Mary Ma Gill, that on the 20<sup>th</sup> day of February A. D. 1918. The Board of County Commissioners of Union County, Ohio, filed its petition in the Probate Court of said Union County, Ohio against her and others; the object and prayer of which petition is to obtain an order for the sale of certain real estate belonging to one Cornelius Ma Gill, in said petition described, under authority of Sections 2545 to 2552, both inclusive, and that unless she answers by the 30<sup>th</sup> day of March 1918, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 11<sup>th</sup> day of March, A. D. 1918.

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Final Record, Union County Probate Court

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writ on

8892 Witness my hand and the seal of said court, this  
2<sup>nd</sup> day of March, A.D. 1918.

8892 <sup>Judge</sup> Edward H. Porter Judge  
Sup. Ex. Officer Clerk of the Probate Court of said County  
Sheriff's Return.  
The State of Ohio, Union County, ss.  
Received this writ March 2<sup>nd</sup> 1918 at 11 O'clock  
A.M., and pursuant to its command on March  
2<sup>nd</sup> 1918, I served the within named defendant  
Mary Ma Gill, personally with a true and duly cer-  
tified copy of this writ all endorsements thereon.  
H. S. Lyons  
Acting Sheriff, Union County, O.  
8892 Sheriff's Fees.  
Fees, Service and Return, 75.  
Total, 75.

8892 Order For Notice,  
Petition By Guardian for Sale Of Real Estate,  
Probate Court, Union County, Ohio,  
The Board of County Commissioners No. 8892.  
of Union County, Ohio, Plaintiff  
vs. Melina Ma Gill and Mary Ma Gill, Defendants.  
Petition To Sell Real Estate.  
Order For Notice,  
To Robert A. Linn, Superintendent of the Union  
County Infirmary:  
You are hereby ordered to give notice to Melina  
Ma Gill, a county charge, now an inmate in  
the County Infirmary, and of the Defendants, to  
the petition, of the Board of County Commissioners  
this day filed in said Probate Court for the sale  
of the following described real estate of said  
County Charge, of the filing and demand of said  
petition and the time when the same will be  
heard, such notice to be given at least twenty  
days before the time hereafter named for said  
hearing:  
The real estate so asked to be sold is des-  
cribed as follows, to wit:  
Situated in the Township of Allen County of Union  
and State of Ohio. Being a part of U.M. Survey No. 2477.  
Beginning at a stone and brick in place of an Elm  
corner to Thomas Stillings in the North easterly line of  
Survey 2474; Thence with said line S. 35. E. 49  
poles to a stone and brick; Thence S. 55 W. 37<sup>50</sup>/<sub>100</sub>  
poles to a stone; Thence N. 35 W. 49 poles to a stone  
in the line of said Thomas Stillings; Thence with

8892

Final Record, Union County Probate Court

8892

Thence with said line N. 55° E. 37 8/100 poles to the place of beginning containing 11 acres and ninety two poles, more or less.

Said petition will be for hearing before said Probate Court at the office of the judge of said Court, in Marysville Ohio, on Saturday the 30<sup>th</sup> day of March, A.D. 1918, at One O'clock P.M.

You will make due service and return of this order. Witness my hand and the seal of said Court at Marysville Ohio, this 2<sup>nd</sup> day of March, A.D. 1918.

Edward H. Porter,

Judge of the Probate Court.

8892

Return of Service

Return of Service

Received this order the 6<sup>th</sup> day of March A.D. 1918, and thereupon served the said Cornelius Ma Gie, personally, by copy, with the notice therein required to be given, which notice so served, with proof of service, is herewith returned, marked "A" and made a part of this report.

R. A. Linn Supt.

8892

Notice to Defendants

Notice to Defendants

The State of Ohio, Union County, ss. To Cornelius Ma Gie, and inmate of the Union County Infirmary, You are hereby notified, that on the 25<sup>th</sup> day of February, 1918, the under signed as Guardian, filed in the Probate Court of Union County Ohio a petition, the object and prayer of which is to procure said Court to order the assignment of dower, and the sale of the Real Estate of the said Cornelius Ma Gie situated in the County of Union, in the State of Ohio, and in the Township of Allen, and described as follows to-wit:

Situated in the Township of Allen, County of Union, and State of Ohio. Being part of V. M. Surry, No. 2979. Beginning at a stone and brick in place of an Elm, corner to Thomas Stillings in the North-easterly line of Surry, 2979; Thence with said line S. 35° E. 49 poles to a stone and brick; Thence S. 55° W. 37 8/100 poles to a stone; Thence N. 35° W. 49 poles to stone in the line of said Thomas Stillings; Thence with said line N. 55° E. 37 8/100 poles to the place of beginning, containing 11 acres and ninety two poles more or less.

Said petition will be for hearing, by said Court, on the 30<sup>th</sup> day of March, 1918, at 1 O'clock P.M., at which time an order will be asked, as prayed for in said petition.

Dated this 2<sup>nd</sup> day of March, 1918. A. T. Coons,

8892

President of said Plaintiff Board County Commissioners,

8892

Affidavit of Service

8892

Order on the Hearing of Appraisement



Final Record, Union County Probate Court

8892  
Affidavit  
of  
Service

Affidavit of Service  
The State of Ohio, Union County, ss.  
I, R. A. Linn, being duly sworn, say, that on the  
8<sup>th</sup> day of March, 1918, I served this writ by delivering  
a true copy thereof personally to the following named  
persons, to-wit:  
Cornelius Magill, who is an inmate of the Union  
County Infirmary.  
R. A. Linn, Superintendent  
of the Union County Infirmary,  
known to before me and signed in my presence  
this 8<sup>th</sup> day of March, 1918.

Edward H. Porter, Probate Judge

8892. Journal Entry - Orders On Hearing of Appraisement,  
Probate Court, Union County, Ohio.  
Orders On The Board of County Commissioners, April 10<sup>th</sup> 1918.  
Hearing of Union County, Ohio, as Guardian  
of Cornelius Magill, an inmate of  
The Union County Infirmary, Plaintiff.  
Petition To Sell Real Estate

Their Ward, et al,  
Defendants;

Order of  
Appraisement.

This day this cause came on to be heard upon  
the petition, evidence and testimony, and the court  
being fully advised in the premises finds: That  
all the defendants herein have been duly and  
legally notified of the pendency and prayer of the  
petition, and are now properly before the court.

That the statements and allegations in said  
petition are true. The said Mary Magill is the  
wife of Cornelius Magill, and that she is in  
default for answer or other pleadings to the  
Petition.

And the court being satisfied that  
the real estate described in the petition ought  
to be sold as prayed for. It is ordered that

Horner Southard, M. T. Cady, and Lehas. A. Monrook,  
judicious freeholders of the county, and next of kin  
to the petitioner, be and they hereby are appointed  
to appraise said lands, at their fair cash value,  
free from down estate of said Mary Magill, et al.

It is further ordered that said appraisers be  
sworn as required by law, and afterward, upon  
actual view, perform the duties required of them,  
and make return of their proceedings in writing  
to this court on or before the 15<sup>th</sup> day of April 1918  
and this cause is continued.

Edward H. Porter, Probate Judge



Final Record, Union County Probate Court

8892  
Order  
of  
Appraisement

Order Of Appraisement  
 The State of Ohio, Union County, ss. Probate Court.  
 To A. T. Coons, P. V. Gussam, and J. J. Mayberry. Greeting:  
 In obedience to an order and decree of the Probate Court within and for said county, made this day in a certain cause, wherein you as The Board of County Comm. Missioners of Union County, Ohio, are Plaintiff and Cornelius Mabe et al, are Defendants, you are com. in. and ed. that by the oaths of Homer Souders, M. F. Body and Charles A. Woodcock, judicious, disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free of <sup>the</sup> inchoate right of dower estate of Mary Mabe, wife of said Cornelius Mabe, therein to wit:  
 Situated in the Township of Allen County of Union and State of Ohio. Being a part of U. M. Surry No. 2979. Beginning at a stone and brick in place of an Elm corner to Thomas Stilling in the North-easterly line of Surry, No. 2979; thence with said line S. 35° E. 49 poles to a stone and brick; thence S. 55° W. 37 <sup>80</sup>/<sub>100</sub> poles to a stone; thence N. 35° W. 49 poles to a stone in the line of said Thomas Stilling; thence with said line N. 55° E. 37 <sup>50</sup>/<sub>100</sub> poles to the place of beginning. Containing 11 acres and ninety two poles more or less, you will make return of your proceedings herein to our said Probate Court forth with upon execution of said order, and have you then and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court, and the Seal of said Court, at Marysville, Ohio, this 15<sup>th</sup> day of April 1918.  
 Edward H. Porter, Probate Judge

8892  
Return

Return  
 To the Probate Court of Union County, Ohio.  
 In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
 Dated the 15<sup>th</sup> day of April 1918.  
 A. T. Coons, President  
 Board County Commissioners Union County, Ohio.

8892  
Oath  
of  
Appraisers

Oath Of Appraisers  
 We, the undersigned, appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in

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Appraisers  
Return

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Order  
Approving  
Appraisement  
and  
for Bond.

8892

Bond

Final Record, Union County Probate Court

8892

pursuance of the foregoing order,

Homer Southard

M. F. Cady

Lehas A. Monlock,

Appraisers.

Sworn to before me, and signed in my presence, this 10<sup>th</sup> day of April, 1918.

Edward H. Porter Probate Judge.

8892

Appraisers Return.

Appraisers Return

In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at Thirteen Hundred & Dollars, free of said above estate.

Given under our hands, this 10<sup>th</sup> day of April, 1918.

Homer Southard,

M. F. Cady

Lehas A. Monlock.

Appraisers.

8892

Journal Entry - Order Approving Appraisement and for Bond, Probate Court Union County, Ohio.

Orders

Approving Appraisement and for Bond.

The Board of County Commissioners of Union County, Ohio, as Guardian of Cornelius Matice, Plaintiff.

April, 15<sup>th</sup> 1918.

Petition to Sell Real Estate

N<sup>o</sup>.

Cornelius Matice, et al.

Order For Bond.

Defendants.

This day came the said Plaintiff, by their attorney, and produced to the court, the report of an appraisement herein made by Homer Southard, M. F. Cady, and Lehas A. Monlock in pursuance of a former order of this court; it appearing upon examination, that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said Board of County Commissioners, execute within 1 day, to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the court, in the sum of Twenty-six Hundred (\$2600<sup>00</sup>) Dollars, conditioned according to law, and this cause is continued.

Edward H. Porter, Probate Judge, A. F. Cady, President of the Board of County Commissioners, and M. F. Cady, Clerk of Court, for himself and on behalf of the Board of County Commissioners.

8892

Bond.

Know all men by these Presents, That we, are held and firmly bound unto the State of Ohio, in the sum of Twenty-six Hundred (\$2600<sup>00</sup>) Dollars, for the payment of which we hereby jointly and

Final Record, Union County Probate Court

8892

generally bind ourselves, our heirs, executors and administrators,

Signed by us and dated at Marysville, Ohio, this 15<sup>th</sup> day of April, A.D. 1918.

The condition of the above Obligation is such, That whereas the above Board of County Commissioners, was heretofore duly qualified by and under authority of the Statute of Ohio, guardian of Cornelius McGee, a pauper under the poor laws of Ohio, and domiciled as an inmate of the Union County, Ohio, infirmary,

And whereas the said Union County Board of County Commissioners, as such Guardian, has filed a petition in said Probate Court asking an order for the sale of certain real estate of said Ward, described in said petition, which under proceedings in said Court duly had, has been appraised at the sum of Thirteen Hundred (\$1300.00) Dollars.

And whereas said Court, on the 15<sup>th</sup> day of April 1918, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided,

Now if the said The County Commissioners as Guardian aforesaid, shall faithfully discharge their duties as such Guardian, and faithfully pay over and account for all moneys arising from the sale of said Real Estate according to law, then this obligation to be void, otherwise to remain in full force.

A. T. Leons President  
Chauncy F. Smith  
Wm. J. Conrad.

This Bond approved in open Court, this 15<sup>th</sup> day of April, 1918.

Edward H. Porter, Probate Judge.

8892

Journal Entry: Order Approving Bond for Public Sale Probate Court, Union County, Ohio

Orders approving Bond for Public Sale.

The Board of County Commissioners of Union County, Ohio, as Guardian of Cornelius McGee, an inmate of The Union County Infirmary, Plaintiff

April 15<sup>th</sup> 1918. Petition To sell Real Estate.

B. Cornelius McGee et al. Defendants.

Order of Sale.

This day this cause came on further to be heard, and it appearing to the Court that the said The Board of County Commissioners, the plaintiff above named has given bond as heretofore

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Legal Notice  
Order of Sale

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Final Record, Union County Probate Court

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To  
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ordered, in the sum of Twenty Six Hundred (\$2600.00) Dollars, with Lehman F. Smith, and Wm. J. Conrad, freeholders as sureties; it is ordered that said bond be and hereby is approved.

It is therefore further ordered that said The Board of County Commissioners of Union County, Ohio, as such Guardian proceed according to law to sell the real estate described in the petition, free of the inchoate right of dower of said Mary Ma Gill, wife as aforesaid, at public auction, for not less than two-thirds the appraised value thereof, on the following terms to-wit: Cash in hand on day of sale.

It is further ordered that said petitioner give notice 4 weeks consecutively of the terms and time and place of sale, prior thereto, in some newspaper printed and of general circulation in Union County, Ohio, where said real estate is situated.

And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Eduard H. Porter, Probate Judge

8892

Legal Notice  
Order of Sale

Legal Notice  
Order  
of  
Sale

A. T. Coons, J. J. Mayberry and P. H. Bursaw, constituting the Members of the Board of County Commissioners of Union County, Ohio, Plaintiffs,  
vs.  
Cornelia Ma Gill, et al, Defendants.

Probate Court, Union County, O.

In obedience to an order of the Probate Court, within and for Union County, Ohio, in the above entitled action, the undersigned will sell at Public Sale, at the North door of the Court House, in Marysville, Ohio, on Saturday May 25<sup>th</sup> 1918.

at or about the hour of one o'clock P.M., the following described premises to-wit:

Situated in the Township of Allen, County of Union, and State of Ohio, being a part of W. M. Surry No. 2979, beginning at a stone and brick in place of an elm corner of Thomas Stillings' in the North easterly line of Surry No. 2979; thence with said line S. 35° East 49 Poles to a stone and brick; thence South 55° West 37.80 Poles to a stone, thence North 35° West 49 Poles to a stone in the line of said Thomas Stillings; thence with said line North 55° East 37.80 poles to the place of beginning.

Containing 11 acres and 92 poles more or less, Appraised at \$1300. free of inchoate right of

8892

Final Record, Union County Probate Court

8892

of dower of Mary Makell, wife of Cornelius Makell; and said sale to be for not less than two-thirds the appraised value thereof. Terms of sale - lease -

A. T. Coons

J. J. Mayberry

P. V. Bursaw

May 1 - 1918 - 4 w.

Commissioners of Union County, Ohio. Milton Haines, attorney

8892

to

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8892

The State of Ohio Union County ss

Personally appeared before me John H. Shearn,

Oath.

and made solemn oath that the notice, a copy of which is hereto attached was published for four consecutive weeks on and next after May 1 - 1918 in the Marysville Tribune, a newspaper of general circulation in the County aforesaid.

John H. Shearn,

Sworn to before me and signed in my presence this 25<sup>th</sup> day of May A.D. 1918.

J. M. Huber, Notary Public

Printer's Fees \$13.<sup>00</sup>

8892

Report of sale.

8892

Order Of Sale Free of Dower.

The State Of Ohio Union County ss. Probate Court

Order

of

Dole

to A. T. Coons, J. J. Mayberry and P. V. Bursaw, constituting the Board of County Commissioners of Union County, Ohio. Greeting:

Free of Dower

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Plaintiff are Plaintiff and Cornelius Makell et al. are Defendants, you are commanded to proceed according to law to sell at public sale for not less than two-thirds the appraised value thereof, free of the dower of Mary Makell, wife of Cornelius Makell, the following described premises, to wit:

8892

Situated in the Township of Allen, County of Union and State of Ohio. Being a part of T. M. Surry No. 2979. Beginning at a stone and brick in place of an Elm corner of Thomas Stillings in the North-easterly line of Surry No. 2979; Thence with said line S. 35° E. 49 poles to a stone and brick; Thence S 55° W. 37.80 poles to a stone; Thence N. 35° W. 49 poles to a stone in the line of said Thomas Stillings; Thence with said line N. 55° E. 37.80 poles to the place of beginning. Containing 11 acres and 92 poles more or less.

8892

Oath.

Said sale to be free of dower upon the following terms - lease -

8892

8892

you will make return of your proceedings

Final Record, Union County Probate Court

8892 to this Court forthwith upon execution of this order.  
 Witness my signature and the Seal of said Probate Court at Marysville Ohio this 24<sup>th</sup> day of April 1918.  
 Edward H. Porter, Probate Judge.

8892 Return.  
 To the Probate Court of Union County, Ohio  
 In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
 Dated the 27<sup>th</sup> day of May 1918.  
 A. T. Leons, President of said Board.

8892 Report of Sale.  
 In obedience to the within order I duly advertised the real estate therein described for sale in the Marysville Tribune a newspaper printed and of general circulation in Union County, Ohio where said real estate is situate, for at least four consecutive weeks prior to the 25<sup>th</sup> day of May 1918, the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour of One O'clock P.M. I attended the sale and offered said real estate for sale free of the dower estate of Mary M. Kell therein, when Vinton Stilling bid to pay for the same the sum of Sixteen, Hundred Twenty-seven and 50/100 (\$1627.<sup>50</sup>) Dollars, which being the highest and best bid that was offered, and being more than two thirds the appraised value of said premises I then and there sold the same to him for that sum.  
 A. T. Leons, President

8892 The Board of County Commissioners of Union County, Ohio  
 Dated the 27<sup>th</sup> day of May 1918.

8892 The State of Ohio, Union County ss.  
 The above named A. T. Leons being duly sworn says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.  
 A. T. Leons, President.

8892 Known to before me and signed in my presence, this 27<sup>th</sup> day of May 1918.  
 Edward H. Porter, Probate Judge

8892 Journal Entry: Confirming Sale and Ordering Distribution in the Probate Court of Union County, Ohio.



Final Record, Union County Probate Court

8892

Board of County Commissioners  
of Union County, Ohio  
Plaintiff.

No. 8892

May 27<sup>th</sup> 1918  
Journal Entry.

8754

Cornelius Makie et al.  
Defendants.

Confirming Sale and  
Ordering Distribution.

Confirming  
Sale

and  
Ordering  
Distribution

This day this cause came to be heard on the return of the Order of Sale heretofore issued herein to A. Y. Coons, J. J. Mayberry and P. V. Burson, constituting the members of said Board and of this proceeding; and sale thereunder. Thereupon the Court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this Court, it is therefore considered and ordered by the Court that said sale be and the same hereby is approved and confirmed; and said A. Y. Coons, J. J. Mayberry and P. V. Burson as such members are hereby ordered to execute and deliver to Winton Stillings, the purchaser, a good and sufficient deed for the premises so sold.

And the Court coming now to distribute the proceeds of said sale in the hands of said Board of Commissioners, viz: \$1627.<sup>50</sup>, orders that they pay: First - To the Treasurer, the taxes, penalties, and interest thereon against said lands, amounting to the sum of \$4.<sup>86</sup>. Second: - To the Clerk of this Court, the costs of this action, herein taxed at \$27.<sup>50</sup>. Third: - The Court further find that the defendant, Mary Makie wife of Cornelius Makie having been regularly served with summons in the case and being in default for answer or other pleading is entitled to an inchoate dower interest in said premises; and it is ordered that out of the proceeds of said sale, the sum of \$137.<sup>94</sup> being the amount of said dower interest be paid to said Mary Makie. Fourth: That a Documentary Revenue Stamp of \$2.<sup>00</sup> denomination be attached to said deed and duly cancelled. Fifth: Ordered recorded.

Edward W. Porter,  
Probate Judge.

Petition

8754

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

Albert E. Webb, as Administrator

No. 8754.

of the Estate of Mary Webb, deceased, Plaintiff.

Civil Action.

Levin A. Webb, Albert E. Webb,

Petition to Sell Real Estate

Oris McCool and Ira D. Webb, Defendants.

Petition.

8754.

Filed June 16<sup>th</sup> 1917

Final Record, Union County Probate Court

8754

The Plaintiff represents that he is the duly appointed and qualified Administrator of the Estate of Mary Webb, late of Lelaibourne, Union County Ohio, deceased; that the amount of debts due from the deceased is Seven Hundred Dollars, as near as can be ascertained that the charges of Administration of said estate will amount to about Two Hundred Dollars, and that the total value of the personal estate and effects of said deceased is less than fifty dollars being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Mary Webb died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to wit:

Being part of Survey No 5646 in said County of Union, described as follows; to wit,

Beginning at a Beech tree north west corner of a lot owned by George Walters (Dec 1888) in Survey No. 5646. Thence South 82° E. 109 poles to a stake in the east line of said survey; Thence S. 8° W. 44 poles, or to the center of said lot; thence N. 82° W. 109 poles to the west line of said lot; thence N. 8° E. 44 poles to the place of beginning containing twenty nine and forty seven hundredth acres more or less.

Petition

Also the following described tracts of land, situate in the County of Union, State of Ohio, and in the Village of Lelaibourne, and described as follows, to wit: Being all of Lots numbered thirty (30) and thirty one (31) in the said Village of Lelaibourne, as shown on the plat of said Village recorded in Union County Recorder's office.

The said decedent died leaving the defendant no widow; that the defendants Levi A. Webb, Albert E. Webb, Orris Mc Cook, and Ira D. Webb, are the only heirs at law and next of kin of said decedent, having the next estate of inheritance from said Mary Webb, deceased, in said premises;

Wherefore the plaintiff prays that your petition may be authorized and ordered to sell said real estate free of dues according to the statute in such cases made and provided, and for all other proper orders and relief in the premises

Simons and Haines  
Atty. for Plaintiff.

8754

The State of Ohio, Union County, ss.  
Albert E. Webb, the within named Plaintiff.

Final Record, Union County Probate Court

8754

bring duly sworn, says that the various matters and things set forth in said petition are true to the best of his knowledge and belief

Albert E. Webb.

Sworn to before me and signed in my presence this 12<sup>th</sup> day of June, 1917.

Arthur B. Simons, Notary Public

8754

Journal Entry: Filing Petition To Sell Real Estate.

In the Probate Court of Union County, Ohio.

Albert E. Webb, as Administrator.

June 16<sup>th</sup> 1917

Of the Estate of Mary Webb, Deceased.

Case No. 8754

Plaintiff

Journal Entry

Filing  
Petition

To Sell  
Real Estate

vs.  
Levi A. Webb, Albert E. Webb  
Carrin McLeod, and Ira D. Webb

Filing Petition To Sell  
Real Estate.

Defendants.

This day came the Plaintiff Albert E. Webb, as Administrator of the estate of Mary Webb, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Mary Webb, deceased, to pay the debts, and the costs of administering the estate of the said decedent.

Whereupon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency, and prayer of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Edward H. Porter, Probate Judge.

8754

Affidavit To Obtain Service by Publication

Probate Court, Union County, Ohio.

Affiant  
To  
Obtain  
Service by  
Publication

Albert E. Webb, as Administrator  
Of the Estate of Mary Webb, deceased,  
Plaintiff

No. 8754

vs.  
Levi A. Webb, et al.

Affidavit To Obtain Service  
By Publication.

Defendants.

The State of Ohio, Union County, ss.

Albert E. Webb the said Plaintiff, being sworn, says that the residence of the Defendant, Ira D. Webb, is unknown to the Plaintiff, and cannot with reasonable diligence be ascertained, and that service of summons on him cannot be made; and that the case is one of those mentioned in Section 11292 of General Code of Ohio.

Albert E. Webb.

Sworn to before me and signed in my presence,

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Journal

Order

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Final Record, Union County Probate Court

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This 15<sup>th</sup> day of June 1917.

Seal A. B. Simon, Notary Public.

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Journal Entry: Order. Service by Publication.

Probate Court Union County Ohio.

Order

June 16<sup>th</sup> 1917.

Service by Publication

Albert E. Webb, Administrator  
Of Estate of Mary Webb, Deceased.

Plaintiff

Order. Service By Publication.

vs  
Levi A. Webb, et al. Defendants

This day came the Plaintiff and filed herein an affidavit under the Statute in that behalf for the purpose of procuring service by publication, and it appearing to the Court that the residence of said Ira D. Webb, a defendant, unknown to the Plaintiff, cannot with reasonable diligence be ascertained, and that service of summons on such defendant cannot be made,

It is ordered, that the publication be made for six consecutive weeks, in a newspaper printed in this county, that it contain a summary statement of the object and prayer of the petition, mention the Court wherein it is filed, and notify the persons thus to be served when they are required to answer.

And it is further ordered that immediately after the first publication, the party making the service, deliver to the Clerk of this Court, copies of the publication, with the proper postage, that said Clerk mail a copy to each of said Defendants, whose residence is known, to his residence named therein, and make an entry thereof on the proper docket.

Edward W. Porter, Probate Judge.

Legal Notice.

8754

Legal

notice.

Ira D. Webb, whose residence is unknown will take notice that Albert E. Webb, as Administrator of the Estate of Mary Webb, deceased, on the 16<sup>th</sup> day of June 1917, filed his petition in the Probate Court within and for the County of Union, and State of Ohio, alleging that the personal property of the deceased is insufficient to pay her debts, and a sale of the real estate of which Mary Webb died seized is necessary to pay her debts and expenses of administration. The prayer of said petition is for an order authorizing the plaintiff to sell said real estate according to the statute in such case made and provided.

The person first above mentioned will further

Final Record, Union County Probate Court

875-4

take notice that he has been made party defendant to said petition and that he is required to answer the same on or before the 25<sup>th</sup> day of August A.D. 1917.  
Albert E. Webb

Administrator of Estate of Mary Webb deceased as aforesaid. June 20 - 1917 - books.

875-4

State of Ohio, Union County, ss.

Personally appeared before me O. W. Keigley and made solemn oath that the notice, a copy of which is hereto attached, was published for 6 consecutive weeks on and next after June 20<sup>th</sup> 1917, in the Richmond Gazette, a newspaper of general circulation in the County aforesaid,  
O. W. Keigley

known to before me and signed in my presence this 21<sup>st</sup> day of July, A.D. 1917.  
This 29<sup>th</sup> day of July, A.D. 1917.  
W. E. Kazay, Notary Public.

875-4

Wainor

In the Probate Court of Union County, Ohio

Albert E. Webb as Administrator

No. 875-4

Wainor

of the Estate of Mary Webb deceased.

Petition to Sell

Plaintiff

Real Estate.

Levi A. Webb.

Albert E. Webb.

Wainor of Process and

Carrie McCool.

and Mrs. Liza D. Webb Defendants

Consent to Sell.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Albert E. Webb

Levi A. Webb

Carrie C. McCool.

Order For Appraisement

Probate Court Union County, Ohio

August 28<sup>th</sup> 1917

875-4

Order for Appraisement

Albert E. Webb Administrator

No. 875-4

Of the Estate of

Journal Entry

Mary Webb Deceased.

Plaintiff

vs

Order For Appraisement

Levi A. Webb, et al. Defendants.

This day this cause came on to be heard upon the petition, proofs and exhibits. The Court

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Final Record, Union County Probate Court

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find that all the defendants have been duly served with process, or have voluntarily entered their appearance in the case; and that as set forth in the petition, it is necessary to sell the real estate therein described to pay the debts of the said Mary Webb deceased it is therefore ordered and adjudged by the Court that the said premises be appraised free of dower, by the oaths of Harry McBurne, George Riegel and S. B. Johnsons, judicious and disinterested freeholders of the vicinity, whom the Court hereby appoint for that purpose, and that they return their proceedings to this Court for confirmation.

Eduard H. Porter, Probate Judge

Order Of Appraisement.

8754

Order of Appraisement

The State of Ohio

Probate Court.

Union County, ss.

To Albert E. Webb, as Administrator of the estate of Mary Webb, Deceased. Greeting;

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Administrator of the estate of Mary Webb, deceased, are Plaintiff and Lewis A. Webb, et al. are Defendants, you are commanded that by the oaths of Harry McBurne, George Riegel, and S. B. Johnsons, judicious disinterested men of the vicinity, not of kin to the petitioners, who are freeholders of the County, in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises free of dower, therein to wit:

Situate in the County of Union, State of Ohio, and in the Village of Clairborne, and described as follows to wit: Being all of Lots numbered thirty (30) and thirty one (31) in the said Village of Clairborne, as shown on the plat of said Village recorded in the Union County Recorder's Office.

You will make return of your proceedings hereunto our said Probate Court forthwith upon examination of said order, and have you then and there this Writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the Seal of said Court, at Marysville, Ohio, this 21<sup>st</sup> day of August 1917.

(Seal)

Eduard H. Porter

Probate Judge



Final Record, Union County Probate Court

8754

Return.

To the Probate Court of Union County, Ohio:  
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 4<sup>th</sup> day of September 1917.  
Albert E. Webb.

8754

Oath Of Appraisers

Oath  
of  
Appraisers

The State of Ohio.

Union County ss.

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

H. H. Mc Cune,

George Rigel

S. S. Johnson.

Appraisers.

Sworn to before me, and signed in my presence this 4<sup>th</sup> day of September, 1917.

Arthur B. Simmons Notary Public.

8754

Appraisers' Return.

Appraisers'  
Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate free of debt as follows:

Vacant Lot, No. 31, Colaiton, O. \$ 85.00

Lot No. 30, with house, Colaiton \$ 535.00

Farm of 29.47 acres \$ 1958.00

Given under our hands this 4<sup>th</sup> day of September, 1917.

George Rigel, S. S. Johnson, H. H. Mc Cune, Appraisers.

Fees of Appraisers \$ 1.00 per day each.

8754

Journal Entry: Orders Approving Appraisement, for Public Sale  
Probate Court, Union County, Ohio,

Orders  
approving  
appraisement  
for  
Public Sale.

Albert E. Webb.

Administrator of  
The Estate of Mary Webb, deceased

vs. Plaintiff

Levi A. Webb, et al.

Defendants.

Tuesday, April 2, 1918.

Petition to  
Sell Real Estate.  
Journal Entry  
Orders of Sale.

This day came the said Plaintiff by his attorney, and produced to the Court, the report of an appraisement therein made by H. H. Mc Cune, George Rigel and S. S. Johnson in pursuance of a former order of this Court; and it appearing upon examination that said

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Final Record, Union County Probate Court

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report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed. Thereupon, on motion, it appearing to the court upon satisfactory evidence that the said Mary Webb, deceased, was not seized, in fee simple, of the tract of 29 <sup>4</sup>/<sub>100</sub> acres of land, more or less, described in the petition and that the same was inadvertently included in said petition, with other real estate, through misunderstanding of the title of said decedent thereto; It is, therefore, considered, ordered, and adjudged by the court that this action, in so far as the same relates to or affects the said tract of 29 <sup>4</sup>/<sub>100</sub> acres of land, be, and the same is hereby, dismissed; and that further consideration of the said tract in these proceedings for sale of real estate be discontinued.

It is therefore further ordered that said Albert E. Webb, as such Administrator proceed according to law to sell the real estate, described in the petition as being Lots 30 and 31, in the Village of Clatsome, free of down at public auction at the Court House of said Union County for not less than two-thirds the appraised value thereof, on the following terms, to wit: one third cash in hand on day of sale, one third in one year and one third in two years from the day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. It is further ordered that said petitioner give notice four weeks consecutively of the terms and time and place of sale, prior thereto, in some newspaper of general circulation in Union County, Ohio, where said real estate is situated. And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge

8754.

Administrator's Sale Of Real Estate

In pursuant of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction, on the fourth day of May, 1918; at 1:00 O' clock P.M., at the door of the Court house in the Village of Marysville the following described real estate situated in the County of Union and State of Ohio and in the Village of Clatsome and described as follows to wit: bring all of lot number thirty (30) and thirty one (31) in the said Village of Clatsome as shown on the plat of said Village as recorded in

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Final Record, Union County Probate Court

8754 in the Union County Recorder's office. Lot number thirty appraised at \$535 and lot number thirty-one appraised at \$75. Terms of sale, One third cash in hand on day of sale, one third in one year and one third in two years from day of sale. Deferred payment to be secured by mortgage on the premises sold and to bear interest from day of sale.

Albert E. Webb, Administrator of the estate of Mary E. Webb deceased.

James M. Campbell, attorney for Administrator.

April 4 - 1915 - 4 rks -

8754

State Of Ohio, Union County, S.S.

Personally appeared before me O.A. Kigley and made solemn oath that the notice, a copy of which is hereto attached, was published for 4 consecutive weeks on and next after April 4 - 1915, in the Richwood Gazette, a newspaper of general circulation in the county aforesaid.

O.A. Kigley.

Sworn to before me and signed in my presence this 3<sup>rd</sup> day of May, A.D. 1915.

Arthur Flesher, Notary Public.

Printer's Fee. \$6.<sup>50</sup>

8754

Order Of Sale - Free of Dower

The State Of Ohio.

Probate Court.

Union County S.S.

Order

To Albert E. Webb as Administrator of the Estate of

Mary Webb Deceased.

Greeting:

In obedience to an order and decree of the Probate Court within and for said county, made this day, in a certain cause, wherein you as Administrator of the Estate of Mary Webb deceased, are Plaintiff and Levi A. Webb et al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than two thirds the appraised value thereof free of dower the following described premises, to wit:

The following described tracts of land, situate in the County of Union, State of Ohio, and in the Village of Leclaire, and described as follows, to wit:

Bring all of Lots numbered thirty (30) and thirty-one (31) in the said Village of Leclaire, as shown on the plat of said Village recorded in the Union County Recorder's Office.

Said sale to be free of dower, and to be upon the following terms: One third cash in hand on day of sale. One third in one year, and one third

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Final Record, Union County Probate Court

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in two years, from the day of sale at Court House, Marysville, Ohio. The deferred payments to be secured by mortgage on the premises and to bear interest from the day of sale payable annually. You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court at Marysville, Ohio, this 2<sup>nd</sup> day of April, 1918.  
Eduard H. Porter, Probate Judge

8757

Report of Sale.

Report of Sale

In obedience to the within order, I duly advertised the real estate therein described for sale twice in the Richwood Gazette a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situated, for at least four consecutive weeks prior to the 11<sup>th</sup> day of May, and the 8<sup>th</sup> day of June, 1918, respectively, the days of sale therein mentioned; stating in the said notices the time, place and terms of sale; and on said respective days at the hour of One O'clock P. M., I attended at the door of the Court House, the place of sale, and offered said real estate for sale free of duty, and thereupon, no person appearing at either offering to bid therefor, the said real estate was not sold for want of bidders.

Albert E. Webb, Plaintiff, &c.

Dated the 8<sup>th</sup> day of June, 1918.

8754

Administrator's Sale of Real Estate

In pursuant of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction, on the eight day of June, 1918, at 1:00 o'clock p.m., at the door of the Court House in the Village of Marysville, the following described real estate situated in the County of Union and State of Ohio and in the Village of Lebanon and described as follows, to-wit: being all of lot number thirty (30) and thirty-one (31) in the said Village of Lebanon as shown on the plat of said Village as recorded in the Union County recorder's office. Lot number thirty appraised at \$535 and lot number thirty-one appraised at \$85. Terms of sale, One-third cash in hand on day of sale, one-third in one year, and one-third in two years from day of sale. Deferred payment to be secured by mortgage on the premises sold and to bear interest from day of sale. Albert E. Webb, Administrator of the Estate of Mary E. Webb, deceased, James McCampbell, Attorney for Administrator.

Final Record, Union County Probate Court

8754

May 9 - 1918 - 4 wks -

State of Ohio, Union County, ss.

Personally appeared before me O. A. Keigley and made solemn oath that the notice, a copy of which is hereto attached, was published for four consecutive weeks on and next after May 9<sup>th</sup> 1918, in the Richmond Gazette, a newspaper of general circulation in the County aforesaid. O. A. Keigley known to defore me and signed in my presence this 8<sup>th</sup> day of June, A. D. 1918.

O. A. Keigley, Notary Public.

Printed here \$ 6.<sup>00</sup>

8754  
Sept. 4, 1918.

Application for Order fixing price, and Order to sell Real Estate at Private Sale.

In the Probate Court of Union County, Ohio.

Albert E. Webb, as Administrator of the Estate of Mary Webb, deceased, Plaintiff.

Case No. 8754  
Application for Order fixing price, and Order to sell Real Estate

at Private Sale.

Levi A. Webb, et al. Defendants.  
Now comes Albert E. Webb, as Administrator of the estate of Mary Webb, deceased, and respectfully represents to the court that Lots No<sup>s</sup> 30 and 31, in the Village of Delairbourn, described in the petition, appraised in the aggregate at \$6200<sup>00</sup>, have been twice offered for sale at public vendue and have not been sold for want of bidders; that, after diligent effort, he has been unable to find buyers for said lots, or either of them, at their appraisement, at private sale; that said lots are, in the judgment of this Applicant, excessively appraised and, by reason of that fact, can not be sold; and that, therefore, further advertisement thereof for sale at public auction, with the attendant increase of costs, at the present appraisement, would be to the disadvantage of the said estate. But this Applicant further represents that he has now secured a bona fide offer for the said lots taken together, in cash, of the sum of \$400<sup>00</sup> which sum this Applicant believes is a fair valuation of said lots and the best price he can obtain therefor; and that his acceptance of said offer will be to the manifest advantage of said estate and enable him to close his administration thereof, as to said real property, and, thereby, save a large amount of costs.

Wherefore, this Applicant prays the Court to set aside said former appraisement, and to grant him an order to sell the said lots together, at private sale, for cash, and to fix the price of such

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Final Record, Union County Probate Court

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sale in accordance with the offer therefor herein above set forth.

James M<sup>c</sup>Leampbell, Atty. for Plaintiff.

The State of Ohio, Union County, ss.

Albert E. Webb, as Administrator and Plaintiff herein, being duly sworn, says that the facts stated in his foregoing Application are, as he verily believes, true.

Albert E. Webb.

Sworn to before me by Albert E. Webb, and signed by him in my presence, this 4<sup>th</sup> day of September, A.D. 1918.

Edward H. Potter, Probate Judge.

8754

Order fixing price for Sale of Real Estate

In the Probate Court of Union County, Ohio

Order fixing price for sale of Real Estate

Albert E. Webb, as Administrator of the Estate of Mary Webb, Deceased, Plaintiff.

Case No. 8754

Wednesday, September 4<sup>th</sup> 1918.

Less. M. Webb, et al. Defendants.

Journal Entry, Order fixing price for sale of Real Estate.

This day this cause came on to be heard upon the Plaintiff's Application for an order to sell, at private sale, Lots Nos. 30 and 31, in the Village of Blairburne, Union County, Ohio, described in the petition, and praying the court to fix the price at which the said lots may be sold together, and the evidence in support thereof; and the same was submitted to the court.

Whereupon, the court, being fully advised in the premises, finds: That the said lots have been twice offered for sale at public vendue, pursuant to law, and have failed to sell for want of bidders; that the aggregate appraisement of the said lots, to-wit, \$620.00, is excessive; that the said lots, abutting upon one another, will sell, to the better advantage of said estate together; that the Plaintiff has a bona fide offer of the sum of \$400.00 for said lots together, or as a whole property, which sum the court finds to be the reasonable value thereof; and that, in order to effect a sale of said lots, it is necessary for this court to fix the price at which the same may be sold, in the interest of economy in the administration of said estate.

Wherefore, it is considered, ordered, and adjudged by the court that the said Administrator, as plaintiff herein, proceed to sell said above described lots at private sale, as a whole property, at the sum of \$400.00 which sum the court fixes as the price for the purpose of such sale.

It is further considered and ordered that said



Final Record, Union County Probate Court

8754

sale be made for cash, and that an order of sale issue to said Plaintiff authorizing the sale of said real estate upon the terms aforesaid; and, upon execution of such order, said Plaintiff is ordered to report his proceedings thereunder forthwith to this court; and cause adjourned.

Edward H. Porter, Probate Judge.

8754

Order Of Sale. Free of Down.

Filed Sept. 11-1918

The State Of Ohio,

Probate Court,

Union County, ss.

To Albert E. Webb, as Administrator of the Estate of Mary Webb, Deceased; Plaintiff;

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Administrator of the Estate of Mary Webb, Deceased, are Plaintiff and Levi A. Webb, et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than four hundred dollars free of down, the following described premises, to wit:

Situate in the County of Union, in the State of Ohio, and in the Village of Clairborne, and described as follows, to wit:

Being an of Lots numbered Thirty (30) and Thirty-one (31) in said Village of Clairborne, as shown on the Plat of said Village, as recorded in the Union County Recorder's Office, at Marysville, Ohio.

Said sale to be free of down, and to be upon the following terms: cash in hand, and in full on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court, at Marysville, Ohio, this 4<sup>th</sup> day of September, 1918.

Edward H. Porter, Probate Judge  
Return.

8754

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 11<sup>th</sup> day of September 1918.

Albert E. Webb, Administrator  
Plaintiff.

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Report Of Sale

In obedience to the within order, I sold said premises on the 11<sup>th</sup> day of September 1918,

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Filed Sep. 11-1918

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Final Record, Union County Probate Court

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to Emma C. Wood, for the sum of Four Hundred (\$400.00) Dollars, said sum being the reduced appraised value of the same.

Albert E. Webb, Administrator, Plaintiff.

Dated the 11<sup>th</sup> day of September, 1918.

The State of Ohio, Union County, ss

The above named Albert E. Webb, Administrator of the estate of Mary Webb, deceased, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Albert E. Webb.

Sworn to before me and signed in my presence, this 11<sup>th</sup> day of September, 1918.

Agnes D. Porter, Deputy Clerk.

8754  
Filed Sep. 11-1918

Journal Entry: Confirming Sale and Ordering Distribution

In the Probate Court of Union County, Ohio,  
Albert E. Webb, as Administrator  
of the Estate of Mary Webb, Deceased,

Wednesday September, 11<sup>th</sup> 1918.

Journal Entry,

Confirming Sale and  
Ordering Distribution

Confirming  
Sale and  
Ordering  
Distribution

vs.  
Leri A. Webb, et. al. Defendants.  
This day this cause came on to be heard on the return of the Order of Sale heretofore issued herein to Albert E. Webb, as Administrator of Mary Webb, dec'd, and of his proceeding, and sale thereunder.

Thereupon the court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this court, it is therefor considered and ordered by the court that said sale be and the same hereby is approved and confirmed; and said Albert E. Webb, as such Administrator is hereby ordered to execute and deliver to Emma C. Wood, the purchaser, a good and sufficient deed for the premises so sold.

And the court coming now to distribute the proceeds of said sale in the hands of said Administrator, viz: \$400.00 orders that he pay: First: To the Treasurer, the taxes, penalties, and interest thereon against said lands, amounting to the sum of \$ ---, Second: To the clerk of this court, the costs of this action, herein taxed at \$ --- Third: That said Administrator pay and distribute the balance of the proceeds of said sale to the party, or parties, thereto entitled by law.

Eduard W. Porter, Probate Judge.

Final Record, Union County Probate Court

8914  
Filed  
March 20<sup>th</sup> 1913

Petition for Sale of Real Estate to Pay Debts.  
Probate Court, Union County, Ohio.  
John H. Willis, Administrator  
of the estate of  
George Wollpert, Deceased.  
Plaintiff.  
v.  
John J. Wollpert, and  
William J. Wollpert.  
Defendants.

No. 8914  
Civil Action  
Petition  
To Sell Real Estate.  
Petition.

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the Estate of George Wollpert late of Union County, Ohio, deceased; that the amount of debts due from the deceased is \$350.00 Dollars as near as can be ascertained that the charges of Administration of said estate will amount to about \$150.00 Dollars; and that the total value of the personal estate and effects of said deceased is but -- no -- Dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said George Wollpert died seized in fee simple of the following described real estate, situate in the County of Union, and State of Ohio, and in the Village of Marysville, to-wit: Part of Survey No. 3351 and 3354 and being part of division of No. 4 of the Charity H. Malin estate and described as Beginning at a stake in the south line of Third Street in the Village of Marysville and northeast corner to a parcel of land conveyed by Isaac H. Collins to Cabot S. Haines and Margret Haines, April, 9<sup>th</sup> 1902; thence with the east line of said parcel of land south 5° N. 153 feet to a stake, the southeast corner of said parcel of land in the north line of an alley; thence south 85° E. 39½ feet to a stake; thence north 5° E. 153 feet to a stake in the south line of said Third Street; thence with said line north 85° N. 39½ feet to the beginning. Containing 15/100 of an acre more or less. Also to include a lot of land described as beginning at a stake the southeast corner of the above described parcel of land; thence with the south line of the same north 85° N. 36½ feet to a stake; thence south 5° N. 11 feet to a stake; thence south 85° E. 36½ feet to a stake; thence north 5° E. 11 feet to the beginning, subject however to the right of James A. Boder and L. Josephine Boder and their heirs and assigns to use said parcel of land as a road way

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Petition

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Final Record, Union County Probate Court

8914

to and from the premises situated east of said parcel of land first herein described.

The said decedent died leaving no widow; that the defendants John J. Wolpert and William J. Wolpert are the only children and next of kin of said decedent, having the next estate of inheritance from said George Wolpert, deceased, in said premises; that the defendant John J. Wolpert is a non-resident of the State of Ohio, and that his correct post office address is Union Trust Building, South Bend, Indiana.

The Plaintiff therefore prays, that the rights, interest and liens of the said parties, may be fully determined, adjusted and protected according to equity and that your petitioner may be authorized and ordered to sell said real estate according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

The State of Ohio, Union County, ss.

John H. Willis, the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true to the best of his knowledge and belief.

John H. Willis

Sworn to before me and signed in my presence, this 19<sup>th</sup> day of March, 1918.

~~Notary~~ Norman L. Brown, Notary Public.

8914

Journal Entry:

In the Probate Court, of Union County, Ohio.

John H. Willis, Administrator

March 20<sup>th</sup> 1918.

of the Estate of

Case No. 8914

George Wolpert, Dec'd,

Journal Entry,

Plaintiff.

v.

Filing Petition To Sell

John J. Wolpert, and

Real Estate.

William J. Wolpert,

Defendants.

This day came the Plaintiff John H. Willis, Administrator of the Estate of George Wolpert, deceased, and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said George Wolpert, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Whereupon, it is considered and ordered by this court that the said petition be filed, and that due and legal notice of the filing, pendency and prayer, of the said petition, and of the time in which they are

Filing Petition

To Sell Real Estate.

Final Record, Union County Probate Court

8914

required by law to answer the same, be given to each of the said defendants; and it appearing by the affidavit of the plaintiff that John J. Wolpert is a non-resident of the State of Ohio, and that he is such as is authorized by statute to be served by publication. It is therefore ordered that he be notified by law.  
Edward H. Porter, Probate Judge.

8914

Affidavit For Construction Service.

In the Probate Court of Union County, Ohio.

Affidavit For Construction Service

John H. Hillis, Administrator  
Of The Estate of  
George Wolpert, Deceased.  
Plaintiff.

No. 8914

Affidavit For Construction Service

vs.

John J. Wolpert, and

William J. Wolpert

Defendants.

State of Ohio, Union County, ss

John H. Hillis, being first duly sworn, says that the service of summons can not be made in this State on the defendant, John J. Wolpert; that the residence of the said John J. Wolpert is South Bend, Indiana; that the cause is one of those mentioned in Sec. 11292 of the General Code of Ohio, being for the sale of real estate to pay debts.

John H. Hillis.

Sworn to before me and subscribed in my presence this 20<sup>th</sup> day of March, 1918.

Norman C. Brown, Notary Public.

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Wainor

In the Probate Court of Union County, Ohio.

Wainor

John H. Hillis, Administrator  
Of the Estate of  
George Wolpert, Deceased.  
Plaintiff.

No. 8914

Petition To Sell Real Estate.

vs.

John J. Wolpert, and

William J. Wolpert

Defendants.

Wainor Of Process and Consent To Sell

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby wainor service of process and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.  
William J. Wolpert.

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Final Record, Union County Probate Court

8914

Sale of Real Estate.

In the Probate Court, Union County, Ohio.

John H. Willis, Administrator  
Of the Estate of  
George Wouepert, Deceased,  
Plaintiff.

No. 8914

Sale of Real Estate

William J. Wouepert, and  
John J. Wouepert,

Entry.

Defendants.

Now comes the plaintiff and offers proof of publication of the pendency and prayer of the petition herein, and the court finds said publication and proof to be in all respects regular and according to law and the former order of the court and hereby approves the same.

Edward H. Porter, Probate Judge.

8914

Affidavit

In The Probate Court, Union County, Ohio.

John H. Willis, Administrator  
of the Estate of  
George Wouepert, Deceased,  
Plaintiff.

No 8914

Sale of Real Estate.

Affidavit

William J. Wouepert and  
John J. Wouepert.

Affidavit.

Defendants.

State of Ohio, Union County, ss.

John H. Willis, being first duly sworn, says he is the plaintiff herein and that, immediately after the first publication of the notice to the defendant, John J. Wouepert, for the purpose of securing service by publication, he mailed a copy of the newspaper containing said notice to the defendant, properly stamped and directed to said defendant, John J. Wouepert, at his residence at South Bend, Indiana.

John H. Willis.

Sworn to before me and subscribed in my presence this 17<sup>th</sup> day of May, 1918.

Norman H. Brown, Notary Public.

8914

Legal Notice

Legal Notice

John J. Wouepert, residing in South Bend, Indiana, will take notice that on the 20<sup>th</sup> day of March, 1918, John H. Willis, Administrator of the Estate of George Wouepert, deceased, filed his petition in the Probate Court of Union County, Ohio, and alleged that the personal estate of said decedent is insufficient to pay his debts and the charges of administering his estate; that he died seized



Final Record, Union County Probate Court

8914

see simple of the following described real estate, situated in the County of Union, State of Ohio, and in the Village of Marysville, and part of Surveys Nos. 3351 and 3354, bounded and described as follows: Beginning part of Division No. 4 of the Charity H. Malin estate. Beginning at a stake in the south line of Third Street in the Village of Marysville, and north west corner to a parcel of land conveyed by Isaac H. Collins to Caleb S. Haines and Margaret Haines April 9<sup>th</sup> 1902; thence with the east line of said parcel of land south 5 degrees N. 15.3 feet to a stake, the southeast corner of said parcel of land in the north line of an alley; thence south 85 degrees E. 39 1/2 feet to a stake; thence north 5 degrees E. 15.3 feet to a stake in the south line of said Third Street; thence with said line north 85 degrees N. 39 1/2 feet to the beginning, containing 1/100 of an acre more or less. Also to include a lot of land, described as beginning at a stake the south east corner of the above described parcel of land; thence with the south line of the same North 85° W. 36 1/2 feet to a stake; thence south 5° N. 11 feet to a stake; thence south 85° E. 36 1/2 feet to a stake. thence North 5° E. 11 feet to the beginning, subject, however, to the right of James A. Leoder and L. Josephine Leoder and their heirs and assigns to use said parcel of land as a roadway to and from their premises situated east of said parcel of land just herein described.

The prayer of the petition is that said property be sold to pay the debts and charges aforesaid. John J. Wolpert is hereby notified that he has been made party defendant to said petition and that he is required to answer the same on or before the 25<sup>th</sup> day of May, 1915. John H. Willis, Administrator

The State Of Ohio, Union County ss. Personally appeared before me, R. Brightler, and made solemn oath, that the notice, a copy of which is hereto attached was published for six consecutive weeks on and next after March 22<sup>nd</sup> 1915, in The Union County Journal, a newspaper of general circulation in County aforesaid.

R. Brightler,  
 sworn to before me and signed in my presence this May 10<sup>th</sup> 1915.

Printers Fees \$ 25-00 *paid* B. B. Sawyer.

Order For Appraisement  
 Probate Court, Union County, Ohio,  
 June 5<sup>th</sup> 1915.

John H. Willis

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Order for the  
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Final Record, Union County Probate Court

8914

John H. Willis, Administrator  
of the Estate  
George Wolpert Deceased, Plaintiff  
vs  
John J. Wolpert and  
William J. Wolpert, Defendants.

No. 8914

Journal Entry,

Order For  
Appraisement

Order For

Appraisement.

This day this cause came on to be heard upon the petition, proofs, and exhibits the Court find that all the defendants have been duly served with process, and have voluntarily entered their appearance in the case; and that as set forth in the petition, it is necessary to sell the real estate therein described, to pay the debts of the said George Wolpert deceased.

And there being no widow of the said George Wolpert, it is therefore ordered and adjudged by the Court that the said premises be appraised free of dower, by the oaths of Norman L. Brown, Charles W. Monlock, and J. W. Kennedy, judicious and disinterested freeholders of the vicinity, whom the Court hereby appoint for that purpose, and that they return their proceedings to this Court for confirmation.

Edward H. Porter, Probate Judge.

Order Of Appraisement.

8914

The State of Ohio,  
Union County, ss.

Probate Court.

Order  
Of  
Appraisement

To John H. Willis, Administrator of George Wolpert, deceased,  
Greeting.

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Administrator are Plaintiff and John J. Wolpert et al. are Defendants, you are commanded that by the oaths of Norman L. Brown, C. L. Jarvis and C. E. Kressler, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free of the dower estate therein, to wit: Situate in the County of Union and State of Ohio and in the Village of Marysville, to wit: Part of Survey No. 3351 and 3354 and being part of division of No. 4 of the Charity H. Malin estate and described as, Beginning at a stake in the south line of Third Street in the Village of Marysville and north east corner to a parcel of land conveyed by Isaac H. Collins to Leab F. Haines and Margaret Haines, April 9<sup>th</sup> 1902; thence with the east line of said parcel of land south 5° N. 15-3 feet

Final Record, Union County Probate Court

8914

to a stake, the southeast corner of said parcel of land in the north line of an alley; thence south 85° E. 39 1/2 feet to a stake; thence north 5° E. 15 3/4 feet to a stake in the south line of said Third Street; thence with said line north 85° W. 39 1/2 feet to the beginning, containing 15/100 of an acre more or less. Also to include a lot of land described as beginning at a stake in the southeast corner of the above described parcel of land; thence with the south line of the same, north 85° W. 36 1/2 feet to a stake; thence south 5° W. 11 feet to a stake; thence south 85° E. 36 1/2 feet to a stake; thence north 5° E. 11 feet to the beginning, subject however, to the right of James A. Leoder and L. Josephine Leoder and their heirs and assigns to use said parcel of land as a roadway to and from the premises situated east of said parcel of land first herein described.

You will make return of your proceedings herein to our said Probate Court forth with upon execution of said order, and have you then and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the Seal of said Court, at Mansville, Ohio, this 5<sup>th</sup> day of June, 1918.

Edmond H. Porter, Probate Judge.

8914

Return

To the Probate Court of Union County, Ohio.  
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 7<sup>th</sup> day of June, 1918.  
John H. Hillis

Oath of Appraisers

8914  
Oath of Appraisers

The State of Ohio, Union County, ss.  
We, the undersigned Appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

Norman L. Brown  
L. L. Jarvis  
L. E. Grimsler  
Appraisers.

Sworn to before me, and signed in my presence, this 7<sup>th</sup> day of June, 1918.

John H. Hillis - Administrator  
Appraisers Return

8914  
Appraisers Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned Appraisers,

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Application of E  
To Sell  
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Final Record, Union County Probate Court

<p>of land E. 39 1/2 feet in the id line y 15/100 a lot of in the</p>	<p>8914</p>	<p>estimate the value of said real estate at Eight Hundred and Fifty Dollars, free of down. Given under our hands, this 7<sup>th</sup> day of June, 1918. Norman L. Boun C. L. Jarvis C. E. Grissler. Appraisers.</p>
<p>of land; th 85° to a ; thence error, to ew and land as ated last herein ccution this writ. -office clerk said court, the judge.</p>	<p>8914</p>	<p>Application To Sell Real Estate at Private Sale. Probate Court, Union County, Ohio John H. Willis, Administrator of Estate of George Wolfert, Deceased, Plaintiff. No. 8914 Petition to Sell Real Estate. at John J. Wolfert, et. al. Defendants. Private Sale The said Plaintiff represents that it would be for the best interest of the said Estate to sell the real estate described in the petition in this case at private sale, for the following reasons: That said real estate can be sold for more money, and at less expense if sold at private sale than if sold at public sale. And he therefore asks for an order authorizing him to sell said real estate at private sale. John H. Willis - Administrator of The Estate of George Wolfert, Deceased.</p>
<p>or caused ally appear Dach,</p>	<p>8914</p>	<p>The State of Ohio, Union County ss. John H. Willis, being duly sworn, says that the various matters set forth in the foregoing Application are true as he verily believes. John H. Willis sworn to before me, and signed in my presence, this 25<sup>th</sup> day of June, 1918. Eduard H. Porter, Probate Judge.</p>
<p>ke solemn omestly ibed perform of the ers, my trato ing first er premises praises,</p>	<p>8914</p>	<p>Affidavit Of Disinterested Persons The State of Ohio, Union County, ss. Norman L. Boun, E. H. Hatton, Monor Amrine, being duly sworn, says that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matter therein referred to, and that it will be more for the interest of the said Estate to sell said real estate at private sale than at public sale, as they verily believe. Norman L. Boun, E. H. Hatton, Monor Amrine sworn to before me, and signed in my presence, this 25<sup>th</sup> day of June, 1918. John H. Willis, Notary Public.</p>

Final Record, Union County Probate Court

8914 Journal Entry: Orders Approving Appraisement for Private Sale  
 Probate Court Union County, Ohio.  
 John H. Willis, Administrator  
 Of the Estate of  
 George Wallace, deceased,  
 Plaintiff.  
 vs  
 John J. Wallace et al,  
 Defendants.  
 June 20<sup>th</sup> 1918  
 Petition to Sell Real Estate  
 Order of Sale.

This day came the said Plaintiff, by his attorney, and produced to the Court the report of an appraisement herein made by Norman Le Bourn, G. E. Jarvis and G. E. Grisch in pursuance of a former order of this Court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed. And it being made to appear to the Court upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale. It is therefore further ordered that said John H. Willis as such Administrator proceed to sell said real estate, free of down at private sale for not less than the appraised value thereof, on the following terms, to wit: Cash in hand on day of sale. And said petition is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Eduard H. Porter, Probate Judge.

Order Of Sale Free of Down.

8914 Order of Sale  
 The State of Ohio,  
 Union County, ss.

To John H. Willis, Administrator of the Estate of  
 George Wallace, Deceased. Greeting;  
 In obedience to an order and decree of the Probate Court within and for said County, made this day, in a certain cause wherein you as Administrator are Plaintiff and John J. Wallace et al, are Defendants, you are commanded to proceed according to law to sell at Private sale, for not less than the appraised value thereof free of down, the following described premises, to wit: Situate in the County of Union and State of Ohio, and in the Village of Marysville, to wit: Part of Survey No 3351 and 3354 and being part of division No 4 of the Charity K. Malin estate and described as Beginning at a stake in the south line of Third Street in the Village of Marysville and Northeast corner to a

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Report of Sale

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Final Record, Union County Probate Court

8914

parcel of land conveyed by Isaac H. Collins to Helen H. Haines and Margaret Haines, April 9<sup>th</sup> 1912; thence with the east line of said parcel of land South 5° N. 153 feet to a stake, the southeast corner of said parcel of land in the north line of an alley; thence south 85° E. 39 1/2 feet to a stake; thence North 5° E. 153 feet to a stake in the south line of said Third Street; thence with said line north 85° W. 39 1/2 feet to the beginning containing 1/2 of an acre more or less. Also to include a lot of land described as beginning at a stake, the southeast corner of the above described parcel of land; thence with the south line of the same north 85° N. 36 1/2 feet to a stake; thence South 5° W. 11 feet to a stake; thence south 85° E. 36 1/2 feet to a stake; thence north 5° E. 11 feet to the beginning, subject, however, to the right of James A. Coder and L. Josephine Coder and their heirs and assigns to use said parcel of land as a roadway to and from the premises situated east of said parcel of land first herein described.

Said sale to be at the Court House, and to be upon the following terms: Cash in hand on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court, at Marysville, Ohio, this 25<sup>th</sup> day of June, 1918.

Edward H. Porter, Probate Judge.

8914

Return

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 27<sup>th</sup> day of June, 1918.

John H. Willis, Administrator

8914

Report of Sale

Report of Sale

In obedience to the within order, I sold said premises on the 27<sup>th</sup> day of June, 1918, to William J. Wolcott for the sum of Eight Hundred and fifty Dollars, said sum being the appraised value of the same.

John H. Willis - Administrator

Dated the 27<sup>th</sup> day of June, 1918.

8914

The State of Ohio, Union County, ss.

The above named John H. Willis, Administrator of the estate of George Wolcott, deceased, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price



Final Record, Union County Probate Court

8914

for said property, and that said sale is for the highest price he could get for said property.

John H. Willis, Administrator

Sworn to before me, and signed in my presence, this 25<sup>th</sup> day of June, 1918.

Ernest S. Brown Notary Public.

8914

Journal Entry: Confirming Sale and Ordering Distribution in the Probate Court of Union County, Ohio.

Confirming Sale and Ordering Distribution

John H. Willis, Administrator  
Of the Estate of  
George Wallace, Deceased,  
Plaintiff.

June 28<sup>th</sup> 1918.

No. 8914.

Journal Entry

John J. Wallace and  
H. J. Wallace, Defendants.

Confirming Sale and  
Ordering Distribution.

This day this cause came on to be heard on the return of the Order of Sale heretofore issued herein to John H. Willis, Administrator and of his proceedings and sale thereunder.

Thereupon the Court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this Court, it is therefor considered and ordered by the Court that said sale be and the same hereby is approved and confirmed; and said John H. Willis as such Administrator is hereby ordered to execute and deliver to William J. Wallace, the purchaser a good and sufficient deed for the premises so sold.

And the Court coming now to distribute the proceeds of said sale in the hands of said Administrator, viz: \$55.00, orders that he pay: First: To the Treasurer, the taxes, penalties, and interest thereon against said lands, amounting to the sum of \$11.74.

Second: To the clerk of this Court, the costs of this action, herein taxed at \$26.53

Third: Administer the balance of said estate to the discharge of the debts and distribute the same according to law.

It is ordered that this proceeding be recorded.  
Edward H. Porter, Probate Judge.

8932

Filed

April 18<sup>th</sup> 1918.

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Petition

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Final Record, Union County Probate Court

8932

Filed

Apr. 18<sup>th</sup> 1918

Petition for Sale of Real Estate to Pay Debts.  
Probate Court, Union County, Ohio.

No. 8932.

Civil Action

W. H. Penner, Executor of  
(The Estate of John M. Drake, Deceased.)  
The Last Will and Testament  
of John M. Drake, Deceased.  
Plaintiff.

v.

Lydia A. Drake, Widow of  
John M. Drake, Deceased,  
Eva Hammers<sup>and</sup> John Hammers, her husband,  
John Drake, <sup>and</sup> Effie Drake, his wife,  
Howard Drake, (unmarried)  
Lulu Probst <sup>and</sup> Elmer Probst, her husband,  
Defendants.

Petition

To

Sell Real Estate.

Petition.

Petition

The Plaintiff represents that he is the duly appointed and qualified Executor of the last Will of John M. Drake late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Thirteen Hundred Dollars, as near as can be ascertained that the charges of Administration of said estate will amount to about Two hundred and fifty Dollars, and that the total value of the personal estate and effects of said deceased is but Five Hundred and Sixteen and <sup>15</sup>/<sub>100</sub> Dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said John M. Drake died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit: Township of Washington, <sup>and</sup> bounded and described as follows:

Part of Survey No. 9896 for 364 acres: Beginning at a stone in the York Center and Bellefontaine Road in the York Center and Bellefontaine Road in the Greenville Treaty line; thence with said road South 26 degrees West 12.80 poles to a stake under a bridge, corner to J. W. Tracy's land; thence with his line North 73 degrees West 17.21 poles to a stone; thence with another line of said Tracy's land North 20 degree West 38.80 poles to a stake; thence with line of said Tracy's South 68 <sup>1</sup>/<sub>2</sub> degrees West 44.36 poles to a stone in the line of E. Cahill; thence with line North 9 <sup>1</sup>/<sub>2</sub> degrees West 79.38 poles to a stone; thence North 68 <sup>1</sup>/<sub>2</sub> degrees East 73.75 poles to a stone in the center of the Marysville and Kenton Road; thence with the center of said road South 35 <sup>1</sup>/<sub>4</sub> degree East 38.52 poles to a stone at the intersection York Center and

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Final Record, Union County Probate Court

8932

Byhation Road, thence South 13 1/2 degrees West 70.47 poles to the beginning, containing Fifty acres of land, be the same more or less. Exception therefrom Trouty, five acres on the North side of the aforesaid described tract.

The said decedent died leaving the defendant Lydia A. Drake, his widow, who is entitled to dower in said premises; that the defendants Eva Hammer, John Drake, Howard Drake and Lula Frost are the only children and heirs at law of said decedent, having the next estate of inheritance from said John M. Drake deceased, in said premises; that the Defendants John Hammer, Effie Drake and Elmer Frost are spouses of children and heirs at law.

The Plaintiff therefore prays that the dower of said Lydia A. Drake in said premises may be assigned, and set off to her; unless she file her answer herein and consents that the same may be sold free from her dower, may be fully determined, adjusted and protected according to equity and that your petitioner may be authorized and ordered to sell said real estate subject to said dower, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

8932

The State of Ohio, Hardin County, ss.

W. H. Pence

W. H. Pence the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

W. H. Pence, Executor of John M. Drake, Deceased, sworn to before me and signed in my presence, this 16<sup>th</sup> day of April, 1918.

Leonard Cox, Notary Public

8932

Journal Entry: In the Probate Court of Union County, Ohio.

Filing Petition To Sell Real Estate

W. H. Pence, Executor of the Last Will and Testament of John M. Drake, Deceased, Plaintiff

April, 18 - 1918  
Case No. 8932.  
Journal Entry

Lydia A. Drake, et al.  
Defendants.

Filing Petition To Sell Real Estate.

This day came the Plaintiff W. H. Pence, Executor of the Last Will and Testament of John M. Drake, and presented to this Court his petition, duly verified praying an order for the sale of real estate of the said John M. Drake, deceased, to pay the debts, and the costs of administering the estate, of the

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Final Record, Union County Probate Court

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said decedent. Whereupon it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency, and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Eduard W. Porter, Probate Judge -  
Waino.

8932

In the Probate Court of Union County, Ohio.  
No. 8932

W. H. Pence, Executor  
Of the Last Will and  
Testament of  
John M. Drake, Deceased.

Waino

Plaintiff.

vs.  
Lydia A. Drake, Eva Hammer,  
and John Hammer, John Drake,  
Effie Drake, Howard Drake, and  
Rudolph Probst and Elmer Probst,

Petition to  
Sell Real Estate  
Waino of Process  
and  
consent to sell.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Howard C. Drake

8932

Waino

In the Probate Court of Union County, Ohio.  
No. 8932.

W. H. Pence, Executor of the  
Last Will and Testament of  
John M. Drake, Deceased.

Waino

Plaintiff

vs.  
Lydia A. Drake, et al.

Petition to  
Sell Real Estate,  
Waino of Process and  
consent to sell.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may

Final Record, Union County Probate Court

8932

by the Court ordered,

Lydia A. Drake,

Effer D. Drake

Eva M. Hammer

Elmer L. Brobst

John M. Drake

John H. Hammer

Lula B. Brobst

Ansurs of Widow.

In the Probate Court of Union County, Ohio,

No 8932

W. H. Pence, Executor of

the Estate of

John M. Drake, Deceased,

Plaintiff

Ansurs of Widow

Proceedings to

Sell Real Estate.

Ansurs  
of  
Widow

Lydia A. Drake, et al.

Defendants.

And now comes Lydia A. Drake, one of the defendants in the above entitled cause and voluntarily enters her appearance herein, and for her Ansurs to the petition in this case filed, says: that she is the widow of said John M. Drake, deceased, and as such is entitled to dower in the premises described in said petition; that her age is sixty-six years; that she consents to the sale of the real estate of said decedent, as prayed for, and that she waives the assignment of her dower in said premises by metes and bounds, or in rents and profits; and asks the Court that said premises may be sold free from her dower estate therein and that the value of such dower estate may be allowed and paid her in money out of the proceeds of such sale, as the Court may deem reasonable.

Lydia A. Drake.

The State of Ohio, Union County, ss.

Lydia A. Drake, being duly sworn, makes oath that the facts stated in the foregoing Ansurs are as she believes true.

Lydia A. Drake

Known to by said Lydia A. Drake before me, and signed by her in my presence, this 18<sup>th</sup> day of April, A. D. 1918.

George Miller, Notary Public

Ordering Appraisement

Probate Court, Union County, Ohio

Journal Entry

8932

Ordering  
Appraisement

W. H. Pence Executor of

the Last Will and Testament of

John M. Drake, Deceased, Plaintiff.

vs.

Lydia M. Drake et al. Defendants.

Ordering

Appraisement.

This day this cause came on to be heard

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Final Record, Union County Probate Court

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upon the petition of the plaintiff filed for the purpose of having the real estate therein described sold to pay the debts and costs of administration of the deceased, and also upon the answer of Lydia A. Drake, widow of said deceased. And the Court being fully advised in the premises finds that all of the defendants herein have waived service of process, and consents to the sale of the Real Estate in said petition mentioned, and that the statutory time for pleading, was by them waived.

And the Court further finds that Lydia A. Drake widow of said John M. Drake, deceased, waives as in her answer herein set forth assignment of her dower in said premises in metes and bounds and desires that the same may be sold clear and free of her said dower, and that the Court set off to her out of the proceeds of the sale of said premises such sum of money as may be just and reasonable in lieu of her said dower interest, and the Court finds that the allegations of said petition are true, and that it is necessary to sell the real estate in the petition described to pay the debts of the deceased, and costs of administration.

Wherefore it is considered and ordered by the Court, that H. E. Gray, L. J. Temple, & Gail Spain, three judicious and disinterested men, freeholders of the vicinity, after being first duly sworn, and upon actual view of the premises in said petition described, appraise the same at its cash value, free from the dower of the said Lydia A. Drake, and that they may call to their aid a civil engineer to define the metes and bounds of said lands.

Eduard M. Porter, Probate Judge.

Order Of Appraisement.

8932

Order of Appraisement.

The State of Ohio, Union County, ss. Probate Court.  
To W. H. Pence, Executor of the Last Will and Testament of John M. Drake, Deceased. Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Executor of the Last Will and Testament of John M. Drake, Deceased, are Plaintiff and Lydia A. Drake et al. are Defendants, you are commanded that by the oaths of H. E. Gray, L. J. Temple, and Gail Spain, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be



Final Record, Union County Probate Court

8932

made according to law of the following described premises free from the dower estate of Lydia B. Drake, therein tenant; Situate in the County of Union, State of Ohio and Township of Washington, and bounded and described as follows: Part of Survey No. 9896 for 364 acres Beginning at a stone in the York Centre and Bellefontaine Road in the Greenville Treaty line; thence with said road South 26° West 12.80 poles to a stake under a bridge, corner to J. W. Tracy's land; thence with his line North 73 degrees West 17.21 poles to a stone; thence with another line of said Tracy's land North 20 degrees West 38.80 poles to a stake; thence with line of said Tracy's South 68 1/8 degrees West 44.36 poles to a stone in the line of E. Cabell; thence with his line North 68 1/2 degrees West 79.38 poles to a stone; thence North 68 1/2° East 73.75 poles to a stone in the center of the Mansville and Newton Road; thence with the center of said road South 35 1/4 degrees East 38.52 poles to a stone at the intersection York and Pyhalia Road; thence South 12 1/2° West 70.47 poles to the beginning, containing fifty acres of land or the same more or less, except therefrom twenty-five acres on the North side of the aforesaid described tract.

You will make return of your proceedings herein to our said Probate Court forth with upon execution of said order and have you then and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the seal of said Court, at Mansville, Ohio, this 3<sup>rd</sup> day of May, 1918.

*E. H. Porter* Edward H. Porter, Probate Judge

8932

Return.

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 9<sup>th</sup> day of May, 1918.

W. H. Pence, Executor.

8932

Oath Of Appraisers.

Oath

The State of Ohio, Union County, ss.

of Appraisers.

We, the undersigned, appraisers do make solemn oath that we will, upon actual view honestly and impartially appraise the within described Real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

H. E. Gray, L. J. Temple, L. G. Spain, Appraisers.  
Known to before me, and signed in my presence, this 9<sup>th</sup> day of May, 1918.

*George Miller* Notary Public

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Appraiser Return

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Approving Appraisement

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Bond To Present Sale of Real Estate.

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Final Record, Union County Probate Court

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Appraiser's Return.

Appraiser's Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at Two Thousand One Hundred and twenty five (\$2,250.00) Dollars, free of said decedent's estate of Lydia A. Drake, widow.

Given under our hands, this 9<sup>th</sup> day of May, 1918.  
H. E. Gray  
L. J. Temple  
L. B. Spain  
Appraisers.

Fees of appraisers \$2.00 per day each.

8932

Journal Entry: Approving Appraisement.

Approving Appraisement

Probate Court of Union County, Ohio  
W. H. Pence, Executor of  
The Last Will and  
Testament of  
John M. Drake, Deceased  
Plaintiff

Journal Entry

v.

Lydia M. Drake, et al.  
Defendants.

Approving Appraisement

This day this cause came on to be heard upon the return of the appraisement heretofore ordered in this cause, and the same was submitted to the court. Whereupon after careful examination of the same, the court finds that said appraisement has been made in all respects in accordance with law and the orders of this court, and the same is hereby approved and confirmed.

It is further ordered by the court, that the said W. H. Pence give an additional bond in the sum of Forty Two Hundred and Fifty Dollars, conditioned and sureties thereon as provided by law.

Edward H. Porter, Probate Judge.

8932

Bond To Prevent Sale of Real Estate

Bond To Prevent Sale of Real Estate

Know all men by these Presents, That Mrs. Lydia A. Drake, John M. Drake, and Effie D. Drake, are firmly bound unto W. H. Pence, Executor of the Estate of John M. Drake, deceased, in the sum of One Thousand Dollars (\$1,000.00) to the payment of which we hereby bind ourselves, our heirs, executors, and administrators, if default be made in the condition following:

Whereas the said W. H. Pence as Executor as aforesaid, on this 18<sup>th</sup> day of April 1918, filed his petition in the Probate Court of Union County, Ohio, praying for the sale of certain real estate therein described,

Final Record, Union County Probate Court

8932

to pay the debts of said decedent and the charges of administering his estate: Now, if the above bound Lydia A. Drake, interested in said Estate, as legatee shall pay all the debts mentioned in said Petition that may eventually be found due from said Estate, with the charges of administering the same, and the allowances in money to the widow, so far as the personal estate of said deceased shall be insufficient therefor; then this obligation to be void; otherwise to be and remain in full force and effect.

Signed by us, and dated this 21<sup>st</sup> day of May A.D. 1918  
Lydia A. Drake,  
John M. Drake,  
Effie D. Drake.

The above bond and sureties approved in open court this 21<sup>st</sup> day of May, 1918.

Edward H. Porter, Probate Judge

8932

Order  
approving Bond  
and  
refusing to  
Grant  
Order of Sale.

Journal Entry: Order Approving Bond, and Refusing to Grant Order of Sale.  
H. H. Pence, Executor  
of the Estate of  
John M. Drake, Deceased.  
Plaintiff  
vs.  
Lydia A. Drake, et al.  
Defendants.

Probate Court, Union County, Ohio,  
May 21 1918.  
Petition to Sell Real Estate  
Orders Approving Bond and  
Refusing to Grant Order of Sale.

This day Lydia A. Drake interested in the Estate of said John M. Drake, deceased, as legatee and produced to the Court the Bond given by her to said H. H. Pence, as such Executor in sum of One Thousand (\$1000.00) Dollars, with John M. Drake and Effie D. Drake freeholders as sureties and conditioned to pay all the debts mentioned in said Petition, that may eventually be found due from said Estate, with the charges of administering the same, and the allowances in money to the widow, so far as the personal estate of said deceased shall be insufficient therefor, as provided by law; it is ordered that said bond and sureties be and the same hereby are approved by the Court; that an Order of Sale be not granted in this case; that this proceeding be recorded, and that said H. H. Pence, as executor, pay the costs herein taxed at \$ --- within ten days.

Edward H. Porter, Probate Judge.

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Filed  
May 6-1918

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Final Record, Union County Probate Court

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Filed  
May 6-1918

Petition for Sale of Real Estate to Pay Debts  
Probate Court, Union County, Ohio

H.E. Gray, Administrator  
Of the Estate of  
Tracy Hicks, Deceased,  
Plaintiff.

No. 8944

v.

Margaret Hicks, widow  
Eunice Hicks  
Paul Hicks  
George Hicks and  
Ruth Hicks, (The Minor Heirs)  
Defendants.

Civil action.

Petition

To

Sell Real Estate.

Petition.

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the Estate of Tracy Hicks late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Six Thousand (\$6000.00) Dollars, as near as can be ascertained that the charges of administration of said estate will amount to about One Hundred Dollars; and that the total value of the personal estate and effects of said deceased is but Thirty Nine Hundred thirty two and 9/100 Dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said Tracy Hicks, died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit: Being a part of Survey No. 12289, Beginning in the center of the Byhalia and West Mansfield Pike, South-east corner of Aaron Coleman's Lot; Thence eastwardly with the center of said Pike to the South-east corner of L.M. Vannans die's Lot; Thence Northwardly with his West line, 89 feet; Thence westwardly parallel with the center of said pike to the said Coleman's East line; Thence with said line to the place of beginning. Containing One-Eighth of an acre more or less. Second Tract. Situated in the County of Union, State of Ohio and in the Township of Washington, and bounded and described as follows: - Part of Survey No. 7375. By true Meridian Course as beginning at a stake in the center of the Marysville and Kenton Grant Road, and N. 33° W. 55 1/2 feet from the corner stone of the point of intersection of the Grant Road in the town of Byhalia; Thence with the center of the Marysville and Kenton Grant Road N. 33° W. 62 feet to a stake southerly corner to a parcel of land

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Final Record, Union County Probate Court

8944

conveyed by Johnson and Temple to Alexander Durlinger; Thence with the southerly line of said land S. 57° W. 107 1/2 feet to a stake; Thence parallel with said Grant Road S. 33° E. 67 1/2 feet to a stake; Thence parallel with the Essex and West Mansfield Grant Road N. 44 1/2° E. 20 1/2 feet to a stake; Thence N. 33° W. 6 feet to a stake; Thence N. 57° E. 86 feet to the place of beginning, containing 2 1/2 acs of an acre or the same more or less.

The said decedent died leaving the defendant Margaret Hicks his widow, who is entitled to dower in said premises; that the defendants Eunice Hicks, George Hicks, Paul Hicks and Ruth Hicks, are the only heirs of said decedent, having the next estate of inheritance from said Tracy Hicks, deceased, in said premises; The Plaintiff therefore prays that the dower of said Margaret Hicks in said premises may be assigned and set off to her; that the rights, interests and liens of the said Margaret Hicks may be fully determined, adjusted and protected according to equity and that your petitioner may be authorized and ordered to sell said real estate subject to said dower, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

8944

The State of Ohio, Union County, ss.

Each

H.E. Gray the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

H.E. Gray, Admr. of the Estate of Tracy Hicks, Deceased, sworn to before me, and signed in my presence this 6<sup>th</sup> day of May, 1918.

~~Notary~~ Milton Haines, Notary Public.

8944

Journal Entry:

In the Probate Court of Union County, Ohio,

Filing Petition To Sell Real Estate

H.E. Gray, Administrator Of The Estate Of Tracy Hicks, deceased, Plaintiff.

May 6<sup>th</sup> 1918

Journal Entry

Margaret Hicks et al. Defendants.

Filing Petition To Sell Real Estate

This day came the Plaintiff H.E. Gray, as Administrator of the Estate of Tracy Hicks, deceased and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said Tracy Hicks, deceased, to pay the debts, and the

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Final Record, Union County Probate Court

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costs of administering the estate, of the said decedent; whereupon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Eduard W. Porter, Probate Judge.

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Summons.

Probate Court

The State of Ohio, Union County, ss.

To H. E. Gray, Greetings:

Summons

You are commanded to notify Margaret Hicks widow and Eunice Hicks, Paul Hicks, Ruth Hicks, and George Hicks, Minors making service of this summons upon them and also, if either of them can be found, upon their guardian, or their father, or if neither their guardian nor their father can be found, then upon their mother, or the person having the care of such infants, or with whom they live, that they have been sued by H. E. Gray, as Administrator of the Estate of Tracy Hicks Deceased, in the Probate Court of Union County, and that unless they answer by the 8<sup>th</sup> day of June, 1915, the petition of said Plaintiff against them filed in said Court, such petition will be taken as true, and judgment rendered accordingly. You will make due return of this summons on the 20<sup>th</sup> day of May, 1915.

Witness my hand and the seal of said Court, this 6<sup>th</sup> day of May, 1915.

Eduard W. Porter

Probate Judge <sup>and</sup> Ex-Officio Clerk of the Probate Court of said County

8944

The State of Ohio, Union County, ss.

Caek,

I, H. E. Gray being duly sworn say that I served this writ by delivering a copy thereof with the endorsements thereon personally to the within named defendants, on the days hereafter named, viz: May 6<sup>th</sup> 1918 to Margaret Hicks widow, Eunice Hicks, Paul Hicks, George Hicks, and Ruth Hicks Minors heirs of Tracy Hicks, deceased, and also as to the within named minor defendants, May 6<sup>th</sup> 1918 to Margaret Hicks the mother, there being no guardian appointed nor father living of such infants. ~~was~~ H. E. Gray.

Brought to before me and signed in my presence this 20<sup>th</sup> day of May, 1918. Eduard W. Porter, Probate Judge



Final Record, Union County Probate Court

8944  
 H. E. Gray, Administrator  
 of the Estate of  
 Tracy Hicks, deceased

Answer of Widow  
 In the Probate Court of Union County, Ohio,  
 No. 8944  
 Answer of Widow

Answer  
 of  
 Widow  
 Plaintiff.  
 v.  
 Margaret Hicks, et al.  
 Defendants.

Proceedings to  
 sell Real Estate.

And now comes Margaret Hicks bring duly sworn with summons one of the defendants in the above entitled cause for her answer to the petition in this case filed, says: that she is the widow of said Tracy Hicks, deceased, and as such is entitled to dower in the premises described in said petition; that her age is forty years; that she consents to the sale of the real estate of said decedent, as prayed for, and that she waives the assignment of her dower in said premises by metes and bounds, or in rents and profits; and asks the court that said premises may be sold free from her dower estate therein and that the value of such dower estate may be allowed and paid her in money out of the proceeds of such sale, as the court may deem reasonable.

Margaret Hicks

8944  
 Oath  
 The State of Ohio, Union County, ss  
 Margaret Hicks bring duly sworn, makes oath that the facts stated in the foregoing answer are as she believes true.

Margaret Hicks

sworn to by said Margaret Hicks, before me, and signed by her in my presence, this 20th day of May, A.D. 1918.

~~State~~ Edward A. Porter, Probate Judge

8944  
 Application  
 to  
 sell Real Estate  
 at  
 Private Sale  
 H. E. Gray, as Administrator  
 of the Estate of  
 Tracy Hicks, deceased,  
 Plaintiff.  
 v.  
 Margaret Hicks, et al.  
 Defendants.

Application to sell Real Estate at Private Sale  
 Probate Court, Union County, Ohio.  
 No. 8944  
 Petition to sell Real Estate

The said Plaintiff represents that it would be for the best interest of the said estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

That it will save the cost of advertisement of sale required by law in public land sales.

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Final Record, Union County Probate Court

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And it can be sold for the full appraisement. And he therefor asks for an order authorizing him to sell said real estate at private sale.

H.E. Gray Administrator of the Estate of Tracy Hicks, deceased.

8944

The State of Ohio, Union County ss.

H.E. Gray, being duly sworn, says that the various matters set forth in the foregoing Application are true, as he truly believes.

H.E. Gray.

Sworn to before me, and signed in my presence, this 25<sup>th</sup> day of May, 1918.

Milton Kaines, Notary Public

8944

Affidavit of Disinterested Persons

The State of Ohio - Union County ss.

Affidant of Disinterested Persons.

T.F. Lockwood, and W.H. Husted, being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters herein referred to, and that it will be more for the interest of the said estate to sell said real estate at private sale than at public sale, as they truly believe.

T.F. Lockwood. W.H. Husted.

Sworn to before me, and signed in my presence, this 25<sup>th</sup> day of May, 1918.

Milton Kaines, Notary Public

8944  
Order On Hearing for Private Sale.

Journal Entry: Order On Hearing for Private Sale - Probate Court May 25<sup>th</sup> 1918.

H.E. Gray, as Administrator of the Estate of Tracy Hicks, Deceased, Plaintiff.

Petition to Sell Real Estate.

Order of Sale -

Margaret Hicks, et al. Defendants.

This day this cause came on to be heard upon the petition, evidence and testimony and the court being fully advised in the premises finds that all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance herein, and are now properly before the court. That the statements and allegations in said petition are true. That said Tracy Hicks, deceased, did leave a widow, entitled to dower in the estate to be sold, and an appraisement of such estate is contained in the Inventory. It is

Final Record, Union County Probate Court

8944

Ordered that another appraisement be and hereby is dispensed with. And the Court being satisfied that it is necessary to sell the real estate of said Tracy Hicks, described in the petition to pay his debts. And it being made to appear to the Court upon satisfactory evidence, that it would be more for the interest of said Estate to sell the real estate described in the petition at private sale.

It is therefore further ordered that said H.E. Gray, as such Administrator proceed to sell said real estate, free of duty, at private sale for not less than the appraised value thereof on the following terms, to wit - Cash - in hand on day of sale -

and said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge.

8944

8944

Application for Appointment of Guardian ad litem, Probate Court, Union County, Ohio.

Application for Appointment of Guardian ad litem

H.E. Gray, Administrator of the Estate of Tracy Hicks, Deceased. Plaintiff vs. Margaret Hicks, et al. Defendants.

No. 8944 Application

Answer of Guardian ad litem

To the Hon. Edward H. Porter, Judge of said Court The undersigned H.E. Gray, as Administrator of the Estate of Tracy Hicks, Deceased, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The Defendant, Eunice Hicks, age 17 years. Paul Hicks 14 years of age, and George Hicks and Ruth Hicks who are under the age of fourteen years, and have been duly served with summons herein.

The undersigned suggests that Clarence A. Hooper who is a suitable person be appointed as such Guardian ad litem.

Respectfully H.E. Gray, Administrator

8944

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Journal Entry: Appointment of Guardian ad litem, Probate Court, Union County, Ohio.

Entry

H.E. Gray, Administrator of the Estate of Tracy Hicks, Deceased. Plaintiff vs. Margaret Hicks, et al. Defendants.

May 27<sup>th</sup> 1918 No. 8944

Appointment of Guardian ad litem.



Final Record, Union County Probate Court

8944

This day H.E. Gray, the Plaintiff herein, appeared in open court, and made application for the appointment of a Guardian ad litem for the minor defendants in this case. And it appearing to the court that the defendants, Eunice Hicks, Paul Hicks, who have attained the age of fourteen years, and George Hicks and Ruth Hicks who are under the age of fourteen years, and have been duly and legally served with summons herein, and the said minors, Eunice Hicks and Paul Hicks have neglected for twenty days after the return of the summons served upon them to apply for a Guardian ad litem; it is ordered that Clarence A. Hoopes be and he hereby is appointed Guardian for the suit, for said minor defendants. And now comes the said Clarence A. Hoopes and in open court accepts said appointment.

Eduard H. Porter, Judge.

8944

Answer of Guardian Ad Litem

Probate Court, Union County, Ohio,

H.E. Gray, Administrator

No. 8944

Of the Estate of

Tracy Hicks Deceased,

Plaintiff.

Petition to

See Real Estate.

Answer of Guardian ad litem

Margaret Hicks - Widow et al.

Defendants.

Minor Defendants.

And now come the said Eunice Hicks, Paul Hicks, George Hicks and Ruth Hicks the minor defendants to the petition in said cause, by Clarence A. Hoopes their Guardian ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations therein contained, prejudicial to said minor defendants; and further say, that they are of tender years, and not acquainted with the law in such cases. They therefore pray the court to protect their rights in this cause, and for such relief as may be just.

Eunice Hicks, Paul Hicks, George Hicks and Ruth Hicks  
 May 20<sup>th</sup> 1915. By C. A. Hoopes, Guardian Ad litem.

8944

Order Of Sale - (Private Sale) Turn of Dower.

Order

The State of Ohio.

Probate Court

of

Union County, S.S.

Sale. To H.E. Gray, Administrator of the Estate of Tracy Hicks, deceased. Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as such Administrator are Plaintiff and Margaret Hicks et al. are Defendants, you are commanded

Final Record, Union County Probate Court

8944

to proceed according to law, to sell at private sale, for not less than the appraised value thereof free of the dower of Margaret Hicks widow of Tracy Hicks, deceased, the following described premises, to wit:

Tract: Being a part of Survey No. 12789: Beginning in the center of the Byhalia and West Mansfield Pike, S.E. corner, Aaron Coleman's Lot: Thence eastwardly with the center of the said pike to the S.W. corner of G.M. Tannaus dkt's Lot: Thence northwardly with his west line 89 feet: Thence westwardly parallel with the center of said pike to the said Coleman's East line: Thence with said line to the place of beginning: Containing One Eighth of an acre more or less.

Second Tract: Situated in the County of Union, State of Ohio and in the Township of Washington and bounded and described as follows: Part of Survey No. 7375: By true meridian course as beginning at a stake in the center of the Marysville and Newton Grant Road N. 33° W. 55 1/2 feet from the corner stone of the point of intersection of the grant road in the town of Byhalia: Thence with the center of the Marysville and Newton Grant Road N. 33° W. 52 feet to a stake southerly corner to a parcel of land conveyed by Johnson and Temple to Alexander Duerfingert. Thence with the southerly line of said land, S. 57° W. 107 1/2 feet to a stake: Thence parallel with said Grant Road S. 33° E. 62 1/2 feet: Thence parallel with the Essex and West Mansfield grant Road N. 44 1/2° E. 20 1/2 feet to a stake: Thence N. 33° W. 6 feet to a stake: Thence N. 57° E. 16 feet to the place of beginning. Containing 2 1/100 of an acre to the same more or less.

Said sale to be free of the dower of Margaret Hicks and to be upon the following terms: Each you will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court at Marysville, Ohio, this 27<sup>th</sup> day of May, 1918.  
Edward H. Porter, Probate Judge

8944

Return

To the Probate Court of Union County, Ohio:  
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
Dated the 1<sup>st</sup> day of June, 1918.  
H. E. Gray, Administrator

8944

Report of Sale

In obedience to the within order, I sold said premises on the 1<sup>st</sup> day of June, 1918. to

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Orders Approving and Confirming Date.

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Final Record, Union County Probate Court

8944 Margaret Hicks for the sum of Twenty one hundred and fifty (\$2150.00) Dollars said sum being the appraised value of the same.

H. E. Gray, Administrator

Dated the 1<sup>st</sup> day of June, 1918.

8944 The State of Ohio, Union County, ss. The above named H. E. Gray being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

H. E. Gray

Administrator of the Estate of Tracy Hicks, Deceased. Sworn to before me and signed in my presence, this 1<sup>st</sup> day of June, 1918.

Edmund H. Porter, Probate Judge.

8944 Journal Entry: Order Approving and Confirming Sale - etc. Probate Court, Union County, Ohio. H. E. Gray, Administrator of the Estate of Tracy Hicks, Deceased. Plaintiff.

June 1 - 1918. Petition to Sell Real Estate

Orders Approving and Confirming Sale. Margaret Hicks, et al. Defendants.

This day this cause coming on to be heard on the return of H. E. Gray Administrator of the Estate of Tracy Hicks, deceased, of his proceedings and sale under the former order of this Court; the Court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made. It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said H. E. Gray as such Administrator, make to the purchaser Margaret Hicks a good and sufficient deed for the premises so sold.

It is further ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \$ - within ten days.

Edmund H. Porter, Probate Judge.



Final Record, Union County Probate Court

8953  
Filed  
May 13-1915

Guardian's Petition To Sell Real Estate.  
Probate Court, Union County, Ohio.  
No. 8953  
Albert L. Graham Guardian of  
Mary E. Graham minor.  
Plaintiff.

Petition  
To  
Sell Real Estate.

His said Ward  
Mary E. Graham Defendant.  
The Plaintiff represents that he is the duly appointed  
and qualified Guardian of Mary E. Graham, a minor,  
of the age of nine years, on the third day of  
August 1914, and residing with said Albert L. Graham  
her father at Allen Township, Union County, Ohio.

That said Ward the owner in fee simple of the  
following described real estate situated in the  
County of Licking, State of Ohio, and in the  
Village of Suisburg, to-wit:

Petition

The undivided one-half of Lots numbered Eighteen  
(18) and Nine teen (19) in Millburn's Addition to said  
Village and numbered 238 and 239 on New  
Plat.

Said real estate is worth annually twenty-five  
(\$25.00) Dollars. That said Plaintiff has received  
rents from the real estate of his ward as follows:  
\$22.00 and that no other money or personal property  
belonging to said Ward ever came to the possession or  
knowledge of the petitioner. That there is no personal  
estate of said Ward dependent upon the settlement  
of any decedent's estate or the execution of any trust,  
nor in expectancy, and that said \$22.00 rent as above  
stated has been expended in taxes and repairs upon  
said property.

That the sale of said real estate  
is necessary for the maintenance and education  
of said Ward.

That said Ward is indebted to  
petitioner for necessaries in clothing, in the sum of  
\$45.00 and \$250.00 for boarding.

There are no liens upon said real estate to the  
knowledge of the petitioner.

Upon petitioner further says that said property is  
unoccupied and sadly out of repair and brings  
in no income whatever. Plaintiff therefore prays for  
an order of sale and authority to reinvest the  
funds. The Plaintiff therefore prays that said  
Mary E. Graham may be made Defendant to this  
petition and notified of the pendency hereof according  
to law, and that Plaintiff may be ordered to sell said  
real estate for the reasons and purposes hereinbefore  
stated, and for other proper relief. Albert L. Graham,  
Guardian.

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Final Record, Union County Probate Court

895-3

The State of Ohio, Champaign County, ss.  
Elbert L. Graham being duly sworn, says that he is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as he verily believes.

Elbert L. Graham, Guardian  
sworn to before me and signed in my presence,  
this 2<sup>d</sup> day of May 1918.

Notary fee 40 cts. M. C. Soway, Notary Public.

895-3  
Order on  
fixing  
time of  
hearing  
and for  
notice.

Journal Entry: Order Fixing Time of Hearing <sup>and for Notice</sup>  
Probate Court, Union County, Ohio.

Elbert L. Graham, Guardian of  
Mary E. Graham, Minor  
Plaintiff.  
May 13<sup>th</sup> 1918  
Petition To Sell Real Estate

This Ward. Defendants. Order For Notices.  
This day Elbert L. Graham, Guardian of Mary E. Graham  
appeared in open court and filed his petition  
duly verified, asking for the sale of real estate  
therein described, belonging to his said Ward.

It is ordered that the time of hearing said  
petition be and hereby is fixed for the 15<sup>th</sup> day of  
June, 1918, at 2 o'clock P. M.

It is further ordered that said Guardian  
cause notice thereof, and of the filing and demand  
of said petition, to be given to said Mary E. Graham  
Defendant, in writing to be served upon them per-  
sonally, and by leaving copies thereof at the usual  
place of residence of each of those who care not be  
served personally, three days before said day of hearing,  
and this cause is continued.

Edward H. Porter, Probate Judge.

895-3

Summons.

Summons.

The State of Ohio, Union County, ss.  
To M. C. Soway, Greeting: You are commanded to  
notify Mary E. Graham, a minor, and Elbert L. Graham,  
her Guardian, making service of this summons  
upon them, and also, if either of them can be found,  
upon her guardian or her father, or if neither her  
guardian nor her father can be found, then upon  
her mother, or the person having the care of such infant  
or with whom she lives, that she has been sued by  
Elbert L. Graham, as Guardian in the Probate Court  
of Union County, and that unless you answer by  
the 27<sup>th</sup> day of May 1918, the petition of said Plaintiff  
against Ward filed in said court, such petition  
will be taken as true, and judgment rendered  
accordingly.



Final Record, Union County Probate Court

8953

You will make due return of this summons on the 15<sup>th</sup> day of June 1918.

Witness my hand and the seal of said court, this 13<sup>th</sup> day of May 1918.

*[Signature]* Edward H. Porter, Probate Judge,  
and Ex-Officio Clerk of the Probate Court of said County

8953

Order of Appraisement

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The State of Ohio, Union County, ss.

Oath.

I, M. C. Goway, being duly sworn say that I served this writ by delivering a copy thereof with the endorsements thereon personally to the within named defendants on the days hereafter named, viz: May 13<sup>th</sup> 1918 to Elbert L. Graham and Mary E. Graham, and also as to the within named minor defendant, May 13<sup>th</sup> 1918, to Elbert L. Graham the Guardian of said Mary E. Graham, such infant

M. C. Goway.

Known to before me and signed in my presence, this 4<sup>th</sup> day of June 1918.

*[Signature]* Edward H. Porter, Probate Judge.

8953

Order On Hearing of Appraisement

Journal Entry: Order On Hearing of Appraisement  
Probate Court, Union County, Ohio,  
July 15<sup>th</sup> 1918.  
Elbert L. Graham, Guardian of  
Mary E. Graham, Plaintiff  
vs  
Defendants.

This heard at at  
Defendants.

Order of Appraisement

This day this cause on to be heard upon the petition, evidence and testimony and the court being fully advised in the premises finds: That all the defendants herein have been duly and legally notified of the pendency and prayer of the petition, and are now properly before the court. That the statements and allegations in said petition are true. And the court being satisfied that the real estate described in the petition ought to be sold as prayed for.

It is ordered that R. M. Fisher, A. W. Cooksey, and Harry Brown, judicious freeholders of the County, and not of kin to the petition, be and they hereby are appointed to appraise said lands at their fair cash value therein. It is further ordered that said appraisers be sworn as required by law, and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this court on or before the 20<sup>th</sup> day of July 1918, and this cause is continued.

Edward H. Porter, Probate Judge

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Oath of Appraisers

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Final Record, Union County Probate Court

895-3

Order of appraisement

Probate Court

The State of Ohio,

Union County, ss.

Order of Appraisement

To Elbert L. Graham, Guardian of Mary E. Graham Gusting;  
 In obedience to an order and decree of the Probate Court,  
 within and for said County, made this day in a  
 certain cause, wherein you as Guardian of Mary E.  
 Graham, are Plaintiff and Mary E. Graham et al. are  
 Defendants, you are commanded that by the oaths  
 of R. M. Fisher, A. R. Cooksey and Harry Brown judicious  
 disinterested men of the vicinity, not of kin to the  
 petitioner, who are free holders of the County in which  
 said real estate is situated, and upon actual  
 view, you cause a just valuation and appraisement  
 to be made according to law, of the following des-  
 cribed premises, to wit:

Being the undivided one-half interest of lots  
 numbered Eighteen (18) and Nineteen (19) in Mill-  
 burn's Addition to the Village of Lewisburg, Champaign  
 County, Ohio, and numbered 238 and 239 on New  
 Plat of said Village.

You will make return of your proceedings herein  
 to our said Probate Court forthwith upon execution  
 of said order, and have you there and there this  
 writ. Witness my signature as Judge and  
 Ex-Officio Clerk of our said Probate Court and the  
 Seal of said Court, at Marysville, Ohio, this 15<sup>th</sup> day  
 of July 1918.

Eduard H. Porter, Probate Judge

895-3

Return

Return

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused  
 the same to be duly executed, as will fully appear  
 by the proceedings hereto attached.

Dated the 18<sup>th</sup> day of July, 1918.

Elbert L. Graham,

8953

Oath of Appraisers

Oath of Appraisers

The State of Ohio

Champaign County, ss.

We, the undersigned appraisers, do make solemn  
 oath that we will, upon actual view, honestly and  
 impartially appraise the within described real  
 estate at its fair cash value, and perform the duties  
 required of us in pursuance of the foregoing order.

R. M. Fisher

A. R. Cooksey

Harry Brown,

Appraisers

Brought to before me, and signed in my presence,

Final Record, Union County Probate Court

8953

This 17<sup>th</sup> day of July, 1918.  
Notary fee 40 cts. *Wm. Boury, Notary Public*

8953

Appraisers' Return.

Appraisers' Return

In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises therein described, we the undersigned appraisers, estimate the value of said real estate at One Hundred and Fifty (\$150.00) Dollars. Given under our hands, this 17<sup>th</sup> day of July, 1918.

*R.M. Fisher*

*A. K. Cooksey*

*Harry Brown*

Appraisers-

Fees of Appraisers - \$12.00 per day each

8953

Orders

Journal Entry: Orders Approving Appraisement and for Bond, Probate Court, Union County, Ohio.

Approving Appraisement and for Bond

*Elbert L. Graham, Guardian of Mary E. Graham, Plaintiff vs His said Ward, et al. Defendants.*

July 25<sup>th</sup> 1918.

Petition to

sell Real Estate

Orders For Bond,

This day came the said Plaintiff by his Attorney, and produced to the Court the report of an order of appraisement herein made by R.M. Fisher, A.K. Cooksey and Harry Brown in pursuance of a former order of this Court, and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed. It further appearing to the Court that an additional bond should be given by said Guardian to secure the further assets arising from the sale of said real estate.

It is further ordered that said Elbert L. Graham, Guardian execute within 10 days to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the Court, in the sum of Three Hundred (\$300.00) Dollars, conditioned according to law, and this cause is continued.

*Edmund H. Porter, Probate Judge*

8953

Application to Sell Real Estate at Private Sale, Probate Court, Union County, Ohio.

Application

*Elbert L. Graham, Guardian of Mary E. Graham, Plaintiff vs His said Ward, et al. Defendants.*

No 895-3.

Petition to

sell Real Estate

Application.

The said Plaintiff represents that it would be for the best interest of the said Mary E. Graham to sell the real estate described in the petition in this case at

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Final Record, Union County Probate Court

8953

private sale, for the following reasons:  
That said property consists of a small undivided interest in two town lots in North Lewisburg, Ohio, on which the improvements are of little value. That the appraisement of same (\$1500) is all that the interest of said ward is worth, and that the same can be sold at private sale, along with the balance of said property. That if the same was sold at public sale there would be only one bidder and would make a very considerable amount of expense.

And he therefore asks for an order authorizing him to sell said real estate at private sale.  
Albert L. Graham, Guardian of Mary E. Graham

8953

The State of Ohio, Champaign County, ss.

Ordn

Albert L. Graham, being duly sworn, says that the various matters set forth in the foregoing Application are true as he truly believes.

Albert L. Graham

Sworn to before me, and signed in my presence, this 17<sup>th</sup> day of August 1918.

Notary fee \$0.00

M. C. Gony Notary Public

8953

Affidavit of Disinterested Person

Affidavit

The State of Ohio, Champaign County, ss.

of

L. S. Fisher and F. A. Jordan being duly sworn, says

Disinterested

Person

that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said Ward to sell said real estate at private sale than at public sale as they truly believe.

L. S. Fisher F. A. Jordan

Sworn to before me, and signed in my presence, this 16<sup>th</sup> day of August, 1918.

Notary fee \$0.00

M. C. Gony Notary Public

8953

Guardian's Bond

Bond.

Know all men by these Presents, that Mr. Albert L. Graham are held and firmly bound unto the State of Ohio, in the sum of Three Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and Administrators.

Signed by us, and dated at Marysville, Ohio, this 26<sup>th</sup> day of July 1918.

The condition of the above Obligation is such, that whereas, the above bound Albert L. Graham was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, guardian of the



Final Record, Union County Probate Court

895-3

the person and estate of Mary E. Graham. And whereas, the said Albert L. Graham as such Guardian, has filed a petition in said Probate Court asking an order for the sale of certain Real Estate of said Ward, described in said petition, which under proceedings in said Court duly had, has been appraised at the sum of One Hundred and fifty (\$150.00) Dollars. And whereas said Court, on the 25<sup>th</sup> day of July, 1918, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now if the said Albert L. Graham, as Guardian aforesaid, shall faithfully discharge his duties as such Guardian, and faithfully pay over and account for all moneys arising from the sale of said Real Estate according to law, then this obligation to be void, otherwise to remain in full force.

Albert L. Graham

Sarah E. Fowler,

J. F. Dunbar,

This Bond approved in open Court, this 19<sup>th</sup> day of August, 1918.

Edward W. Porter, Probate Judge.

Journal Entry: Order Approving Bond for Private Sale - Probate Court, Union County, Ohio.

895-3

Order Approving Bond

For Private Sale

Albert L. Graham, Guardian of Mary E. Graham, a minor. Plaintiff

Monday, August, 19<sup>th</sup> 1918. Petition to Sell Real Estate.

vs His said Ward, et al. Defendants.

Order of Sale

This day this cause came on further to be heard, and it appearing to the Court, that the said Albert L. Graham, as Guardian of Mary E. Graham, a minor the plaintiff above named has given bond as heretofore ordered, in the sum of Three Hundred (\$300.00) Dollars with Sarah E. Fowler and J. F. Dunbar freeholders as sureties, it is ordered that said bond be and hereby is approved.

And it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said Ward to sell the real estate described in the petition at private sale.

It is therefore further ordered that said Albert L. Graham as such Guardian proceed to sell said real estate, free of down, at private sale, for not less than the appraised value thereof, on the following terms, to wit, Cash in hand on day of sale;

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Order approving Bond for Private Sale.

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Order of Sale To E

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Final Record, Union County Probate Court

8953

And said petitioner is ordered to make return to this court immediately after such sale is made, and this cause is continued.

Edward W. Roster, Probate Judge

8953

Journal Entry: Order Approving Bond for Private Sale - Probate Court Union County Ohio

Order Approving Bond for Private Sale.

Albert L. Graham, Guardian of Mary E. Graham, a minor Plaintiff

Monday August 19<sup>th</sup> 1918.

Petition to Sell Real Estate,

His said Ward, et al.

Defendants. Order of Sale.

This day this cause came on further to be heard, and it appearing to the court, that the said Albert L. Graham, as Guardian of Mary E. Graham, a minor the plaintiff above named has given bond as hereinafter ordered, in the sum of Three Hundred (\$300) Dollars with Sarah E. Fowler and J. T. Dunbar freeholders as sureties, it is ordered that said bond be and hereby is approved. And it being made to appear to the court, upon satisfactory evidence, that it would be more for the interest of said Ward to sell the real estate described in the petition at private sale. It is therefore further ordered that said Albert L. Graham, as such Guardian proceed to sell said real estate, free of charge, at private sale for not less than the appraised value thereof on the following terms, to wit: Cash in hand on day of sale. And said petitioner is ordered to make return to this court immediately after such sale is made, and this cause is continued.

Edward W. Roster, Probate Judge.

Order Of Sale.

8953

Order of Sale.

The State of Ohio, Union County, ss.

Probate Court.

To Albert L. Graham, Guardian of Mary E. Graham, Minor Greeting;

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, No. 8953, now pending in said Court, wherein you as Guardian of Mary E. Graham, a Minor, are Plaintiff and your Ward et al, are Defendants, you are commanded to proceed according to law, to sell at private sale for not less than the appraised value thereof free of the charge of Albert L. Graham executor of Allie Graham, deceased the following described premises, to wit:

The undivided one-half of lots numbered Eighteen (18) and Nineteen (19) in Millburn's Addition

Final Record, Union County Probate Court

8953

to said Village and numbered 238 and 239 on New Plat. and situated in the Village of Lewisburg in the County of Champlain, and State of Ohio. Said sale to be from the down-estate of Elbert L. Graham, widower as aforesaid, and to be upon the following terms: Cash in hand on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 19<sup>th</sup> day of August, A.D. 1918.

Edward H. Porter, Probate Judge

8953

Return.

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 19<sup>th</sup> day of August, 1918.

Elbert L. Graham, Guardian of

Mary E. Graham, minor

Report of Sale.

Report

In obedience to the aforesaid order, I sold said premises on the 19<sup>th</sup> day of August A.D. 1918 to Ira C. Dale Wiley for the sum of Two Hundred (\$200.00) Dollars said sum being more than the appraised value of the same.

Elbert L. Graham,

Guardian of Mary E. Graham,

Dated the 19<sup>th</sup> day of August, A.D. 1918.

8953

The State of Ohio Union County, ss.

The above named Elbert L. Graham, Guardian of Mary E. Graham, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Elbert L. Graham

Sworn to before me and signed in my presence, this 19<sup>th</sup> day of August A.D. 1918.

Edward H. Porter, Probate Judge

8953

Journal Entry: Orders Approving and Confirming Sale, Probate Court, Union County, Ohio,

August 19<sup>th</sup> 1918.

Petition to

Sell Real Estate.

Orders

Approving and

Confirming Sale

Elbert L. Graham, Guardian of Mary E. Graham, Plaintiff.

This said Ward, et al. Defendants.

Orders Approving and Confirming Sale.

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8958 Filed May 20<sup>th</sup> 1918.

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Petition

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Final Record, Union County Probate Court

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This day this cause coming on to be heard on the return of Elbert L. Graham Guardian of the estate of Mary E. Graham a minor, of his proceedings and sale under the former order of this Court; the Court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made. It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said Elbert L. Graham as such Guardian make to the purchaser Ira L. Wiley a good and sufficient deed for the premises so sold, free of the dower estate of said Elbert L. Graham.

It is further ordered that this proceeding be recorded, and that said Guardian pay the costs herein taxed at \$... within ten days.

Edward W. Porter, Probate Judge

8958  
Filed May  
20<sup>th</sup> 1918.

Petition for Sale of Real Estate to Pay Debts.  
Probate Court, Union County, Ohio.  
John A. Hennington, Executor  
Of The Estate of L. A. Stanton, Deceased,  
Plaintiff

No. 8958  
Civil Action

vs  
Lucy A. Ourn, and William Ourn,  
Husband and wife  
Amy Ann Ourn and John W. Ourn,  
Husband and wife  
and Amos H. Gabriel and Esthu B. Gabriel,  
Husband and wife. (all of the  
forgoing named persons are all  
the heirs and legal representatives of  
L. A. Stanton, deceased, and the  
said Amy Ann Ourn being a daughter,  
Lucy Amelia Ourn, also Amos H. Gabriel,  
being a son and the only legal  
representative of Amos B. Gabriel, deceased,  
and said deceased being a  
daughter of L. A. Stanton, Deceased.

Petition  
vs  
Bill Real Estate

Petition

Petition

Defendants.

The Plaintiff represents that he is the duly appointed and qualified executor of the estate of L. A. Stanton late of Union County, Ohio deceased; that the amount of debts due from the deceased is about Seventeen Hundred (\$1700<sup>00</sup>) Dollars, as near as can be ascertained that the charges of Administration of said estate will amount to about Two Hundred (\$200<sup>00</sup>) Dollars; and that the total value of the personal estate and effects of said deceased is less than Two Hundred (\$200<sup>00</sup>) Dollars, being wholly insufficient

Final Record, Union County Probate Court

8958  
 to pay the debts and costs aforesaid. The plaintiff further represents that said L. A. Stanton died seized in fee simple of the following described real estate, situate in the County of Union, and in the Village of Milford Centre, and State of Ohio to-wit: Being lot One hundred and fourteen (114) in Hemmington and Miller's sub-division of the south part of Lots No. Eight and Nine (8 and 9) in said Village, of Milford Centre, Ohio. For a more definite description reference is hereby made to the recorded plat of said sub-division recorded in Plat Book No. 1, Page 224, in the Recorder's Office of Union County, Ohio, Records of Deeds Vol. 51, Page 206. The said decedent died leaving no widow, who is entitled to dower in said premises; that the defendants Amy Ann Ourn, and William Ourn, husband and wife, Lucy Amelia Ourn, and John W. Ourn, husband and wife, Arnon H. Gabriel, and Esther B. Gabriel, husband and wife, (all of the foregoing named persons are all the heirs and legal representatives of L. A. Stanton, deceased, and the said Amy Ann Ourn being a daughter, Lucy Amelia Ourn also a daughter, and Arnon H. Gabriel being a son and the only legal representative of Unas B. Gabriel, deceased, and the said deceased being a daughter of L. A. Stanton, deceased) are the only next of kin of said decedent having the next estate of inheritance from said L. A. Stanton, deceased in said premises; that the Defendants B. E. Baker and A. J. Rigdon, each claim to have a mortgage deed for said premises, and that they be compelled to set up by answer, whatever right title, claim, or interest they may have in said property or be forever barred. The plaintiff therefore prays that the rights, interests and claims of the said B. E. Baker and A. J. Rigdon, may be fully determined, adjusted and protected according to equity and that your petitioner may be authorized and ordered to sell said real estate for cash, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

8958  
 The State of Ohio, Union County, ss.  
 John A. Hemmington the above named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.  
 John A. Hemmington  
 Sworn to before me and signed in my presence, this 1<sup>st</sup> day of May, 1918.  
 John D. Longbray, Notary Public, Union County, Ohio.

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Final Record, Union County Probate Court

8958. Journal Entry: Filing Petition To Sell Real Estate  
 In the Probate Court of Union County, Ohio.  
 May 20<sup>th</sup> 1918.  
 Case No. 8958.  
 Journal Entry.

Filing Petition 70 See Real Estate	John A. Hemmington Executor of The Estate of L. A. Stanton, Deceased. Plaintiff.	
	Amy Ann Ourn, et al. Defendants	Filing Petition To Sell Real Estate.

This day came the Plaintiff John A. Hemmington, Executor of the Estate of L. A. Stanton, Deceased, and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said L. A. Stanton, deceased, to pay the debts, and the costs, of administering the estate, of the said decedent.

Whereupon it is considered and ordered by this court that the said petition be filed, and that due and legal notice of the filing, pendency and prayer of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Edward H. Porter, Probate Judge.  
 Wainor

8965

Wainor	John A. Hemmington, Executor of the Estate of L. A. Stanton, Deceased. Plaintiff	In the Probate Court of Union County, Ohio. No. 8958 Petition to Sell Real Estate
	Amy Ann Ourn, et al. Defendants	Wainor of Process, and Consent To Sell.

Wainor of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and so consent that said Petition may be heard at such time as may be by the court ordered.

May 20<sup>th</sup> 1918. Amy Ann Ourn  
 John M. Ourn,  
 Wainor.

8968

Wainor	John A. Hemmington, Executor of The Estate of L. A. Stanton, Deceased. Plaintiff	In the Probate Court of Union County, Ohio. No. 8958. Petition to Sell Real Estate.
	Amy Ann Ourn, et al. Defendants	Wainor of Process Consent To Sell



Final Record, Union County Probate Court

8958

We the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

May 20<sup>th</sup> 1918.

Amos H. Gabriel  
Esther B. Gabriel.

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Waiver

In the Probate Court of Union County, Ohio.

Waiver

John A. Kennington, Executor

No. 8958

Of the Estate of  
D. A. Stanton, Decedent.

Petition to Sell Real Estate

Plaintiff.

Amy Ann Owen et al.  
Defendants.

Waiver of Process and  
Consent to Sell.

We the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered, May 20<sup>th</sup> 1918.

Mrs. Amy A. Owen. Wm. Owen.

8958

Order For Appraisement

Probate Court Union County, Ohio, July 10<sup>th</sup> 1918.

Order  
For

John A. Kennington, Executor

No. 8958.

Of the estate of  
D. A. Stanton, Decedent.

Journal Entry.

Plaintiff

Appraisement

Amy Ann Owen, et al.  
Defendants.

Order For Appraisement

This day this cause came on to be heard upon the petition, proofs and exhibits of John A. Kennington executor of the estate of D. A. Stanton, deceased. The Court find that all the defendants have been duly served with process, or have voluntarily entered their appearance in the case; and that as set forth in the petition, it is necessary to sell the real estate therein described to pay the debts of the said D. A. Stanton, deceased. And it is therefore ordered and adjudged by the Court that

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Final Record, Union County Probate Court

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the said premises be appraised free of dower, by the oaths of Charles Michael, M. H. Dea, and H. E. McConnell, judicious and disinterested freeholders of the vicinity, whom the Court hereby appoint for that purpose, and that they return their proceedings to this Court for confirmation.

Edward H. Potter, Probate Judge.

8958

Order Of Appraisement

The State of Ohio,

Probate Court,

Union County, ss.

To John A. Remington, Executor of the estate of L. A. Stanton, deceased. Greeting;

Order of Appraisement

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause wherein you as John A. Remington, Executor are Plaintiff and Lucy A. Ourn et al. are Defendants, you are commanded that by the oaths of Charles Michael, M. H. Dea, H. E. McConnell, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises, free from the dower estate of the dower therein, to-wit:

Situated in the County of Union, and Village of Mifflin Center, and State of Ohio, to-wit: Being lot One hundred and fourteen (14) in Remington and Miller's sub-division of the south part of Lots No Eight (8) and Nine (9) in said Village of Mifflin Center, Ohio. For a more definite description reference is hereby made to the recorded plat of said sub-division, recorded in Plat Book, No. 1, Page 224, in the Recorder's Office of Union County, Ohio, Records of deeds, Vol. 51, Page 256.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order and have you then and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court, and the Seal of said Court, at Marysville, Ohio, this 10<sup>th</sup> day of July, 1918.

Edward H. Potter, Probate Judge.

8958

Return

Return.

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

John A. Remington, Executor

Final Record, Union County Probate Court

8958

Oath of Appraisers.

The State of Ohio  
Union County ss.

Oath of  
Appraisers

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value value, and perform the duties required of us, in pursuance of the foregoing order.

M. H. Dea. H. E. M<sup>c</sup>Connell,

Charles Michael Appraisers.

Sworn to before me, and signed in my presence, this 10<sup>th</sup> day of July 1918.

John A. Harrington Notary Public.

My Commission Expires Oct. 23-1920.

8958

Appraisers' Return.

Appraisers'  
Return

In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises therein described, we, the undersigned Appraisers, estimate the value of said real estate at Eight Hundred Dollars.

Given under our hands, this 10<sup>th</sup> day of July, 1918.

M. H. Dea. Charles Michael. H. E. M<sup>c</sup>Connell. Appraisers.

Fees of Appraisers, \$2.00 per day each - Paid -

8958

Journal Entry: Order Approving Appraisement, for Private Sale,  
Probate Court, Union County Ohio.

Order  
Approving  
Appraisement  
for  
Private Sale.

John A. Harrington, Executor.

Of the estate of  
L. A. Stanton, Deceased.  
Plaintiff.

July 11<sup>th</sup>, 1918.  
Petition to Sell Real Estate

Order of Sale.

Lucy A. Ourn, et al  
Defendants

This day came the said Plaintiff, by his attorney, and produced to the court, the report of an appraisement herein made by Charles Michael, M. H. Dea, and H. E. M<sup>c</sup>Connell, in pursuance of a former order of this court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

And it being made to appear to the court upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale.

It is therefore further ordered that said John A. Harrington as such Executor proceed to sell said real estate free from down at private sale for not less than \$800.00 the appraised value thereof, on the following terms, to wit: Cash in hand, on day of sale,

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Application

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Oath.

8958.

Affidavit  
of  
Disinterested  
Persons.



Final Record, Union County Probate Court

8958

And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Edward H. Roster, Probate Judge

8958

Application To Sell Real Estate, at Private Sale, Probate Court, Union County, Ohio.

John A. Kennington, Executor

No. 8958

Of The Estate Of L. A. L. Stanton, Deceased,

Petition To Sell Real Estate

Plaintiff

Application

v.

Lucy A. Quinn, et al. Defendants. Application.

The said Plaintiff represents that it would be for the best interest of the said estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

- 1- That said estate is small and would be expensive to sell at public auction.
- 2- Said property is in bad repair, and to sell at public sale might not bring appraised value.
- 3- Said executor has an offer of \$800.00 to sell property at private sale.
- 4- That it would be for the best interests of said Estate to sell at private sale.

And he therefore asks for an order authorizing him to sell said real estate at private sale.

John A. Kennington Executor of Estate of L. A. L. Stanton, deceased.

8958

The State of Ohio, Union County, ss.

Oath,

John A. Kennington Executor, being duly sworn, says that the various matters set forth in the foregoing Application are true as he verily believes.

John A. Kennington.

Known to before me and signed in my presence, this 10<sup>th</sup> day of July, 1918.

John L. Longway, Notary Public, Union County, Ohio.

8958.

Affidavit of Disinterested Persons.

Affidavit

The State of Ohio, Union County, ss.

Disinterested Persons.

Lecharles Michals, M. H. Dea, H. E. M<sup>c</sup>Connell, being duly sworn, says that they know the facts set forth in the Application to which this affidavit is attached; that they have no interest whatever in the matter therein referred to and that it will be more for the interest of the said estate of L. A. L. Stanton deceased, to sell said real estate at private sale than at public sale, as they verily believe.

Final Record, Union County Probate Court

8958

M. H. Dea Charles Richards H. E. M<sup>o</sup> Council,  
known to before me, and signed in my presence, this 10<sup>th</sup>  
day of July, 1918. <sup>State</sup> John A. Kennington Notary Public  
My Commission Expires, Oct. 23 - 1920.

8958

Order Of Sale

The State of Ohio

Probate Court

Order

Union County, ss.

of

Date

To John A. Kennington Executor of the estate of L. A. L.  
Stanton, Deceased. Meeting:

In obedience to an order and decree of the Probate  
Court within and for said County, made this day, in  
a certain cause, No. 8958, now pending in said Court,  
wherein you as Executor of the estate of L. A. L. Stanton,  
Deceased, are Plaintiff and Amy Ann Owen, et al. are  
Defendants, you are commanded to proceed according to law  
to sell at Private Sale, for not less than the appraised value  
thereof set down, the following described premises, to-wit:

Situated in the County of Union, and Village of  
Milford Center, and State of Ohio, to-wit: Bring Lot  
One hundred and fourteen (114) in Kennington and Miller's  
sub-division of the South Part of Lots, No. Eight (8) and  
Nine (9) in said Village of Milford Center, Ohio. For a  
more definite reference is hereby made to the Recorded  
Plat of said sub-division, recorded in Plat Book  
No. 1 Page 224, in the Recorder's Office of Union County,  
Ohio. Records of Deeds, Vol. 51, Page 256. Said Sale  
to be Cash.

You will make return of your pro-  
ceedings to this Court forthwith upon execution of  
this order.

Witness my signature and the Seal of said  
Probate Court at Mansfield, Ohio, this 17<sup>th</sup> day of July, 1918

<sup>State</sup> Edward H. Porter, Probate Judge.

Return

8958

Return

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused  
the same to be duly executed, as will fully  
appear by the proceedings hereto attached.

Dated the 18<sup>th</sup> day of July, 1918.

John A. Kennington

Executor of L. A. L. Stanton, Deceased.

Report Of Sale

8958

Report

of

In obedience to the within order, I sold said  
premises on the 18<sup>th</sup> day of July, A. D. 1918 to Charles  
E. Davis, for the sum of Eight Hundred (\$800.00) Dollars  
said sum being the appraised value of the same.

John A. Kennington Executor of  
the Estate of L. A. L. Stanton, Deceased, Dated 18<sup>th</sup> of July, 1918.

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Order  
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Filed  
July 6<sup>th</sup> 1918

Petition

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Final Record, Union County Probate Court

8958

The State of Ohio, Union County, ss.

The above named John A. Kennington, Executor of the estate of L. A. Stanton, Deceased, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property and that said sale is for the highest price he could get for said property.

John A. Kennington.

Sworn to before me, and signed in my presence, this 18<sup>th</sup> day of July, A.D. 1918.

John L. Longhry, Notary Public, Union Co., Ohio

8958

Journal Entry - Orders Approving and Confirming Sale.

Probate Court, Union County, Ohio.

Orders

Approving and

John A. Kennington, Executor  
Of The Estate of  
L. A. Stanton, Deceased,  
Plaintiff

July 18<sup>th</sup> 1918.

Petition To Sell Real Estate

vs.  
Army and Owen et al. Defendants  
Orders Approving and Confirming Sale.

This day this cause coming on to be heard on the return of John A. Kennington, Executor of the estate of L. A. Stanton, deceased, of his proceedings and sale under the former order of this Court; the Court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made. It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said John A. Kennington as such executor, make to the purchaser Charles E. Davis, a good and sufficient deed for the premises so sold, for lease.

It is further ordered that this proceeding be recorded, and that said John A. Kennington pay the costs herein taxed at \$ --- within ten days.

Edward W. Porter, Probate Judge

8988.

Guardian's Petition To Sell Real Estate.

Filed

Probate Court, Union County, Ohio.

July 6<sup>th</sup> 1918.

Benjamin F. Hudson, as

No. 8988

Guardian of  
Floyd B. Hudson

Petition

To

Wheeler J. Hudson, and

Sell Real Estate.

Dana W. Hudson, et al.  
Plaintiff

vs.

Petition

His said Wards and

Petition.

Adam Johnson.

Defendants.

ence, this 10<sup>th</sup>  
ary Public

Court.

of L. A. Stanton

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this day, in  
said Court,  
Stanton.

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18 of July, 1918.



Final Record, Union County Probate Court

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The Plaintiff represents that he is the duly appointed and qualified Guardian of Floyd G. Hudson of the age of 18 years, on the 13<sup>th</sup> day of November, 1917.

Lehestu J. Hudson of the age of 18 years on the 23<sup>rd</sup> day of January, 1918, and

Diana H. Hudson, of the age of 16 years on the 27<sup>th</sup> day of May, 1918.

All of said minors reside with the Plaintiff in Dover Township, Union County Ohio.

The Plaintiff further says: That no personal estate for either of his said wards has come to his knowledge or possession;

That, on distribution of the personal estate of Mary L. Johnson, deceased, there will come to said wards, jointly, approximately the sum of \$740.00, which estate is now in process of administration;

That the annual value of said wards real estate is about the sum of \$36.25 and the said real estate is described as follows to-wit:

Petition

The undivided one-fourth part of the following described real estate, viz:

Situated in the County of Union, in the State of Ohio and in the Township of Dover, and in Survey No. 5497, and bounded and described as follows, to-wit:

Beginning at a stone and two sugar trees Northeast corner to Lot No. 12 of the sub-division of said Survey and in the East line of said Survey; Thence with said line S. 5° 15' E. 43 poles to a stake North east corner to Rachel J. Perkins land;

Thence with the North line of said land S 83° 45' N. 65 poles to a stake North west corner to said land and in the East line of the S. D. Laird land; Thence with said line N. 5° 15' W. 43 poles to a stone a corner to said land in the North line of said Lot No. 10; Thence with said line N. 83° 45' E. 65 poles to the beginning, containing 17 acres and 70 poles of land, Excepting therefrom 9 acres off of the West side of the above described premises, conveyed by Albert Gardner to Lutelle Stiner, August 7<sup>th</sup> 1899, refer to Volume of Deeds, No. 79, page 358, Union County Records; and that said wards are the joint owners of the undivided one-fourth of the said above described real estate in fee simple

No rents have been received by Plaintiff, as Guardian, as aforesaid, in cash, because the same has been applied to payment of taxes and assessments upon said lands and the general up-keep and improvement thereof.

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A sale of said wards' interest in said real

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Order

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Order Fixing Time of Hearing and for Notice

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Final Record, Union County Probate Court

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estate is asked for the reason that their said interest is undivided and, therefore, difficult of management and unproductive of income sufficient to aid materially in the maintenance of said wards.

Wherefore it is considered to the best interest and advantage of said wards, to sell their said interest in said real estate and reinvest the proceeds thereof either in other real estate or in approved securities, as the court shall in its wisdom direct.

Apparently, the next estate of inheritance in the interest of either of said wards in said lands will pass to his surviving brother or brothers, pursuant to law, unless the same be ordered sold in the premises.

The defendant, Adam Johnson, is the widower of Mary S. Johnson, deceased, of whom the said minor defendants are devisees and heirs at law; and the said Adam Johnson, apparently, has a right of dower in the lands herein sought to be sold.

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The Plaintiff therefore prays that said Floyd G. Hudson, Chester J. Hudson, and Dana W. Hudson, Minors as aforesaid, and Adam Johnson, may be made Defendants to this petition, and notified of the pendency hereof according to law, and that Plaintiff may be ordered to sell said real estate for the reasons and purposes hereinbefore proposed, and for other proper relief.

Benj. F. Hudson, Guardian  
James M. Campbell, Attorney, for said Guardian.

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The State of Ohio, Union County, ss.

Benjamin F. Hudson, being duly sworn, says that he is the Plaintiff mentioned in the foregoing petition and that the facts stated therein are true, as he verily believes.

sworn Benj. F. Hudson.

Known to before me, and signed in my presence, this 6<sup>th</sup> day of July, 1918

Eduard H. Porter, Probate Judge.

Order  
Fixing  
Time of  
Hearing  
and for  
Notice

8988

Journal Entry: Order Fixing Time of Hearing and for Notice, Probate Court, Union County, Ohio.

Benjamin F. Hudson, as  
Guardian of  
Floyd G. Hudson,  
Chester J. Hudson, and  
Dana W. Hudson, Minors,  
Plaintiff.

Saturday, July 6<sup>th</sup> 1918  
Petition to Sell Real Estate.

His Wards, et al.

Defendants, Order For Notice

Final Record, Union County Probate Court

8988

This day Benjamin F. Hudson Guardian of Floyd G. Hudson, Chester J. Hudson, and Dana W. Hudson, minors, appeared in open court and filed his petition duly verified asking for the sale of real estate therein described, belonging to his said wards, and Adam Johnson.

It is ordered that the time of hearing said petition be and hereby is fixed for the 20<sup>th</sup> day of July 1918, at One O'clock P.M.

It is further ordered that said Guardian cause notice thereof, and of the filing and demand of said petition to be given to said Floyd G. Hudson, Chester J. Hudson, and Dana W. Hudson, his wards, and to Adam Johnson, widower of Mary L. Johnson, deceased, in writing to be served upon them personally, and by leaving copies thereof at the usual place of residence of each of those who cannot be served personally six days before said day of hearing, and this cause is continued.

Edward W. Porter, Probate Judge.

8988

Notice

The State of Ohio, Union County, ss.

Notice.

To Floyd G. Hudson, Chester J. Hudson, and Dana W. Hudson, minors and Adam Johnson.

You are hereby notified that on the 6<sup>th</sup> day of July, 1918, the undersigned as Guardian, filed in the Probate Court of Union County, Ohio, a petition the object and prayer of which is to procure said court to order the assignment of dower, and the sale of the Real Estate of the said Floyd G. Hudson, Chester J. Hudson and Dana W. Hudson, minors situated in the County of Union, in the State of Ohio, and in the Township of Down, and described as follows, to-wit:

In Survey No. 5497, and being the undivided one-fourth of nine acres and seventy poles of land of which said lands one Mary L. Johnson, late of said Township, County, and State died seized in fee-simple, said lands are more particularly described by metes and bounds in the petition, aforesaid, reference to which is here made for a detailed description.

Said petition will be for hearing by said court on the 20<sup>th</sup> day of July, 1918, at One O'clock P.M., at which time an order will be asked, as prayed for in said petition.

Dated this 8<sup>th</sup> day of July, 1918.

Benj. F. Hudson.

Guardian of Floyd G. Hudson, et al.

Affidavit of Service

8988

The State of Ohio, Union County, ss.

I, Benjamin F. Hudson, being duly sworn, say,

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affidavit of Service.

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Answer of Widower

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Order.

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Final Record, Union County Probate Court

G. Hudson appeared in King for the to his said id petition s. at One a cause of said chester J. Hudson, Johnson, to be served thereof at who saw id day of Probate Judge. Hudson, Minors of July, 1918. Probate object and to order the her Real Hudson and county of ship of t one-fourth of which id down- e - simple, d by Metes reference scription, said bonds, P. m., at as prayed t. al. say.

8988  
affidavit  
of Service.

that on the 12<sup>th</sup> day of July, 1918, I served this writ by delivering a true copy thereof personally to the following named persons, to wit:  
Floyd G. Hudson, Chester J. Hudson, Dana H. Hudson, and Adam Johnson, and that I am the legal guardian and father of said minors, with whom they reside. Their mother is deceased.

Benj. F. Hudson.

Sworn to before me and signed in my presence, this 13<sup>th</sup> day of July, 1918, Edw Agnes D. Porter, Deputy Clerk

8988

Answer of Widow

In the Probate Court of Union County, Ohio,  
Benjamin F. Hudson, as Guardian, vs. 8988  
Of Floyd G. Hudson et al. Answer of Widow  
Plaintiff.

Answer  
of  
Widow

His Wards et. al  
Defendants.

Proceedings to Sell Real Estate  
of Minor Wards.

And now comes Adam Johnson one of the defendants in the above entitled cause and solemnly enters his appearance herein, and for his answer to the petition in this case filed, says: that he is the widow of Mary L. Johnson, deceased, who was seized of the lands in the petition described at the time of her death; that he consents to the sale of the real estate of said minor wards, as prayed for, and that he waives the assignment of his dower in said premises by metes and bounds, or in rents and profits; and asks the court that said premises may be sold free from his apparent dower estate therein; and that he makes no claim of a dower estate in said Decedent's real estate whatsoever, and hereby renounces the same in accordance with the terms of a written agreement entered into with the said Mary L. Johnson in her life time, to wit, on the 31<sup>st</sup> day of November, 1910.

his  
Adam X Johnson  
Mark.

8988

The State of Ohio, Union County, ss.  
Adam Johnson being duly sworn, makes oath that the facts stated in the foregoing answer are as he believes, true.

his  
Adam X Johnson  
Mark.

Sworn to by said Adam Johnson before me, and signed by him, in my presence, this 13<sup>th</sup> day of July, A.D. 1918. Edw Edward D. Porter, Probate Judge.

Final Record, Union County Probate Court

8988  
 Order on  
 Hearing of  
 Appraisement

Journal Entry: Order on Hearing of Appraisement  
 Probate Court Union County, Ohio.  
 Benjamin F. Hudson, Guardian, lease no.  
 of Floyd G. Hudson, et al. Monday, July 22 - 1918.  
 Plaintiff Petition to sell Real Estate

vs  
 His Wards et al. Defendants Order of Appraisement.

This day this cause came on to be heard upon the petition, evidence and testimony, and the Court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance herein, and are now properly before the Court, and that the statements and allegations in said petition are true; And the Court being satisfied that it is necessary to sell the real estate of said minor wards, described in the petition, to pay their debts and maintenance &c.

It is ordered that Lee Garbule, Arthur Graham and Joseph Kirby, three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, be and they hereby are appointed to appraise said lands at their true value in money, free from the down estate of said Adam Johnson, their minor.

It is further ordered that said appraisers be sworn as required by law, and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, and this cause is adjourned.

Edward H. Porter, Probate Judge

8988  
 Order of  
 Appraisement

Order of Appraisement  
 The State of Ohio, Union County, ss. Probate Judge  
 To Benjamin F. Hudson, as Guardian of Floyd G. Hudson, Chester J. Hudson, and Dana H. Hudson, Minors

Greeting:

In obedience to an order and decree of the Probate Court within and for said County, made this day in a certain cause, wherein you as Guardian are Plaintiff and your said Wards et al. are Defendants, you are commanded that by the oath of Lee Garbule, Arthur Graham and Joseph Kirby, judicious disinterested men of the vicinity, not of kin to the petitioners, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises, free of the down estate of Adam Johnson

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Final Record, Union County Probate Court

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therein. to wit:

The undivided one fourth part of the following described real estate, viz: Situated in the county of Union, in the State of Ohio, and in the Township of Down, and in Survey, No. 5497, and bounded and described as follows. to wit:

Beginning at a stone and two sugar trees North east corner to Lot, No. 10, of the subdivision of said Survey, and in the East line of said Survey; thence with said line S. 5° 15' E. 43 poles to a stake Northeast corner to Rachel J. Perkins land; thence with the north line of said land S. 83° 45' W. 65 poles to a stake North West corner to said land and in the East line of the S. D. said land; thence with said line N. 5° 15' W. 43 poles to a stone a corner to said land in the North line of said Lot, No. 10; thence with said line N. 83° 45' E. 65 poles to the beginning, containing 17 acres 70 poles of land, Excepting therefrom 1 acre off of the West side of the above described premises, conveyed by Albert Gardner to Lutelle Steiner August 7<sup>th</sup> 1899, refer to Volume of Deeds, No. 79, page 358, Union County Records; and that said wards are the joint owners of the undivided one fourth of the said above described real estate, in fee simple.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you there and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court, and the Seal of said Court, at Mansfield, Ohio, this 22<sup>nd</sup> day of July, 1918.  
Edmund H. Porter, Probate Judge

Return

8988

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 25<sup>th</sup> day of July, 1918.

Benjamin T. Hudson, Plaintiff

8988

Oath of Appraisers

Oath of Appraisers

The State of Ohio,  
Union County, ss.

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

Lev Samble, Arthur Graham, J. W. Tully Appraisers



Final Record, Union County Probate Court

8988

Known to before me, and signed in my presence, this 25<sup>th</sup> day of July, 1918

Guy D. Mitchell, Justice of the Peace.

Term expires Dec 31-1917.

8989

Appraisers' Return

Appraisers' Return

In obedience to the foregoing order after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at four hundred dollars, free from the said dower estate of Adam Johnson

Known under our hands, this 25<sup>th</sup> day of July, 1918

Lee Gamble, Arthur Graham, J. M. Kirby, Appraisers.

Fees of Appraisers 2<sup>00</sup> per day each.

8988

Orders

Journal Entry: Orders Approving Appraisement and for Bond, Probate Court, Union County, Ohio.

Approving Appraisement and for Bond.

Banjamin F. Hudson, as Guardian, of Lloyd G. Hudson, et al. minor Plaintiff

Thursday, July, 25<sup>th</sup> 1918. Petition to Sell Real Estate No. 8988

This said Words et al. Defendants.

Orders for Bond.

This day came the said Plaintiff by his attorney, and produced to the court, the report of an appraisement herein made by Lee Gamble, Arthur Graham, and Joseph Kirby in pursuance of a former order of this court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

And it further appearing to the court that said Guardian should give an additional bond in the premises, pursuant to the statute for such case provided.

It is further ordered that said Benjamin F. Hudson, as such Guardian, execute within ten days to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the court in the sum of Eight Hundred Dollars, conditioned according to law, and this cause is continued.

Edward H. Proctor, Probate Judge, Guardian's Bond.

8988

Bond.

Know all men by these presents, that we, Benj. F. Hudson, and National Surety Company, are held and firmly bound unto the State of Ohio, in the sum of Eight Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and Administrators, Signed by us, and dated at Marysville, Ohio, this 10<sup>th</sup> day of August, 1918.

The condition of the above obligation is such, that

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Final Record, Union County Probate Court

8985

whereas, the above bound Benjamin F. Hudson was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, guardian of Floyd G. Hudson, Chester J. Hudson, and Dora M. Hudson, Minors. And whereas the said Benjamin F. Hudson as such Guardian, has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Wards described in said petition, which under proceedings in said Court duly had, has been appraised at the sum of Four Hundred Dollars.

And whereas, said Court, on the 25<sup>th</sup> day of July, 1918 made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now, if the said Benjamin F. Hudson, as Guardian aforesaid, shall faithfully discharge his duties as such Guardian, and faithfully pay over and account for all moneys arising from the sale of said Real Estate according to law, then this obligation to be void, otherwise to remain in full force.

Benjamin F. Hudson.

National Surety Company.

By Charlotte Henderson Atty-in-fact. Richard L. Cameron, Atty-in-fact.

This Bond Approved in open Court, this 10<sup>th</sup> day of August, 1918.  
Edward H. Porter, Probate Judge.

8988

Application To Sell Real Estate at Private Sale.  
Probate Court, Union County, Ohio.

Benjamin F. Hudson, as Guardian  
Of Floyd G. Hudson, et. al.  
Plaintiff

No. 8988

Petition To Sell  
Real Estate.

Application  
To  
Sell Real  
Estate

His said Wards.

Application.

at  
Private Sale.

Defendants.

The said Plaintiff represents that it would be for the best interest of the said Minor Wards to sell the real estate described in the petition in this case at private sale for the following reasons:

1. The interest of said Minors in said lands is undivided.
2. Said undivided interest cannot be profitably managed.
3. Plaintiff has a bona fide offer of the appraisement.
4. A private sale will save a considerable amount of costs.
5. The appraisement is a reasonable and fair valuation of said undivided interest.

And he therefore asks for an order authorizing him to sell said real estate at private sale.

Benjamin F. Hudson  
Guardian of  
Floyd G. Hudson et. al.

Final Record, Union County Probate Court

8988

The State of Ohio, Union County, ss.

Benjamin F. Hudson bring duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.

Benjamin F. Hudson,

Sworn to before me, and signed in my presence, this 16<sup>th</sup> day of August, 1918.

Edward H. Porter Probate Judge.

8988

Benjamin F. Hudson  
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Affidavit Of Disinterested Person -

The State of Ohio, Union County, ss.

Affidavit  
Of  
Disinterested  
Persons

C. D. Hoopes and H. E. Shuler, bring duly sworn, says that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matter therein referred to, and that it will be more for the interest of the said minor wards to sell said real estate at private sale than at public sale upon the grounds set forth in the within and foregoing application as they verily believe.

C. D. Hoopes,  
H. E. Shuler,

Sworn to before me, and signed in my presence, this 15<sup>th</sup> day of August 1918.

J. Edelblute, J.P.

8988

Journal Entry: Orders Approving Bond for Private Sale - etc.  
Probate Court, Union County, Ohio.

Orders  
Approving  
Bond  
For

Benjamin F. Hudson as Guardian  
Of Floyd G. Hudson et al. Minors,  
Plaintiff

Friday August 16<sup>th</sup> 1918.  
Petition To Sell Real Estate

Private Sale

His said wards et al.  
Defendants.

Order of Sale etc.

This day this cause came on further to be heard, and it appearing to the Court that the said Benjamin F. Hudson, the plaintiff above named has given bond as heretofore ordered, in the sum of eight hundred Dollars with National Surety Company, as surety, it is ordered that said bond be and hereby is approved.

And it appearing to the Court that the defendant, Adam Johnson, widow of Mary L. Johnson, deceased, by his Answer herein filed voluntarily renounces all claim of dower in the premises, and consents to the sale of the lands in the petition described free of and from his appaunt dower estate therein.

And it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said minors to sell the real estate described in the petition at private sale.

It is therefore further ordered that said

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Order  
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Final Record, Union County Probate Court

8988 Benjamin F. Hudson as such Guardian proceed to sell said real estate free of all down estate of Adam Johnson, at private sale, for not less than the appraised value thereof, on the following terms, to-wit, cash in hand on day of sale. And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge.

8988 Order Of Sale.

The State of Ohio, Union County, ss. Probate Court  
 To Benjamin F. Hudson, Guardian of Floyd G. Hudson, et. al. Greeting;

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, no. 8988 now pending in said Court, wherein you as Guardian of Floyd G. Hudson, Robert J. Hudson, and Dora M. Hudson, Minors, are Plaintiff and your wards et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than the appraised value thereof free of down the following described premises, to-wit: The undivided One-fourth part of the following described real estate, viz:

Situated in the County of Union, in the State of Ohio, and in the Township of Dover, and in Survey No. 5497, and bounded and described as follows to-wit: Beginning at a stone and two sugar trees Northeast Corner to Lot No. 12 of the subdivision of said Survey, and in the East line of said Survey; Thence with said line N. 5° 15' E. 43 poles to a stake Northeast corner to Rachel J. Perkins' land; Thence with the North line of said land N. 83° 45' W. 65 poles to a stake Northeast corner to said land and in the East line of the S. D. Laird land; Thence with said line N. 5° 15' E. 43 poles to a stone a corner to said land in the North line of said Lot No. 12; Thence with said line N. 83° 45' E. 65 poles to the beginning, containing 17 acres and 70 poles of land. Excepting therefrom 8 acres off of the West side of the above described premises, conveyed by Albert Gardner to Lutele Steiner August 7<sup>th</sup> 1892, refer to volume of Deeds, No. 79, page 358, Union County Records.

Said sale to be free of down, and to be upon the following terms: Cash in hand and in full on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Final Record, Union County Probate Court

8988 Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 16<sup>th</sup> day of August, 1918.  
Edmund W. Porter, Probate Judge

8988 Return  
To the Probate Court of Union County Ohio:  
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Return Dated the 20<sup>th</sup> day of August 1918.  
Benjamin F. Hudson, Guardian of Floyd G. Hudson, and others.

8988 Report of Sale  
In obedience to the within order I sold said premises on the 20<sup>th</sup> day of August A.D. 1918 to Gail Boucher for the sum of Four Hundred Dollars, said sum being the appraised value of the same, Benjamin F. Hudson, Guardian of Floyd G. Hudson and others.  
Dated the 20<sup>th</sup> day of August A.D. 1918.

The State of Ohio, Union County ss.  
The above named Benjamin F. Hudson, Guardian of Floyd G. Hudson, Chester J. Hudson, and Dana W. Hudson, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.  
Benjamin F. Hudson, Guardian

Sworn to before me and signed in my presence, this 20<sup>th</sup> day of August, A.D. 1918.  
Edmund W. Porter, Probate Judge

8988 Journal Entry: Confirming Sale and Ordering Distribution  
In the Probate Court of Union County, Ohio,  
Benjamin F. Hudson, as Guardian vs. 8988  
of Floyd G. Hudson, et al. Tuesday August 20<sup>th</sup> 1918  
Plaintiff. Journal Entry.

Confirming Sale and Ordering Distribution  
His said wards, et al. Defendants. Confirming Sale and Ordering Distribution.

This day this cause came on to be heard on the return of the Order of Sale heretofore issued herein to Benjamin F. Hudson, Guardian & of his proceedings and sale thereunder.  
Thereupon the Court after carefully examined said return and being satisfied that such sale has in all respects been made according to law, and the former order of this Court, it is therefor considered and ordered by the Court that said

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Final Record, Union County Probate Court

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sale be and the same hereby is approved and confirmed; and said Benjamin F. Hudson, as such Guardian is hereby ordered to execute and deliver to Gail Boucher, the purchaser, a good and sufficient deed for the premises so sold.

And the Court coming now to distribute the proceeds of said sale in the hands of said Guardian, viz: \$400.00, orders, that he pay:  
First: - To the Treasurer, the taxes, penalties, and interest thereon against said lands amounting to the sum of \$ - - -  
Second: - To the Clerk of this Court, the costs of this action herein taxed at \$ - - - and  
Third: - That, after making reasonable provision for the current necessities of said minor wards, said Guardian invest the balance of the proceeds of said sale in approved securities pursuant to the Statute governing the administration of Guardianship estates for such cases provided.

Eduard H. Porter, Probate Judge.

9004  
Filed  
Aug. 8<sup>th</sup> 1918

Petition for Sale of Real Estate To Pay Debts.

Probate Court, Union County, Ohio

Aug. 8<sup>th</sup> 1918

Charles Michel, Administrator  
Of The Estate Of  
Elijah Brown, Deceased,  
Plaintiff.

No 9004  
Civil Action.

vs.  
Wilson Brown, William Brown,  
Mattie Boyer, Minnie Moore,  
Jennie Shirk, Asa Brown,  
Ella Brown, Anna Hinton,  
Charles Michel,  
Defendants.

Petition To  
Sell Real Estate.

Petition.

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of Elijah Brown, late of Milford Center, Union County, Ohio, deceased; that the amount of debts due from the deceased is Four Hundred and fifty (\$450.00) Dollars, as near as can be ascertained that the charges of administration of said estate will amount to about Four Hundred and fifty (\$450.00) Dollars; and that the total value of the personal estate and effects of said deceased is but Eighty (\$80.00) Dollars, being wholly insufficient to pay the debts and costs aforesaid. The



Final Record, Union County Probate Court

9004

plaintiff further represents that said Elijah Brown died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit:

All of lots number One hundred and fifty-nine and number One hundred and sixty (Nos. 159 and 160) in the Village of Milford Center, Union Township, Union County, Ohio.

To a plat of which village in the Recorder's office of Union County, Ohio, reference is hereby had for a more complete description.

The said decedent died leaving the defendant as widow, who is entitled to dower in said premises; that the defendants Wilson Brown, William Brown, Mattie Coyer, Minnie Moon, Jennie Shirk, Asa Brown, Estu Brown, Anna Hinton are the only heirs of said decedent, having the next estate of inheritance from said Elijah Brown, deceased, in said premises; that the Defendants Wilson Brown, William Brown, are brothers of decedent and Mattie Coyer and Anna Hinton are sisters and not necessary parties, that defendants Minnie Moon, Jennie Shirk, Asa Brown and Estu Brown are the direct heirs of said decedent.

That the defendant Charles Michels, claims some lien or mortgage upon the real estate of the decedent

The Plaintiff therefor prays that the rights, interests and liens of the said defendants Minnie Moon, Jennie Shirk, Asa Brown, and Estu Brown and Charles Michels may be fully determined, adjusted and protected according to equity, and that your petitioner may be authorized and ordered to sell said real estate according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

9004

The State of Ohio, Union County, ss.

(Cath)

Charles Michels the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Charles Michels

Subscribed before me and signed in my presence this 6<sup>th</sup> day of August 1918.

H. L. Agner, Notary Public

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Final Record, Union County Probate Court

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9004  
filing  
Petition to  
sell  
Real Estate,

Journal Entry: Filing Petition to Sell Real Estate  
In the Probate Court of Union County, Ohio,  
Lecharles Michel, Administrator  
Of the Estate of  
Elijah Brown, dec'd,  
Plaintiff

August, 8<sup>th</sup> 1918,  
Case No. 9004  
Journal Entry,

Minnie Moor, et al,  
Defendants,

Filing Petition to Sell  
Real Estate.

This day came the Plaintiff Lecharles Michel, Administrator of the estate of Elijah Brown, deceased, and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said Elijah Brown, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Whereupon, it is considered and ordered by this court that the said petition be filed, and that due and legal notice of the filing, pendency, and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Eduard H. Porter Probate Judge

9004  
Answer and  
Cross-  
Petition of  
Chas. Michel  
Setting up  
Mortgage lien.

Answer and Cross-Petition of Chas. Michel  
Setting up Mortgage Lien  
Now comes Charles Michel, one of the defendants in the above entitled cause, and admits that the Plaintiff is the duly appointed and qualified Administrator of the estate of Elijah Brown, deceased, but he knows nothing of the other matters and things set forth in said petition and therefor denies the same.

By the way of cross-petition, this defendant says that on or about the 20<sup>th</sup> day of November, A.D. 1914 the said Elijah Brown, was indebted to him in the sum of (\$150 and <sup>25</sup>/<sub>100</sub>) One hundred fifty and <sup>25</sup>/<sub>100</sub> Dollars, payable one year after date, with interest from date at the rate of 8% per annum. That in order to secure the payment of said indebtedness the said Elijah Brown, executed and delivered to this defendant a mortgage dated Nov. 20<sup>th</sup> 1914, on the premises described in the petition for sale in this cause. That on the 21<sup>st</sup> day of November 1914, at 1.15 P.M. said mortgage was delivered to the Recorder of Union County, Ohio, and was recorded on the 27<sup>th</sup> day of November 1914, in Volume 72 page 97 record of mortgages of Union

Final Record, Union County Probate Court

9004

County, Ohio.

That in said mortgage it is provided 'that if said Elijah Brown, shall pay said indebtedness and interest when due then this conveyance shall be void'.

This defendant says that no part of said indebtedness has been paid. That said mortgage has become absolute, and that there is now due and owing to this defendant thereon the sum of (\$ 150.28) One hundred fifty and 28/100 with interest from December 1-1917 at the rate of 7% per annum as specified.

Wherefore this defendant prays that said premises may be sold, that his debt with interest be paid in full out of the proceeds of sale and that he may have all other proper relief.

Charles Michel.

By John L. Hinkade, his atty.

9004

State of Ohio, Union County, ss-

Oath.

Charles Michel, being duly sworn, says that he is the cross-petitioner in the foregoing pleading and that the facts set forth in his said answer and cross-petition, are true.

Charles Michel.

Sworn to before me and signed in my presence this 19<sup>th</sup> day of August 1918.

John A. Kennington, Notary Public.

9004

Wainr.

In The Probate Court of Union County, Ohio  
no. 9004.

Wainr

Charles Michel, Administrator  
Of the estate of  
Elijah Brown, Deceased.  
Plaintiff

Petition To Sell  
Real Estate

vs.

Minnie Moon, et al.  
Defendants.

Wainr Of Process  
and

Consent To Sell.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of The estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the court ordered.

Charles Michel, Minnie Moon, Jennie Sisk, A.C. Brown,

9004

Summons

9004

Return

9004

Motion to State  
dismiss  
as to  
Certain  
Defendants.



Final Record, Union County Probate Court

9004

Summons

The State of Ohio.

Union County ss.

To Charles Michel, Administrator of Union County; Gentl:

Summons

You are commanded to notify Esta Brown, who is under the age of fourteen years, making service of this summons upon her and also if either of them can be found, upon her guardian or her father, or if neither her guardian nor her father can be found, then upon her mother, or the person having the care of such infant, that she has been sued by Charles Michel Administrator of the estate of Elijah Brown, deceased & Minnie Moore et al. in the Probate Court of Union County, and that unless she answers by the 19 day of October A.D. 1918, the petition of said Plaintiff against her filed in said Court, such petition will be taken as true, and judgment rendered accordingly. You will make due return of this summons on the 30 day of September A.D. 1918.

Witness my hand and the seal of said Court, this 20<sup>th</sup> day of September A.D. 1918.  
Edward H. Porter,  
Probate Judge & Ex-Officio Clerk of the Probate Court of said County.

9004

The State of Ohio.

Return

Union County ss.

Return

Recited this writ September 20<sup>th</sup> A.D. 1918, at 5 o'clock P.M. and pursuant to its command I served the same by delivering a copy thereof with the endorsements thereon, personally to the Michels named defendants, on the days hereafter named, viz: September 23- 1918 to Esta Brown, and also as to the Michels named defendants, under the age of fourteen years, September 23- 1918, to Mary Gordon the grand mother of such infant, Esta Brown in whose care and custody said infant is.

Chas. Michel.

9004

Motion to dismiss as to certain defendants.

Motion to dismiss as to certain Defendants.

State of Ohio, Union County. In Probate Court  
Charles Michel, Administrator

of the estate of  
Elijah Brown, dec'd,  
Plaintiff.

11. 9004

Proceedings to Sell Real Estate

Minnie Moore et al.  
Defendants

Motion to dismiss as to certain defendants.

Now comes the Plaintiff by his Attorney John H.

Final Record, Union County Probate Court

9004 Kinkeads and moves the court to dismiss this proceeding as to Wilson Brown, William Brown, Mattie Boyer, and Anna Hinton named as defendants for the reason that they are not necessary parties.

John H. Kinkeade Atty.

9004 Entry:  
State of Ohio, Union County, In Probate Court.  
Charles Michel, Administrator \* 9004  
of the estate of Elijah Brown, dec'd. Proceeding to sell  
Plaintiff. Real estate.

Entry  
dismissing  
as to certain  
defendants

Minnie Moon, et al. Defendants. Entry dismissing as to certain defendants

This cause came on for hearing upon the motion to dismiss as to the defendants Wilson Brown, William Brown, Mattie Boyer and Anna Hinton, for the reason that they are not necessary parties defendant herein.

The court finds that the said Elijah Brown left surviving him, direct heirs, his children, the defendants Minnie Moon, Esti Brown, Jennie Shirk, Asa Brown, who are properly defendants herein being next of kin to decedent. But that the defendants named in said motion to dismiss are only brothers and sisters of decedent and are not next of kin and not necessary parties defendant herein.

Said motion to dismiss as to said named defendants Wilson Brown, William Brown, Mattie Boyer and Anna Hinton is therefore sustained.

Edward H. Porter, Probate Judge.

9004 Application for Appointment of Guardian ad litem.  
Probate Court Union County, Ohio.  
No 9004  
Charles Michel, Administrator  
Of the Estate of  
Elijah Brown, Dec'd.  
Plaintiff.

Application  
for  
Appointment  
of  
Guardian  
ad litem

Minnie Moon et al. Defendants.

application.

To The Hon. E. H. Porter, Judge of said Court.  
The undersigned Charles Michel, Administrator of the estate of Elijah Brown, deceased, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case. The Defendant Esti Brown, a minor under the age of fourteen years and has been duly served with summons herein according to law service of summons also being made upon Mary Gordon her grand mother under whose custody

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9004 The  
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Final Record, Union County Probate Court

9004 said minor is  
 The undersigned suggests that Frank G. Fullington  
 who is a suitable person be appointed as such Guardian  
 ad litem.  
 Respectfully,  
 Charles Michel Admin. &c.  
 By John H. Kinkade

9004 Journal Entry:  
 Probate Court, Union County, Ohio.  
 Charles Michel, Administrator  
 Of The Estate of  
 Elyah Brown, Dec'd.  
 Plaintiff.

Appointment of  
 Guardian  
 ad litem  
 vs.  
 Minnie Brown et al.  
 Defendant.

Appointment of  
 Guardian ad litem.

This day Charles Michel Administrator of the  
 estate of Elyah Brown, dec'd by his Attorney John H. Kinkade,  
 appeared in open court and made application for  
 the appointment of a Guardian ad litem for the  
 minor defendant in this case.

And it appearing to the court that the  
 defendant Estu Brown, a minor under the age of  
 fourteen years, and has been duly and legally  
 served with summons herein, and also sum-  
 mons served upon Mary Gordon, her grand mother,  
 whose care and custody said minor now is,  
 it is ordered that Frank G. Fullington be and hereby  
 is appointed Guardian for the suit for said  
 minor defendant.

And now comes the said Frank G. Fullington  
 and in open court accepts said appointment.  
 Edward W. Porter Probate Judge.

9004 Answer of Guardian Ad litem  
 The State of Ohio, Union County, ss.  
 In The Probate Court of said County,  
 Answer  
 of  
 Minor  
 Defendant Minnie Brown, et al.  
 vs.  
 Defts.  
 Answer of Minor Defendants.

And now come the said Estu Brown the minor  
 defendant to the petition in said cause, by  
 Frank G. Fullington her Guardian ad litem, heretofore  
 appointed in said cause by said court,  
 and for answer to said petition, denies all the  
 material allegations therein contained, prejudicial  
 to said minor defendant; and further



Final Record, Union County Probate Court

9004 says, she is of tender years and not acquainted with the law in such cases.

She therefore prays the court to protect her rights in this case and for such relief as may be just.

Estate Brown,

By Frank G. Fullington, Guardian ad litem.

9004 Entry: State of Ohio, Union County, Charles Michel, Administrator of the Estate of Elijah Brown, dec'd. Plaintiff.

In Probate Court, No. 9004 Proceedings to sell real estate

Entry decreeing sale

v.

Minnie Brown, et al. Defendants.

Entry decreeing sale and Ordering appraisement

This cause coming on for hearing on the petition, the answer of the lien holder, the answer of the guardian ad litem etc., and the matter having been fully considered by the court. The court find that all the parties in interest all of said defendants have been duly and legally served with summons according to law or have voluntarily entered their appearance herein and are now legally in court, and the matter having been fully considered by the court. The court find that the sale of the real estate for the payment of debt as prayed for in said petition is necessary. It is therefore ordered

and adjudged by the court that the real estate described in the petition be appraised by the oaths of A. B. Haynes, J. Leas Gross and John A. Pennington, three judicious and disinterested men of the vicinity, freeholders, whom the court hereby appoints for that purpose and that they return their proceedings to this court for confirmation.

The court further find that the mortgage lien of the defendant Charles Michel as set forth in his answer and cross-petition, in the sum of \$150.00 with interest from Dec. 1st, 1917 at the rate of 8% per annum, is a just valid and first lien upon said premises as set forth in said answer and cross-petition.

Edward H. Porter, Probate Judge

Order of Appraisement

9004 Order of Appraisement

The State of Ohio, Union County, ss. To Charles Michel, Administrator of the Estate of Elijah Brown, deceased. Greeting:

Probate Court

9004

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9004

Return

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9004

Order of Appraisement

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Done... day

Final Record, Union County Probate Court

9004

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Administrator of the estate of Elijah Brown, deceased, are Plaintiff and Minnie Brown et al. are Defendants, you are commanded that by the oath of C. S. Haines, Lehar Gross, and John A. Henning's judicious disinterested men of the vicinity, not of kin to the feeholders, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made, according to law, of the following described premises, free of towns, therein, to-wit:

All of lots number One hundred and fifty-nine and One hundred and sixty (Nos 159 and 160) in the Village of Milford Center, Union Township, Union County, Ohio.

To a plat of which Village in the Recorder's Office of Union County, Ohio, reference is hereby had for a more complete description.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you then and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the seal of said Court, at Mansfield, Ohio, this 24<sup>th</sup> day of October, 1918.  
Edmund H. Porter, Probate Judge.

9004

Return

To the Probate Court of Union County, Ohio;

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 24<sup>th</sup> day of October 1918.

Charles Michels, Administrator.

9004

Oath of Appraisers

Oath

The State of Ohio, Union County, ss.

Of Appraisers.

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

John A. Hennington  
Lehar Gross  
C. S. Haines

Appraisers.

Shown to before me, and signed in my presence, this 24<sup>th</sup> day of October, 1918.  
H. L. Agner

Notary Public, Union Co., Ohio

Final Record, Union County Probate Court

9004 Appraisers' Return

The obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we the undersigned appraisers, estimate the value of said real estate at Five Hundred Dollars.

Given under our hands, this 24<sup>th</sup> day of October, 1918.

John A. Remington  
 J. Chas. Gross, Appraisers  
 Chas. S. Haynes

Fees of Appraisers \$ 2.00 per day each.

9004 State of Ohio, Union County, Du Probate Court,  
 Charles Michel, Administrator vs. 9004  
 Of the estate of Proceedings to sell  
 Elijah Brown, dec'd. real estate  
 Plaintiff.  
 vs  
 Directing Sale of Premises, and  
 Directing Sale of Premises, and

Minnie Mowbr, et al. Defendants.

This cause coming on further to be heard, and it appearing that by an order this Court an appraisement of the Premises described in the petition has been made by the appraisers, C. S. Haynes, J. Chas. Gross, and John A. Remington, appointed by this Court for that purpose, the Court approves and confirms said appraisement.

It is further ordered and adjudged by the Court that Charles Michel the Administrator advertise and sell at public vendue on the premises, according to law, for not less than two-thirds of the appraised value, thereof the real estate described in the petition on the following terms: to-wit, Cash, and that the said Administrator make due return to this Court.

Edward H. Postor, Probate Judge.

9004 Order of Sale. Free of Dower.

The State of Ohio, Probate Court,  
 Union County ss.  
 To Charles Michel, Administrator of the estate of  
 Free of Dower. Elijah Brown, deceased, Greeting:  
 In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Administrator of the estate of Elijah Brown, deceased, are Plaintiff and Minnie Mowbr et al, are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than the

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Final Record, Union County Probate Court

9004 appraised value thereof free of the dours of any one the following described premises, to-wit:

All of lots number One hundred and fifty-nine and number one hundred and sixty (Nos. 159 & 160) in the village of Milford Center, Union Township, Union County, Ohio.

To a plat of which Village in the Recorder's Office of Union County, Ohio, reference is hereby had for a more complete description.

Said sale to be free of the dours of any one, and to be upon the following terms: Cash in hand on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Mansville, Ohio, this 5<sup>th</sup> day of November, 1918.

Edward W. Porter, Probate Judge.

9004

Return.

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 7<sup>th</sup> day of December, 1918.

Charles Michels.

9004

Report of Sale.

Report of Sale.

In obedience to the within order, I duly advertised the real estate therein described for sale in the Milford Center, Ohio, a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate, for at least 4 consecutive weeks prior to the 7<sup>th</sup> day of December, 1918, the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour of One O'clock P.M., I attended the sale and by Oscar Miller Auctioneer and offered said real estate for sale free of the dours estate of any one therein, when Glen Stillings and Edith Stillings (husband and wife) bid to pay for the same the sum of Five Hundred and Seventy (\$570.) Dollars, which being the highest and best bid that was offered, and being more than two-thirds the appraised value of said premises, I then and there sold the same to them for that sum.

Charles Michels

9004.

Dated the 7<sup>th</sup> day of December, 1918.

Final Record, Union County Probate Court

9004	Entry: State of Ohio, Union County	In Probate Court	9004	Union
Entry	Charles Michel, Administrator	no. 9004	1919.	Dno
Confirming	Of the Estate of	Proceedings to sell	Dno	Prin
Date	Elijah Brown, decd. Plaintiff.	Real Estate	Prin	Bice
and	vs.	Entry, confirming sale	Bice	Dno
Distributing	Minnie Brown, et al. Defendants.	and Distributing	9004.	Dno
<p>This cause coming on now to be heard, on the return of Charles Michel, Administrator, of his proceedings and sale under the order of this court. The court after having carefully examined said return, and being satisfied that such sale has in all respects been legally made, does hereby approve and confirm the same, and order that the said Charles Michel, as such Administrator make to the purchasers Glen Stilling and Edith Stilling (husband and wife) a good and sufficient deed for the premises so sold.</p>				
<p>It is further ordered that satisfaction of the mortgage herein set forth in the cross-petition of Charles Michel be entered on the record thereof in the office of the Recorder of Union County, Ohio, where it is recorded.</p>				
<p>And the court coming unto distribute the proceeds of said sale amounting to Five hundred and Seventy (\$570.) Dollars, the sale being for cash.</p>				
<p>It is ordered that said Administrator out of the moneys in his hands, Pay:</p>				
<p>First: To the Treasurer of this County the tax \$</p>				
<p>Second: The costs, as follows:</p>				
<p>Court costs of sale - etc \$ ---</p>				
<p>The Ohioan Advertising sale \$ ---</p>				
<p>The Auctioneer Oscar Miller \$ ---</p>				
<p>J. H. Kinkade, Attorney \$ 25.00</p>				
<p>Third: To Charles Michel, on the note and mortgage set forth and described in his cross-petition herein, the sum of \$ 167.50</p>				
<p>which the court finds to be the amount due him.</p>				
<p>Fourth: The balance of said fund, amounting to the sum of \$ --- be distributed by said</p>				
<p>Administrator according to law.</p>				
<p>Edward W. Porter, Probate Judge</p>				
9004	Proof of Publication.			
Proof of Publication	State of Ohio, Union County.			
<p>The undersigned, being duly sworn, says that a copy of the annexed notice was published for 14 consecutive weeks in the Mifflord Center Ohioan a newspaper of general circulation in the County of</p>				
9004	Ad	8842	Div	Filer July, 11-1918
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Final Record, Union County Probate Court

9004 Union, said publication beginning with issue of Nov. 14, 1919.

A. L. Agner

Done and subscribed before me this 7<sup>th</sup> day of July, 1919  
 (Seal) John A. Kennington, Notary Public

Printers Fees \$7.40

Bills 1.50  
 \$ 8.90

Administrators Sale. Of Real Estate.

9004. In pursuance of an order of the Probate Court, of Union County, Ohio, I will offer for sale, at public auction, on Saturday, the 7<sup>th</sup> day of December, 1918, at One O'clock P.M. upon the premises, the following described Real Estate, situated in the Village of Milford Center, County of Union, and State of Ohio, to-wit:

All of lots number One hundred and Fifty-nine and One hundred and Sixty (Nos. 159 and 160) in the Village of Milford Center, Union Township, Union County, Ohio.

To a plat of which village in the Recorder's office of Union County, Ohio, reference is hereby had for more complete description.

Said property is appraised at \$500.

Terms of sale, cash.

Charles Michelt.

9004 Administrator of the estate of Elijah Brown, deceased.

8842 In the matter of The Estate of A. E. Philpott, deceased,  
 Files Petition to Sell Personal Property.  
 July, 11 - 1918. Probate Court, Union County, Ohio.

To the matter of  
 The Estate of  
 Charles E. Philpott, Deceased, Petition,  
 No. 8842  
 Petition to Sell Personal Property.

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified Executor of the estate of Charles E. Philpott, deceased, of said County; that the personal property of said has been duly appraised, and the inventory and appraisement thereof filed in said Court.

Your petition makes application for authority to sell at Private sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said inventory and appraisement, to-wit:

1	Bussels mug	\$ 3.00
1	" "	3.00
1	Dining Table	10.00
8842		



Final Record, Union County Probate Court

8842

1	Mirror	2.00
2	Two leaf Table	2.00
5	Dishes	5.00
	Kitchen ware	10.00
1 doz.	Ten spoons	1.00
12 doz.	Table spoons	.75
3	Table cloths	3.20
6	Chairs	1.50
6	Curtain strips	4.50
10	Quilts	5.00
9	Sheets	6.00
12	Towels	1.50
1 Pr	Woolen Blankets	4.50

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Said authority is asked for the following reasons: Can sell for the full appraisement and save the expense of advertising.  
 Flora B. Philpott, Executrix.

8842  
Oath

The State of Ohio, Union County, ss  
 Flora B. Philpott being duly sworn, says that the facts stated in the foregoing petition are true, as he verily believes.

Flora B. Philpott

Known to before me and signed in my presence, this 11<sup>th</sup> day of July, 1918.

<sup>sworn</sup> Agnes D. Porter Deputy Clerk.

8842

Journal Entry: Order for Private Sale, etc.  
 Probate Court, Union County, Ohio.

Order for Private Sale.

In the Matter of  
 The Estate of  
 C. E. Philpott, deceased.  
 July 12<sup>th</sup> 1918.  
 Petition to Sell Personal Property  
 Order of Sale, etc.

This day this cause came on to be heard upon the petition herein filed and the testimony and the Court being fully advised in the premises finds that the statements and allegations in said petition are true, and that the property therein described ought to be sold as prayed for. And the Court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale; it is therefore ordered that Flora B. Philpott as Executrix of said estate of C. E. Philpott, deceased, proceed to sell said personal property at private sale, for not less than the appraised value thereof.

It is further ordered that said sale be made upon the following terms, to-wit: Cash in hand at time of sale.

8842

It is further ordered that said Executrix

8842

Final Record, Union County Probate Court

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8842

make return of her proceedings herein, within six months from this date, and forthwith after such sale is made, and this cause is continued.

Eduard H. Porter, Probate Judge.

8842

Order of Sale. Personal Property.  
Probate Court, Union County, Ohio.

Order of Sale.

In the matter of  
The Estate of  
C. E. Philpott, Deceased.  
To Flora B. Philpott, Executrix of the estate of C. E. Philpott, deceased.

No. 8842.  
Petition to Sell Personal Property.  
Order of Sale.

In obedience to an order and decree of the Probate Court within and for said county, made this day, in the matter of said C. E. Philpott you are hereby authorized and required to proceed according to law to sell at Private Sale, at not less than the appraised value thereof, the following goods and chattels belonging to said C. E. Philpott, deceased, to-wit:

1	Brushes Rug	3.00
1	" "	3.00
1	Dining Table.	10.00
2	Two leaf Table.	2.00
	Dishes	5.00
	Kitchen Ware	10.00
1 doz.	Teaspoons	1.00
1/2 doz.	Tablespoons	.75
3	Towel cloths	3.20
6	Chairs	1.50
1	Sanitary Couch.	3.00
6	Curtain strips	4.50
1	Syr. Stand	.85
10	Quilts	5.00
6	Chairs - oak.	2.00
9	Shirts	6.00
1	Cup board	1.00
12	Towels	1.80
1	Small Table	.75
1 Pr.	Woolen Blankets	4.50
6	Knives	.50
6	Forks	.50
1	Small Mirror	.50
1	Mattress	2.25
1	Trunk	.50
1	Tub	.15
3	W. own	1.00
1	Rocking	2.00
		79.75

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Executrix  
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Personal Property  
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in hand  
Executrix

Final Record, Union County Probate Court

8842 Said sale to be upon the following terms: cash in hand at time of sale.

you will return this order within six months from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court, this 12<sup>th</sup> day of July, 1918.

Edward H. Porter, Probate Judge.

8842

Return.

Probate Court, Union County, Ohio.

In the matter of  
The Estate of  
C. E. Chilpott, deceased.

Petition to Sell Personal Property,  
Report of Sale.

Return

The undersigned, Flora B. Chilpott, Fulton, Exr. of C. E. Chilpott, deceased, says that in obedience to the order of said Court, hereto attached she sold said personal property, commencing on the 12<sup>th</sup> day of July, 1918, and closing on the 1<sup>st</sup> day of Jan. 1919, for the sum of seventy-nine (\$79.35) Dollars, and seventy-five cents, said sum being the appraised value of the same.

A detailed Bill of said Sales is hereto attached.

Dated this 30<sup>th</sup> day of January, 1919.

Flora B. Chilpott, Fulton, Executrix.

1	Brushes rug	3.00	Tom Fulton	3.00
1	"	3.00	Tom Fulton	3.00
1	Dining table	10.00	Tom Fulton	10.00
2	Two Leaf tables	2.00	May Wright Tom Fulton	1.00 1.00
	Dishes	5.00	Tom Fulton	5.00
	Kitchen Ware	10.00	Tom Fulton	10.00
1 doz.	Teaspoons	1.00	Mary Chilpott	1.00
1/2 doz.	Tablespoons	.75	Tom Fulton	.75
2	Table cloths	3.20	Tom Fulton	3.20
6	chairs	1.50	Tom Fulton	1.50
6	curtain strips	4.50	Tom Fulton	4.50
10	Quilts	5.00	Tom Fulton	5.00
9	Sheets	6.00	Tom Fulton	6.00
12	Lounges	1.50	Tom Fulton	1.80
1 pr.	Woolen Blankets	4.50	Tom Fulton	4.50
1	small table	.25	Mary Chilpott	.25
1	cupboard	1.00	Tom Fulton	1.00
6	Knives	.50	Tom Fulton	.50
6	Forks	.50	Tom Fulton	.50
1	small mirror	.50	Margorie Scott	.50
1	mattress	2.25	Tom Fulton	2.25
1	Trunk	.50	Mary Chilpott	.50
1	Tub	.15	Dora Fulton	.15
3	Woolen rugs	1.00	Tom Fulton	1.00

8842

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Order

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Orders  
Approving  
and

Confirming of  
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8788

Filed  
Sept. 4<sup>th</sup> 1917

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Final Record, Union County Probate Court

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8842	1	Rock	2.00	Tom Fulton	2.00
	6	Chairs (oak)	6.00	Flornce Shuburn	6.00
	1	Sq. stand	.85	Mary Philpott	.85
	1	Sanitary couch	3.00	May Wright	3.00
			79.75		79.75

8842 The State of Ohio, Union County, ss.  
Flora B. Philpott, Fulston, Executrix of the estate of  
C. E. Philpott, being duly sworn, says that the foregoing  
report is in all respects true and correct, that such  
sale has been made after diligent endeavor to obtain  
the best price for the property, and that the sale  
reported is for the highest price he could get for  
the property.  
Flora B. Philpott, Fulston, Executrix.  
Sworn to before me and signed in my presence,  
this 30<sup>th</sup> day of January, 1919.  
Eduard W. Porter, Probate Judgr.

8842 Journal Entry:  
Probate Court, Union County, Ohio,  
Thursday, January, 30<sup>th</sup> 1919.  
Petition to Sell Personal Property.  
Orders Approving and Confirming Sale.  
C. E. Philpott, deceased.  
This day this cause came on to be heard on the report  
of Flora B. Philpott Fulston, as Executrix of the estate of  
C. E. Philpott, deceased, of her proceedings under the  
former order of this Court; the Court having carefully  
examined said report, and being satisfied that  
said sales have in all respects been regular  
and legal.  
It is ordered that the same be and hereby  
is approved and confirmed. It is further ordered  
that this proceeding be recorded, and that said  
Executrix pay the costs herein taxed at \$ ---.  
Eduard W. Porter, Probate Judgr.

8788. In the matter of The Estate of Mary Knotts, Deceased  
Petition To Sell Personal Property.  
Filed Sept. 4<sup>th</sup> 1917. Probate Court, Union County, Ohio.  
No. 8788.  
In the matter of The Estate of Mary Knotts, Deceased.  
Petition To Sell Personal Property.  
Petition.  
To The Judgr of said Court:  
The undersigned respectfully represents that he is  
the duly appointed and qualified Administrator of the  
estate of Mary Knotts, deceased, of said County;  
that the personal property of said estate has been  
duly appraised, and the inventory and

Final Record, Union County Probate Court

8788

appraisement thereof filed in said Court.  
Your petitioner makes application for authority to sell at private sale, as provided by law, and upon such terms as the Court may order, the following personal property, of said estate, as described in said inventory and appraisement, to wit:

1	1/2 23 acres	Growing Corn, at \$29. <sup>40</sup> per acre	338.10
2	224 bu	Oats, at 48¢ per bu.	107.52
3	12	Shoats at \$5. <sup>75</sup> per head	75.00

8788

Said authority is asked for the following reasons: The market prices are favorable, and said chattel property, in constant demand; and a private sale thereof will save costs and expense over a sale at public auction.

George W. Kurtz.

8788

The State of Ohio Union County, ss.  
George W. Kurtz, being duly sworn, says, that the facts stated in the foregoing petition are true, as he verily believes.

George W. Kurtz.

Sworn to before me and signed in my presence, this 4<sup>th</sup> day of September, 1917.

*Edw* Edward W. Porter, Probate Judge

8788

Journal Entry:  
Probate Court, Union County, Ohio.

In the matter of The Estate of Mary Kurtz deceased, September 4<sup>th</sup> 1917.  
Petition to Sell Personal Property  
Orders of Sale, Etc.

8788

This day this cause came on to be heard upon the petition herein filed and the testimony, and the Court being fully advised in the premises finds that the statements and allegations in said petition are true, and that the property therein described ought to be sold as prayed for. And the Court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale; it is therefor ordered that George W. Kurtz as Administrator of said estate of Mary Kurtz, deceased, proceed to sell said personal property at private sale for not less than the appraised value thereof.

It is further ordered that said sale be made upon the following terms, to wit: Cash in hand at time of sale.

It is further ordered that said Administrator make return of his proceedings herein, within 4 months from this date, and forthwith after such sale is made. This cause is continued. Edward W. Porter, Probate Judge

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Final Record, Union County Probate Court

8788

Order of Sale. Personal Property. Private Sale  
Probate Court, Union County, Ohio  
No. 8788

In the matter of  
The Estate of  
Mary Knotts, Deceased,  
To George W. Knotts, Administrator of the Estate of  
Mary Knotts, Deceased.

Petition To Sell Personal Property  
Order of Sale.

In obedience to an order and decree of the  
Probate Court within and for said county, made  
this day, in the matter of said estate you are hereby  
authorized and required to proceed according to law  
to sell at Private Sale, at not less than the appraised  
value thereof, the following goods and chattels  
belonging to said estate to-wit:

1	1/2 - 23 acs.	Growing corn, at \$24. <sup>40</sup> per acre	\$ 338.10
2	224 bu.	Oats at 48 cents per bu.	107.52
3	12	Shoats at \$6. <sup>25</sup> per head	75.00

Said sale to be upon the following terms, to-wit in hand  
at time of sale.

You will return this order within four months  
from this date, and forthwith upon the execution  
of the same, together with your report thereon enclosed,

Witness my hand and the seal of said court, this  
4<sup>th</sup> day of September 1917.

Edward H. Porter, Probate Judge.

8788

Return.

Probate Court, Union County, Ohio  
Petition To Sell Personal Property  
Report of Sale.

In the matter of  
The Estate of  
Mary Knotts, Deceased.

The undersigned, George W. Knotts, Administrator  
of the estate of Mary Knotts, deceased, says that in  
obedience to the order of said court, hereto attached  
he sold said personal property, commencing on the  
7<sup>th</sup> day of September 1917, and closing on the 17<sup>th</sup> day  
of January 1918, for the sum of Three Hundred  
and Eighty Dollars, and ninety-seven cents, said  
sum being less than the appraised value of the  
same, as herein after stated and explained.

A detailed Bill of Sales is hereto attached.

Dated this 1<sup>st</sup> day of March 1919.

George W. Knotts, Administrator.

8788

Bill of Sales

1	1/2 of 23 acres growing corn at \$24. <sup>40</sup> per acre.	338.10	Comp-enture 210 bu. fed to stool by Administrator, #210.
2	224 bu. Oats at 48¢ per bu.	107.52	Marysville F. & F. Co. --- 107.52
3	12 shoats, at \$6.25 per head.	75.00	Amos and Schellmer --- 273.45
		\$ 520.62	\$ 380.97

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Final Record, Union County Probate Court

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Said Administrator respectfully states to the Court that said corn crop at the time of the appraisal thereof was estimated merely; and that by reason of early frost was reduced in quantity to 210 bu. as nearly as the same could be ascertained, and was of inferior quality.

Said Administrator further states that on account of the scarcity and high price of corn, he was obliged to feed said crop to said live stock, except about 50 bu. thereof which he used to feed other live stock.

8788

The State of Ohio, Union County, ss.

George W. Knotts, as Administrator of the estate of Mary Knotts, deceased, being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could get for the property.

George W. Knotts.

Witness my hand and signed in my presence, this 1st day of July 1919.

Edward H. Porter, Probate Judge.

8788

Journal Entry: Order Approving and Confirming Sale, Probate Court, Union County, Ohio.

Order Approving and Confirming Sale.

In the Matter of The Estate of Mary Knotts, Deceased.

Saturday, July 1st, 1919.

Journal Entry: Petition To Sell Personal Property.

Order Approving and Confirming Sale. This day this cause came on to be heard on the report of George W. Knotts, as Administrator of Mary Knotts, deceased, of his proceedings under the former order of this Court; the Court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal, and that said estate has not been prejudiced by delay in reporting same, said report is ordered filed and is approved.

It is further ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \$ - - within ten days.

Edward H. Porter, Probate Judge.

Journal Entry: Order Approving and Confirming Sale, Probate Court, Union County, Ohio, Saturday, Feb. 1st, 1919.

9041 Filed Oct. 24<sup>th</sup> 1918

Petition

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Final Record, Union County Probate Court

In the matter of  
 The Estate of  
 Mary Knotts, deceased.

Petition To Sell Personal Property  
 Order Approving, and  
 Confirming Sale.

This day this cause came on to be heard on the report of George W. Knotts as Administrator of the estate of Mary Knotts, deceased, of his proceedings under the former order of this Court; the Court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal.

It is ordered that the same be and hereby is approved and confirmed.

It is further ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \$\_\_\_\_\_.

Edward H. Porter, Probate Judge.

9041  
 Filed  
 Oct. 24<sup>th</sup> 1918

In the matter of  
 The Estate of  
 Thomas Robinson, Deceased.

Petition To sell Personal Property.  
 Probate Court, Union County, Ohio.  
 No. 9041.

Petition to Sell Personal Property.  
 Petition.

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified Administrator of the estate of Thomas Robinson, Deceased, of said County; that the personal property of said estate has been duly appraised, and the inventory and appraisement thereof filed in said Court. Your petitioner makes application for authority to sell at Private Sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said inventory and appraisement, to wit:

All the personal property as shown in "Schedule D" in the Inventory and Appraisement appraised at 562.43

Said authority is asked for the following reasons:

1. Because it will save the cost of advertising
2. Because the estate is so small to stand unnecessary cost.
3. Because the property can be disposed of readily at appraised value.

J. D. Hooper, Adm'r.

9041  
 Each

The State Of Ohio Union County ss.  
 J. D. Hooper, Adm'r. being duly sworn, says that the facts stated in the foregoing petition are true, as he verily believes.

J. D. Hooper, adm'r.

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Final Record, Union County Probate Court

9041 Known to before me and signed in my presence, this 24<sup>th</sup> day of October 1918.

*Seal* Edward W. Porter, Probate Judge.

9041 Journal Entry: Probate Court, Union County, Ohio. In the matter of The Estate of Thomas Robinson, Deceased. October 24<sup>th</sup> 1918. Petition to Sell Personal Property Order Of Sale etc.

This day this cause came on to be heard upon the petition herein filed and the testimony and the Court being fully advised in the premises finds that the statements and allegations in said petition are true, and that the property therein described ought to be sold as prayed for. And the Court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale; it is therefore ordered that J. D. Hooper, as Administrator of said estate proceed to sell said personal property at private sale, for not less than the appraised value thereof.

It is further ordered that said sale be made upon the following terms, to-wit: Cash in hand at time of sale. It is further ordered that said Administrator make return of his proceedings herein within 6 months from this date, and forthwith after such sale is made, and this cause is continued.

Edward W. Porter, Probate Judge.

9041 Order Of Sale. Personal Property. Probate Court, Union County, Ohio. In the matter of The Estate of Thomas Robinson, Deceased. Order Of Sale. To J. D. Hooper, Administrator of the estate of Thomas Robinson, Deceased.

Order of Sale.

In obedience to an order and decree of the Probate Court within and for said County, made this day, in the matter of said estate you are hereby authorized and required to proceed according to law to sell at Private Sale, at not less than the appraised value thereof, the following goods and Chattels belonging to said estate to-wit:

All the personal property as shown in "Scheduled" in the Inventory and Appraisement, appraised at \$ 562.43

Said sale to be upon the following terms: Cash in hand at time of sale.

You will return this order within six months from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court.

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Return

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Final Record, Union County Probate Court

9041 This 24<sup>th</sup> day of October 1918.  
 Edward H. Porter Probate Judge.

9041 Return.  
 Probate Court, Union County, Ohio.  
 In the matter of  
 The Estate of  
 Thomas Robinson, Deceased.  
 Petition to Sell Personal Property,  
 Report of Sale.

Return The undersigned, J. D. Hooper, Administrator of said estate of Thomas Robinson, deceased, says that in obedience to the order of said Court, hereto attached, he sold said personal property, commencing on the 23<sup>rd</sup> day of November 1918, and closing on the 11<sup>th</sup> day of January 1919, for the sum of Five Hundred and forty-four Dollars, and seventy cents, said sum being eighty-two and twenty seven cents more than the appraised value of the same.  
 A detailed Bill of said Sales is hereto attached,  
 Dated this 30<sup>th</sup> day of January 1919,  
 J. D. Hooper Admin.

9041 Bill of Sales.

5-	Old gray horse	10.00	Charles Robinson	10.00
6	Old bay horse	10.00	"	10.00
7	Old hamon	15.00	"	15.00
8	Old cultivator	2.00	"	2.00
9	Old mowing machine	2.00	"	2.00
10	Old land roller	2.00	"	2.00
11	Old spring tooth harrow	2.00	"	2.00
12	Old shoul plow	25.00	Morris Thompson	25.00
13	Old breaking plow	4.00	Charles Robinson	4.00
14	Old Corn planter	20.00	"	20.00
15	a <sup>1</sup> Stack clover hay	50.00	"	50.00
16	a <sup>2</sup> " " "	30.00	"	30.00
17	Stack Timothy hay	90.00	Frank Harriott	110.00
18	Old Corn	5.00	Charles Robinson	5.00
19	Damaged oats about 400 lbs.	8.00	"	8.00
20	Good oats " " 400.00	150.00	E. & H. Stewart	712.27
21	a <sup>1</sup> Corn standing	60.00	Charles Robinson	60.00
22	a <sup>2</sup> " "	30.00	"	30.00
23	Corn five shocks	5.00	"	5.00
24	Leffel Riddle	5.00	Gleuna Wagner	5.00
25	163 lbs. clover seed at 17 bu.	46.15	Gleuna Wagner	46.15
26	60 lbs. clover seed 1/6 bu.	10.00	"	10.00

9041 The State of Ohio, Union County ss.  
 J. D. Hooper, Administrator of the estate of Thomas Robinson, Deceased, being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the

\$ 562.43

Final Record, Union County Probate Court

9041

property, and that the sale reported is for the highest price he could get for the property.

J. D. Hooper, Admin. as aforesaid, known to before me and signed in my presence, this 19<sup>th</sup> day of February, 1919.

Edward W. Porter, Probate Judge.

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Orders Approving and Confirming Sale

Journal Entry: Probate Court Union County, Ohio, Wednesday, February 19<sup>th</sup> 1919. In the matter of The Estate of Thomas Robinson, Deceased. Order Approving and Confirming Sale. This day this cause came on to be heard on the report of J. D. Hooper, as Administrator of the estate of Thomas Robinson, deceased, of his proceedings under the former order of this Court: the Court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal.

It is ordered that the same be and hereby is approved and confirmed.

It is ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \$-- within ten days.

Edward W. Porter, Probate Judge.

9071 Filed Jan. 16<sup>th</sup> 1919.

In the matter of The Estate of Henry A. Wilgus, Deceased. Petition To Sell Personal Property. Probate Court, Union County, Ohio.

In the matter of The Estate of Henry A. Wilgus, Deceased. Petition To The Judge of said Court: No 9071. Petition to Sell Personal Property. Petition

The undersigned respectfully represents that he is the duly appointed and qualified Administrator of the estate of Henry A. Wilgus, deceased, of said County; that the personal property of said estate has been duly appraised, and the inventory and appraisement thereof filed in said Court. Your petitioner makes application for authority to sell at Private Sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said inventory and appraisement, to wit:

- 19 Chickens 19.00
- 1 Pony

said authority is asked for the following reasons:

The within described property is being maintained at expense to the estate and being cared for by those who ask to be relieved from

9071

Final Record, Union County Probate Court

9071

this case.

The State of Ohio, Union County, ss

B. C. Ballinger being duly sworn, says, that the facts stated in the foregoing petition are true as he verily believes.

B. C. Ballinger

Sworn to before me and signed in my presence this 16<sup>th</sup> day of January, 1919.

Edmund H. Porter, Probate Judge.

9071

Journal Entry: Order for Private Sale

Probate Court, Union County, Ohio.

In the matter of

January 16<sup>th</sup> 1919.

The Estate of

Petition to Sell Personal Property.

Order

Henry A. Wilgus, Deceased

Order of Sale, etc.

for Private Sale

This day this cause came on to be heard upon the petition herein filed and the testimony and the Court being fully advised in the premises finds that the statements and allegations in said petition are true, and that the property therein described ought to be sold as prayed for. And the Court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale; it is therefore ordered that B. C. Ballinger as Administrator of said estate proceed to sell said personal property at private sale, for not less than the appraised value thereof.

It is further ordered that said sale be made upon the following terms, to wit: Cash in hand at time of sale.

It is further ordered that said Administrator make return of his proceedings herein, within 30 days from this date, and forthwith after such sale is made, and this cause is continued.

Edmund H. Porter, Probate Judge.

9071

Order of Sale

Probate Court, Union County, Ohio.

No. 9071

In the matter of

Petition to Sell Personal Property.

The Estate of

Order of Sale.

Order

Henry A. Wilgus, Deceased

of

To B. C. Ballinger, Administrator of the estate of

Sale.

Henry A. Wilgus, deceased

In obedience to an order and decree of the Probate Court within and for said County, made this day, in the matter of said estate you are hereby authorized and required to proceed according to law to sell at Private Sale, at not less than the appraised value thereof, the following goods



Final Record, Union County Probate Court

9071

and chattels belonging to said Henry A. Wilgus, to wit:

19 Bellickens

1 Pony

19.00

9071

Said sale to be upon the following terms:  
Cash in hand at time of sale.

You will return this order within one month from this date, and forthwith upon the execution of the same together with your report thereon endorsed.

Witness my hand and the seal of said Court, this 16<sup>th</sup> day of January, 1919.

Edward H. Porter, Probate Judge.

9071

Return

Probate Court, Union County, Ohio.

Petition To Sell Personal Property.

Report Of Sale.

Return

In the matter of

The Estate of

Henry A. Wilgus, Deceased.

The undersigned, B. L. Ballinger, Admin. of the estate of Henry A. Wilgus, says that in obedience to the order of said Court, hereto attached, he sold said personal property, commencing on the 16<sup>th</sup> day of January, 1919, and closing on the 15<sup>th</sup> day of February, 1919, for the sum of twenty Dollars and no cents, said sum being one dollar above the appraised value of the same.

A detailed Bill of said Sales is hereto attached.

Dated this 20<sup>th</sup> day of February, 1919.

B. L. Ballinger, Admin.

9071

Bill Of Sale.

19 Bellickens

19.00

Nancy E. Wilshiner

20.00

Bill

of Sale

Pony not sold for lack of a purchaser but sold at the public auction February 6<sup>th</sup>

The State Of Ohio, Union County ss.

B. L. Ballinger, Admin. of the estate of Henry A. Wilgus, being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could get for the property.

B. L. Ballinger, Administrator

Sworn to before me and signed in my presence, this 20<sup>th</sup> day of February, 1919.

Agnes D. Porter

Deputy Clerk.

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Journal Entry

Probate Court, Union County, Ohio.

Thursday, February, 20<sup>th</sup> 1919.

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Order

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October

17<sup>th</sup> 1918.

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Final Record, Union County Probate Court

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 Henry A.  
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 Administrator  
 presence,  
 ty Clerk,  
 Ohio.  
 1919.

9071 In the matter of  
 Order His Estate of  
 Approving Henry A. Wilgus Deceased.  
 Petition To Sell Personal Property  
 Order Approving and  
 Confirming Sale.  
 This day this cause came on to be heard on the  
 confirming report of B. C. Bunting, as Administrator of the estate  
 of Henry A. Wilgus, deceased, of his proceedings under  
 the former order of this Court; the Court having  
 carefully examined said report, and being  
 satisfied that said sales have in all respects  
 been regular and legal.  
 It is ordered that the same be and hereby is  
 approved and confirmed.  
 It is further ordered that this proceeding be  
 recorded, and that said Administrator pay the  
 costs herein taxed at \$-----  
 Edward H. Porter, Probate Judge.

9027 In the matter of The Estate of William H. Winter, Deceased.  
 Fees Petition To Sell Personal Property.  
 October Probate Court, Union County, Ohio.

17-1918. In the matter of  
 The Estate of  
 William H. Winter, Deceased.  
 No. 9027  
 Petition To Sell Personal Property,  
 Petition.  
 To The Judge of said Court:  
 The undersigned respectfully represents that she  
 is the duly appointed and qualified Administratrix  
 of the Estate of William H. Winter, deceased, of said  
 County; that the personal property of said estate  
 has been duly appraised, and the inventory and  
 appraisement thereof filed in said Court.  
 Your petitioner makes application for authority  
 to sell at Private sale as provided by law and  
 upon such terms as the Court may order, the  
 following personal property of said estate, as  
 described in said inventory and appraisement, to wit:  
 All articles in Schedule D, of the  
 Inventory and Appraisement.  
 Said authority is asked for the following reasons:  
 1st. goods can be sold at appraised value  
 2nd. It will be better for estate.  
 Lida S. Winter, Administratrix.

9029 The State of Ohio, Union County, ss.  
 Lida S. Winter, Administratrix being duly sworn,  
 says, that the facts stated in the foregoing  
 petition are true, as she verily believes.  
 Lida S. Winter







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months from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court, this 17<sup>th</sup> day of October 1918.

Edward H. Porter, Probate Judge.

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Return.

Probate Court, Union County, Ohio.

In the matter of  
The Estate of

Petition to Sell Personal Property,  
Report of Sale.

Return

William H. Winter, Deceased.

The undersigned, Lida S. Winter, Administratrix of the estate of William H. Winter, with will annexed, says that in obedience to the order of said Court, hereto attached, she sold said personal property, commencing on the 26<sup>th</sup> day of October 1918, and closing on the 6<sup>th</sup> day of March 1919, for the sum of Five thousand eight hundred and sixty three <sup>Dollars</sup> and <sup>64</sup>/<sub>100</sub> cents, some being more than the appraised value of the same.

A detailed Bill of said sales is hereto attached.

Dated this 27<sup>th</sup> day of March 1919.

Lida S. Winter, Admrx.

	appraised value	To whom sold -	
1 All Foot Mattress	9.15	10-26-18, Mrs Willard Winter	9.75
1 Combination "	7.10	10-18-18, Dwight Couster	8.75
1 " "	7.10	11-4-18, Frank Hill	8.75
1 " "	7.10	11-7-18, Mabel Dillon	7.10
1 " "	7.10	10-26-18, Mrs L. O. Gunder	9.75
1 " "	7.10	10-29-18, Frank Wilson	9.75
1 Excelsior "	3.75	10-31-18, Frank Hill	5.50
1 Bed Springs	3.15	11-4-18, Frank Hill	4.50
1 " "	3.20	10-28-18, Mabel Dillon	3.20
1 " "	3.20	10-26-18, Mrs Willard Winter	3.20
1 " "	3.15		
1 " "	2.55	11-21-18, Mrs Abn. Oakwood	5.50
1 " "	2.10	2-3-19, Mr. Burroughs	3.50
1 " "	2.50		
1 " "	1.50		
1 Small rug	2.75		
1 small rug	1.05	10-13-18, Mrs Simmons	1.50
1 " "	1.05	10-22-18, Mr. Bell	1.75
1 " "	.85	11-23-18, M. M. Furistine	1.75
1 " "	2.50		
1 " "	1.25	11-26-18, Mrs L. O. Gunder	1.75
1 " "	2.50		
1 " "	1.25	11-26-18, Mrs L. O. Gunder	1.75
1 " "	2.75	11-23-18, M. M. Furistine	3.75
1 " "	1.25	12-5-18, Mrs Simmons	2.00



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	1	Fiber chair seat	.15-		
	1	" " "	.15-		
6.00	1	" " "	.15-		
	1	" " "	.15-		
2.50	1	" " "	.15-		
	1	" " "	.15-		
bet. Co.,	1	" " "	.15-		
	1	" " "	.15-		
5.75	1	" " "	.15-		
	1	" " "	.15-		
3.75	1	" " "	.15-		
	1	" " "	.15-		
20.00	1	" " "	.15-		
41.00	1	" " "	.15-		
16.00	1	" " "	.15-		
22.50	1	" " "	.15-		
	1	" " "	.15-		
18.50	1	" " "	.15-		
	1	" " "	.15-	12-10-18 Mrs M. H. Baugh	.20
	1	" " "	.15-	" " "	.20
	1	" " "	.15-	" " "	.20
in not	1	" " "	.15-	10-18- Unknown	.20
whom	1	" " "	.15-		
sold	1	Fiber Chair seat	.15-		
	1	" " "	.15-		
the	1	" " "	.15-		
of	1	" " "	.15-		
5-	1	" " "	.15-		
	1	" " "	.15-		
	1	" " "	.15-		
	1	" " "	.15-		
	1	" " "	.15-		
	1	" " "	.15-		
	1	Lehair seat	.35-		
	1	" " "	.35-		
	1	" " "	.15-		
	1	" " "	.15-		
	1	" " "	.15-		
	1	" " "	.15-		
	1	" " "	.15-		
	1	" " "	.15-		
	1	" " "	.07	11-14-18 Mrs H. Jackson	.12
	1	" " "	.07		
	1	" " "	.07		
	1	" " "	.07		
	1	" " "	.07		
	1	" " "	.07		
	1	" " "	.07		
	1	" " "	.07		
	1	" " "	.07		

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Final Record, Union County Probate Court

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Kinds	appraised value	To whom sold.	Kinds	appr. value	To whom sold.		Kinds
1 suit case	2.50	Hurry Logan	1 Bottle C. Polish	.20			5-8 Linen
1 " "	2.50		1 " " "	.20			ony
1 " "	.75		1 " " "	.20			40 sq. yds
1 " "	.75		1 " " "	.20			
1 " "	1.40		1 " " "	.20			
1 " "	1.50	12-2-15,	1 " " "	.20			
		Ed. Stanton, 2.75	1 " " "	.20			
1 " "	.87		1 " " "	.20			25- Linen
1 Bag	1.25		1 " " "	.20			
1 " "	1.25		1 " " "	.20			
1 small bag	.20		1 " " "	.20			1 Weiden
1 " "	.30		1 " " "	.20			
1 Bag	.70		1 " " "	.20			
1 " "	.90		1 " " "	.20			
1 Bottle C. Polish	.25	10-28-18 Hilda Wooten	1 " " "	.20			1 "
		.25	1 " " "	.20			1 "
1 " " "	.25	Mrs Bentley	1 " " "	.20			1 "
1 " " "	.75	Mrs Winters	1 " " "	.20			1 "
1 " " "	.75		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.25		1 " " "	.20			1 "
1 " " "	.20	10-26-18	1 " " "	.20			1 "
		Flora Bennett	1 " " "	.20			1 "
	.25		1 Suit case	2.50			1
1 " " "	.20	11-20-18 Ben Long	1 " " "	2.50			Mistake
1 " " "	.20	12-24-18 Mrs Gardner	1 " " "	2.50			taken twice
1 " " "	.20	10-18-19 Mrs B. Long	1 " " "	1.75			1
1 " " "	.20		40 yds.				1
1 " " "	.20		Flour Border	24.00	12-16-18.		
1 " " "	.20						1
1 " " "	.20						1
1 " " "	.20						1
1 " " "	.20						1
1 " " "	.20		49 yds.				1
1 " " "	.20		Flour Border	13.75			1
1 " " "	.20		1 Sgrain S. Carpet	12.00	1-6-19 Mrs Leno,		
1 " " "	.20						1
1 " " "	.20		1 Straw Matting	5.00			1
1 " " "	.20		40 Fibre Matting	16.00	2-26-19,		1
1 " " "	.20						1
1 " " "	.20						1
1 " " "	.20		48 Hair Treads	7.65			1
1 " " "	.20						1
1 " " "	.20						1

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Kind	appr. value	To whom sold	Kind	appr. value	To whom sold	Kind	appr. value	To whom sold
1 Window Curtain Rod	20		1 Window rod	20		1	Grain	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 Chair Chinamel	75		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	75		1	Can	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	40		1	"	
1 " " "	20		1 " " "	40		1	"	
1 " " "	20		1 " " "	40		1	"	
1 " " "	20		1 " " "	40		1	"	
1 " " "	20		1 " " "	40		1	"	
1 " " "	20		1 " " "	40		1	"	
1 " " "	20		1 " " "	60		1	"	
1 " " "	20		1 " " "	35		1	"	
1 " " "	20		1 " " "	35		1	Large	
1 " " "	20		1 " " "	50		1	"	
1 Rocker	2.50		1 " " "	50		1	"	
1 " "	2.50	11-15-18	1 " " "	60		1	"	
1 " "	6.00	11-26-18 D. L. Dennis, 6.50	1 " " "	60		1	"	
1 Carpet sample	1.75	10-26-18 Mrs Muller	1 " " "	60		1	"	
1 " " "	1.25	Hunter	1 " " "	60		1	"	
1 Window rod	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	45	1.80	1	"	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 " " "	20		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	75		1	"	
1 " " "	20		1 " " "	50		1	"	
1 " " "	20		1 " " "	50		1	"	
1 " " "	20		1 " " "	50		1	"	
1 " " "	20		1 " " "	50		1	"	
1 " " "	20		1 " " "	50		1	"	
1 " " "	20		1 " " "	50		1	"	
1 " " "	20		1 Bottle Compound	10		1	"	
1 " " "	20		1 " " "	10		1	"	
1 " " "	20		1 " " "	10		1	"	
1 " " "	20		1 Graining outfit	15		1	"	

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To whom sold,	Kind	appr. value	To whom sold	Kind	appr. value	To whom sold,
	1 Grain Compand.	.35		1 Chinamel	.60	
	1 "	.35		1 "	.60	
	1 "	.35		1 Can. Johnstone		
	1 "	.35		Cleaned	.25	
	1 "	.35		1 "	.25	
	1 "	.35	12-12-18 C. W. Fox, 60	1 "	.25	
	1 "	.35		1 "	.25	
	1 "	.35		1/2 Chinamel	.25	
	1 "	.35		1 "	.25	
	1 "	.35		1 "	.25	
	1 Can Gold C.	.15		1 "	.25	
	1 "	.15		1 "	.25	12-15-18, Mrs Gardner,
	1 "	.13				.25
	1 "	.13		1 "	.25	
	1 "	.15		1 "	.25	
	1 "	.35		1 "	.25	
	1 "	.60		1 "	.25	
	1 "	.60		1 "	.25	
	1 "	.60	11-14-18, Mrs. H. Jackson	1 "	.25	
			.75	1 "	.25	
	1 Large ear Chinamel	1.00	11-14-18, C. W. Fox, 1.10	1 "	.25	
	1 "	1.50	" " " 1.10	1 "	.25	
	1 "	1.00	11-21-18 " 1.10	1 "	.25	
	1 "	1.00	11-24-18 " 1.30	1 "	.25	
	1 "	1.00	11-26-18 " 1.10	1 "	.25	
	1 "	1.00	11-28-18 " 1.30	1 "	.25	
	1 "	1.00	12-14-18 " "	1 "	.25	
			Frank Danson	1 "	.25	
			1.30	1 "	.10	
	1 "	1.00		1 "	.10	
	1 "	1.50		1 "	.35	
	1 "	1.00		1 "	.35	
	1 "	1.00		1 "	.35	
	1 "	1.00		1 "	.15	
	1 "	1.00		6 doz Folding Chairs	48.00	
	1 "	1.00		3 Bros Saws	3.50	
	1 "	1.00		7 Pr. Shippers	4.50	
	1 "	1.00		3 Corby boards	5.00	
	1 "	1.00		1 Oak Casket	22.00	
	1 "	1.00		1 Cloth " "	60.00	
	1 "	1.00		5 Childs " "	35.00	
	1 "	1.00		3 " " "	18.00	
	1 "	1.00		1 Bras cloth	5.50	
	1 "	1.00		1 oak " "	5.50	
	1 "	1.00		1 Broadcloth "	65.00	
	1 "	1.00		1 Cloth " "	25.00	
	1 "	1.00		1 oak " "	75.00	
	1 "	1.00		Large Toys	68.00	

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Kind	Appr. value	To whom sold	Kind	Appr. value	To whom sold	Kind
8 Childs Boxes	32.00		2 Pillows	5.00		1 Iron
1 Box Emb. Filand	20.00		1 Ladies Robe	7.00		1 "
1 Worn cot	1.75		1 " "	7.50		1 Brass
1 " "	3.00		1 " "	6.50		
1 Child bed	3.50		1 Gents "	11.00		1 "
6 Chairs	7.00		1 Ladies "	7.50		
9 chairs	11.50		1 " "	6.50		
1 Silver Gray Plush Casket	58.00		1 " "	12.00		1 Dress
1 Pr. Pillows	2.50	11-17-18	5 Pillows sets	15.00		1 "
		Mabel Dillm 3.00	2 sets Extension Handles	15.00		1 "
1 " "	2.50	10-26-18	2 " "	24.00		1 "
		Mrs. Wilcox	2 " "	20.00		1 "
		Winters 2.50	1 " "	14.00		1 "
1 " "	2.50		2 Ironing Boards	2.00	10-26-18	1 "
1 all wool rug	12.00				Mrs. Wilcox	1 "
1 Tapestry rug	15.00		10 Name Plates	6.50	Winters 1.00	1 Chiff
1 Felt rug	5.00		6 Boxes Handles	20.00		1 Libra
1 Comfort	1.00		1 Int. leather Couch	15.00		1 "
1 " "	1.00		1 Box large Pictures		returned to	1 "
6 Chairs	9.00		2 " glass		Culver Ark	1 "
1 Rocker	1.00	12-6-18	2 Ironing boards 2.00		and Frame	
		Mrs. O. Dillm 1.10	6 Gas. Lamp		Co.	
5 Chairs	10.00				Usterville, O.	1 Corke
5 Iron beds	29.00				Returns to	1 doz. Dinn
1 Sanitary Couch	4.50	11-7-18			Columbus	1 Chiff
		Mabel Dillm	3 Stools	3.00	Lamp Co.	4 Libras
		4.50	3 Rockers	12.00	Toledo, O.	
1 " "	4.50		1 Gen. S. Chair	7.00		
2 Rockers	3.50		3. Steel vanets	150.00		
6 Chairs leather seat	20.00		1 Horse	100.00		
2 doz. Dining Chairs	40.00		1 Casket Wagon	50.00		
4 Childs Rockers	18.00		1 Spring " "	15.00		
2 Clothes Hampers	2.00		1 Ruggy " "	25.00		6 doz
18 Toys and Toilet articles	9.00	12-18-18	1 single harness	10.00		
		Ruby Bono 1.25	1 Double "	25.00		
		12-28-18	1 Horse	75.00		8 Prnt
		Harrington 1.00	1 Motor Horse	2000.00		2 Roc
		11-19	1 cot	12.00		1 Seat
		Mrs. Miller 25	1 basket Truck	20.00		1 Worn
		" " 15	Fixtures	25.00		
1 Ladies Robe	7.00				12-20-18	2 "
1 Gents "	10.00				Mrs. M. H. Bangs	2 "
1 Ladies "	10.00				one - 50.	9 Iron
1 Gents "	6.50		4 Gardiner stools	1.60		2 spr
1 Gents "	12.50		1 Iron Bed	7.55	10-28-18	
1 " "	7.00				Mabel Dillm	1 Pr. S
1 Ladies "	12.50				7.55	2 Sanit
1 " "	12.00				12-4-18	
					Mrs. Eldon 12.75	

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	Kind	Appr. value	To whom owed	Kind	Appr. value	To whom owed
	1 Iron bed	6.50		2 Springs	7.00	
	1 " "	4.75		2 " "	12.00	
	1 Brass bed	9.50	10-24-18.	3 Cupboards	19.50	
			Frank Wilson 16.50	1 Hall linen	43.50	
	1 " "	13.25	- 10-26-18	2 Dining Tables	25.00	
			Mrs Willard	1 Bedstead Desk and Ch.	3.50	
			Winter, 13.25	3 M. Racks	9.00	11-9-18.
	1 Dresser	14.65				M. H. H. one, 4.25
	1 " "	14.65				18-18-18.
	1 " "	9.50				arm or hand
	1 " "	12.00				one - 2.75
	1 " "	18.00		1 Childs Table Chair	2.50	
	1 " "	12.75		1 stool	1.00	10-26-18.
10-26-18.	1 " "	10.50				Mrs. Willard
Mrs Willard	1 " "	12.50				Winter, 1.00
Winter, 1.00	1 Chiffonier	14.00		1 Table Pad	4.00	
	1 Library Table	6.50		5 Pictures	5.00	
	1 " "	6.25		3. Candelsticks	1.50	
	1 " "	6.00		1 Gas Lamp	5.90	3-4-19
	1 " "	8.25				C. W. Simons,
returned to	1 " "	9.50	12-4-18.	1 Gas Lamp	5.90	7.75
Columb Ark			Mrs Elder, 15.75	1 Clock	5.50	2-15-19.
and Frame	1 Basket box	8.50				Mrs. Drury,
Co.	1 doz. Dining chairs	18.00				5.75
Westerville, O.	1 Bedstead Desk Chair	3.50		7 Jardines	4.50	2-1-19.
Returned to	4 Library Tables	28.00	11-9-18.			Mrs Russell,
Columbus.			Walter	1. Davenport	29.00	3-6-19.
Lamp Co.			Shaffer - one			Richard Perkins
Toledo, O.	60 ft mending	48.00	12.50	4. 9x12 rugs.	11.60	40.00
			11-12-18.			11-8-18.
			George H. Wash.			Mrs. Burd
			one, 9.75	1 Breakfast table	4.50	1 rug 4.75
			returned to			Mrs Willard
			Columb Ark			Winter, 4.50
			and Frame Co.	4 Ax. rugs.	10.90	10-12-18.
			Westerville O.			Mrs. Bell, 30.00
	8 Porch Springs	16.00				11-9-18.
	2 Rockers	9.00				Geo. Wash. 35.00
	1 Leather Rocker	12.00				11-13-18.
	1 Wood " "	6.00	2-15-19			Mrs. Simmons
			L. L. L. 7.00	5 Tapestry rug.	80.00	33.00
						11-5-18.
12-20-18	2 " "	9.00				C. H. Shif / rug 22.50
Mrs. M. H. Bangs	2 " "	10.00				11-11-18.
one - 5.00	9 Iron beds	75.00				R. S. Christy, 24.75
						12-31-18
						Mrs Drury 1 rug
10-28-18.	2 Spring	16.00	returned to			2.50
Mabel Dixon			M. A. Hunt,			2-18-19.
			Cin., Ohio			Mrs Ed. Hall, one
	1 Pr. Scales	30.00				23.50
						2-18-19
12-4-18.	2 Sanitary Couches	9.00				Mrs Hall, one 20.00
Mrs Elder, 12.75				2 Tapestry rug	46.00	

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Kind	Appr. value	To whom sold	Kind	Appr. value	To whom sold
2 Tapestries	75		1 Gen. leather Rocker	7.00	11-9-18
11 Wool rug fibre	129.00				W. Shaffer, 12.50
1 Desk	7.00		1 oak	3.25	
1 "	6.00	12-4-18	1 leather	6.00	11-4-18
		Mrs. W. Hall, 7.50			Geo. Hask, 11.75
1 Pedestal	1.25		1 "	7.85	10-18-18
2 Umbrellas	46.50				D. Smith 12.00
1 Book rack	1.25		1 wood	4.25	2-15-19
1 Foot rack	1.00				Mrs. Boudre 6.50
1 Odium cabinet	12.50	12-17-18	1 leather	5.30	
		M. H. Banglin,	1 wood	2.75	
		12.50	1 "	2.30	
1 clock	8.50		1 leather	6.00	11-7-18
3 Mirrors	19.50				R. Hatcher 10.50
1 "	3.25		1 corner chair	5.00	
1 "	4.35	Winter, 4.35	1 oak	3.30	12-24-18
7 small "	9.75	12-11-18			Mrs. Lida
		Mrs. Underhill			Winter, 3.30
		one - 1.00	1 "	2.10	
		2-21-19	2 Chairs	1.50	
		C. Rice -	1 leather	6.20	3-6-19
		one - 1.00			R. Simpkins 6.50
24 Pictures	24.00	11-18-18	2 Rock chairs	9.00	
		Mrs. Rosa,	1 " chair	3.00	
		one, 1.25	1 cup & pitcher	.25	
9 Pictures	18.00	11-25-18	1 shaving set	.91	
		Mrs. Collinson	1 "	.91	
		one - .15	1 "	.91	12-4-18
		same - .15			Mrs. Hall, 1.25
17 Frames	11.05	2-13-19	1 soap dish	.16	12-4-18
		School Corp.	1 Pitcher	.30	11-18
		one, 2.75	1 "	.30	M. H. Banglin, 4.00
1 Music cabinet	11.00				12-4-18, Mrs. W. Hall, 5.00
4 Buffets	72.00	12-24-18	1 " & 4 glasses	.76	
		Ed. Jackson,	1 water set	1.00	
		one, 28.00	1 glass dish	.12	
2 Col. H. Hampers		Nov. 18, 1918	1 "	.12	
		Mrs. M. H. Banglin	1 smoke set	.50	
		1.50	1 crumb tray	.19	
		3.00	1 "	.19	
2 Oak Bed stands	36.00	11-19-19	4 Candles ticks	2.05	
1 Gen. Leather Rocker	5.20	10-19-18	10 Brushes	2.00	
		D. Smith, 7.75	27 Dish racks	1.76	
1 " " "	7.10	11-7-18	1 Vase	.15	
		W. Shaffer, 11.50	1 plate	.59	
1 " " "	5.27	11-7-18	2 " "	4.00	11-7-18
		R. Hatcher, 8.50			Ray Hatcher, 3.00
1 " " "	7.28	11-9-18			
		W. Shaffer, 12.75			

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 Accounts  
 Total  
 \$5863.64

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Final Record, Union County Probate Court

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To whom sold,	Kind	Approx. value.	To whom sold.	Kind	Approx. value.	To whom sold.
11-9-18	1 plate	.15		1 spoon tray	.15	1-11-19. Mrs. Mailer .25-
W. Shaffer 12.50	"	.35		"	.15	
11-4-18	"	.60		"	.15	
Geo. Hush 11.75	"	.33		3 Turkey Sausage	.54	
10-18-18	"	1.00		2 "	.24	
W. Smith 12.00	"	.67		4 "	.28	
2-15-19	"	.67		6 Olive Dishes	.54	
Mrs. Bowdre 6.50	"	.80		2 Turkey Pie Tray	.16	
	"	.34		3 sets Pepper and Salt	.39	
	"	.34		1 nut bowl	.14	11-18. Mrs. M. H. Baughman .25-
	"	.25		"	.14	" " " " .25-
	"	.67		"	.14	Gladys Baughman .25-
11-7-18	"	.35		"	.14	11-5. Marie Gunders .25-
R. Hatcher 10.50	"	.35		6 cleant dishes	1.25	11-18. Gladys Baughman 1.75-
	"	.35		7 dishes	1.59	12-6-18. H. Davis. one. 1.25-
12-24-18	"	.80		"	"	" " " " " " 1.25-
Mrs. Lida Winter 3.30	5 plates	.85				12-23-18. Underhill. one. .75-
	1 plate	.65	11-11-18	1 large tray set	1.25	
			R. Oldisty .75	6 cups and saucers	1.22	11-18. G. Baughman 1.25-
	12 small plates	.96		6 " " "	1.02	
3-6-19	6 large plates	.65		10 " " "	1.70	
R. Scipfius 6.50	1 Celery Tray	.80	11-18	1 sugar creamer	.35	
	"	.80	G. Baughman .80	1 cracker jar	.30	
	"	.80	12-6-18			
	"	.80	Mrs. H. Davis .90			
	1 spoon tray	.15	1-11-19			
			Mrs. Mailer .75			

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Amount sold to  
Willard Winter 4969.35

Amounts  
Total  
\$5863.64

Amount sold to various  
parties.  
894.29  
Total \$5863.64

The State of Ohio, Union County ss.  
Lida S. Winter, Administratrix of the estate of  
William H. Winter, Deceased, being duly sworn,  
says that the foregoing report is in all respects  
true and correct, that such sale has been  
made after diligent endeavor to obtain the best  
price for the property, and that the sale reported  
is for the highest price he could get for the  
property.

Lida S. Winter, Admrx.  
Sworn to before me and signed in my presence  
this 27<sup>th</sup> day of March, 1919.  
Edward H. Porter, Probate Judge.

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Journal Entry  
Probate Court, March 27<sup>th</sup>, 1919.

11-7-18  
Ray Hatcher 30

Final Record, Union County Probate Court

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In the Matter of  
The Estate of  
William H. Winter, Deceased.

Petition To Sell Personal Property  
Orders Approving and  
Confirming Sale.

This day this cause coming on to be heard on the report of Lida S. Winter, as Administratrix of the estate of William H. Winter, deceased, of her proceedings under the former order of this Court; the Court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal. It is ordered that the same be and hereby is approved and confirmed.

It is further ordered that this proceeding be recorded, and that said Admrx. pay the costs herein taxed at \$ — within ten days.

Eduard H. Porter, Probate Judge.

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Jan. 18<sup>th</sup>  
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In the Matter of The Estate of Christopher Overholser  
Deceased.

Petition To Sell Personal Property,

Probate Court, Union County, Ohio.

In the Matter of  
The Estate of  
Christopher Overholser, Deceased.

No. 9091

Petition To Sell Personal Property,  
Petition.

To the Judge of said Court.

The undersigned respectfully represents that he is the duly appointed and qualified Executor of the estate of Christopher Overholser, deceased, of said County; that the personal property of said estate has been duly appraised, and the inventory and appraisement thereof filed in said Court. Your petitioner makes application for authority to sell at private sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said Inventory and appraisement, to wit:

1	2 1/2 tons. clover hay	\$58.00
2	1/2 tons. leval	2.50
3	Garden and Barn tools	10.00
4	House hold goods	100.00
	Total	\$ 162.50

9091

Order of Sale To

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Said authority is asked for the following reasons:  
1. Because all the property in Schedule D is not sufficient in quantity to justify the expense of a public sale.

Yvona Clark, Executrix.

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Final Record, Union County Probate Court

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The State of Ohio, Union County, ss.

Yona Clark, being duly sworn, says, that the facts stated in the foregoing petition are true, as he verily believes.

Yona Clark, Ex'r.

Sworn to before me and signed in my presence, this 18<sup>th</sup> day of January, 1919.

seal

Eduard H. Porter, Probate Judge.

9091

Journal Entry: Orders for Private Sale.

Probate Court, Union County, Ohio,

Saturday, Jan. 18<sup>th</sup> 1919.

Petition to Sell Personal Property

In The Matter of  
The Estate of  
Christian Orsholow, Deceased.

Private Sale

Order of Sale —  
This day, this cause came on to be heard upon the petition herein filed and the testimony and the Court being fully advised in the premises finds that the statements and allegations in said petition are true, and that the property therein described ought to be sold as prayed for. And the Court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale, it is therefore ordered that Yona Clark as Executrix of said estate of Christian Orsholow, deceased, proceed to sell said personal property at private sale, for not less than the appraised value thereof.

It is further ordered that said sale be made upon the following terms, to wit: Cash in hand at time of sale.

It is further ordered that said Executrix make return of her proceedings herein, within 90 days from this date, and forthwith after such sale is made, and this cause is continued.

Eduard H. Porter,

Probate Judge.

9091

Order of Sale.

Probate Court, Union County, Ohio,

No. 9091

Order of Sale In The Matter of  
The Estate of  
Christopher Orsholow, Deceased.

Petition to Sell Personal Property

Order of Sale.

To Yona Clark, Executrix of the Estate of Christopher Orsholow, Deceased.

In obedience to an order and decree of the Probate Court within and for said County made this day, in the matter of said Estate you are hereby authorized and required to proceed according to law to sell at Private Sale, at

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Final Record, Union County Probate Court

9091 not less than the appraised value thereof, the following goods and chattels belonging to said estate to wit:

1	2 tons. Clover hay	\$ 50.00
2	" " Coal	2.50
3	Garden and Farm tools	10.00
4	House-hold goods	100.00
		Total \$ 168.50

Said sale to be upon the following terms: Cash in hand at time of sale.

You will return this order within three months from this date and furnish upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court, this 18<sup>th</sup> day of January, 1918.

Edward H. Porter, Probate Judge.

9091

Return.

Probate Court, Union County, Ohio.

Return

In the matter of The Estate of Christopher Overholser, Deceased.

Petition To Sell Personal Property, Report of Sale.

The undersigned Yona Clark, Executrix of the estate of Christopher Overholser, deceased, says that in obedience to the order of said Court, hereto attached, she sold said personal property, commencing on the 1<sup>st</sup> day of March, 1919, and closing on the 25<sup>th</sup> day of March, 1919, for the sum of fifty six Dollars and 55 cents, said sum being less than the appraised value of the same.

A detailed Bill of Sales is hereto attached.

Dated this 28<sup>th</sup> day of March, 1919.

Yona Clark, Exr.

1	Clover Hay	50.00	Arthur Myrtle	44.05-
2	Coal	2.50	Yona Clark	2.50
3	Garden and farm tools	10.00	Arthur and Ray Myrtle	10.00

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The State of Ohio, Union County, ss.

Yona Clark, Executrix of the Estate of Christopher Overholser, deceased, being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could get for the property.

Yona Clark.

Sworn to before me and signed in my presence, this 29<sup>th</sup> day of March, 1919.

Edward H. Porter.

Probate Judge

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Final Record, Union County Probate Court

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Journal Entry:

Probate Court, Union County, Ohio,  
 In The Matter of  
 The Estate of  
 Christopher Orsholser, Deceased,  
 Friday, March, 28<sup>th</sup> 1919.  
 Petition To Sell Personal Property,  
 Orders Approving and  
 Confirming Same.

This day this cause coming on to be heard on the report of Nora Clark, Executrix of the estate of Christopher Orsholser, Deceased, of her proceedings under the former order of this Court; the Court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal. It is ordered that the same be and hereby is approved and confirmed.

It is further ordered that this proceeding be recorded, and that said Executrix pay the costs herein taxed at \$-- within ten days.  
 Edward W. Porter, Probate Judge.

8700

Petition To Sell Real Estate.

Filed April 16 1917

In The Probate Court of Union County, Ohio.  
 Milo S. Myers, Administrator  
 of the Estate of  
 John C. Beck, Deceased,  
 Plaintiff.

vs.  
 Jerrin Beck,  
 Defendant.  
 No. 8700  
 Petition  
 To Sell Real Estate.

The plaintiff represents that by the Probate Court of the County of Champaign in said State of Ohio, he has been duly appointed and therein qualified as the Administrator of the estate of John C. Beck, deceased, late of said Champaign County, Ohio.

That the amount of the debts due from the deceased is as near as can be ascertained Three Hundred Dollars; that the charges of administration of said estate will amount to about One Hundred Dollars; that the total value of the personal estate and effects of the said deceased is but -- no dollars -- being wholly insufficient to pay the debts and costs aforesaid.

This plaintiff further represents that the said John C. Beck died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to wit:

Being lots numbers 370, 372, and 373 of Robinsons Addition to the Village of Mansfield, in

8700

Robinsons Addition to the Village of Mansfield, in



Final Record, Union County Probate Court

8700

said county and State.

That the said John Beck, died leaving the defendant Jennie Beck his widow, who is entitled to down in said premises: that he died leaving no children having the next estate of inheritance from said deceased in said premises.

Wherefore plaintiff prays that the down of the said Jennie Beck in said premises may be assigned and set off to her, and that your petition may be authorized and ordered to sell said real estate according to the statute in such case made and provided, and for such other and further relief in the premises as may be just and equitable.

Milo L. Myers,  
Administrator aforesaid.

8700

Milo L. Myers

Jennie Beck

Widow

Widow of said deceased and at a

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Milo L. Myers

Answer of Widow,

Jennie Beck

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The State of Ohio,  
Union County, ss.

Milo L. Myers the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Milo L. Myers.

Sworn to before me, and signed in my presence this 16<sup>th</sup> day of April, 1917.

Edward H. Porter, Probate Judge.

8700

Journal Entry: Filing Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio.

April 16<sup>th</sup> 1917.

Case No. 8700.

Journal Entry.

Filing  
Petition to Sell  
Real Estate.

Milo L. Myers Admin.  
of the estate of  
John H. Beck, Deceased,  
Plaintiff.

Jennie Beck

Defendants

Filing Petition to Sell Real Estate.

This day came the Plaintiff Milo L. Myers, as administrator of the estate of John H. Beck, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said John H. Beck, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Whereupon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency and prayer of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued. Edward H. Porter, Probate Judge.

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Final Record, Union County Probate Court

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Wainor.

In the Probate Court of Union County, Ohio.

Milo L. Myers,  
Administrator  
Of the Estate of  
John H. Heck, Deceased,  
Plaintiff.

No. 8700  
Petition To  
Sell Real Estate.

vs  
Jimmie Heck,  
Defendant.

Wainor of Process  
and  
Consent To Sell.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the said Decedent to pay debts, hereby wainor service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.  
Jimmie Heck.

8700

Answer of Widow.

In the Probate Court of Union County, Ohio.

Milo L. Myers, Administrator  
of the Estate of  
John H. Heck Deceased,  
Plaintiff.

No. 8700  
Answer of Widow.

vs  
Jimmie Heck,  
Defendant.

Proceedings To Sell Real Estate.

And now comes Jimmie Heck, one of the defendants in the above entitled cause and voluntarily enters her appearance herein, and for her answer to the petition to the petition in this case filed, says: that she is the widow of said John H. Heck, deceased, and as such is entitled to dower in the premises described in said petition: that her age is fifty-five years: that she consents to the sale of the real estate of said decedent, as prayed for, and she wainor the assignment of her dower in said premises by metes and bounds, or in rents and profits: and asks the Court that said premises may be sold free from her dower estate therein and that the value of such dower estate may be allowed and paid her in money out of the proceeds of such sale, as the Court may deem reasonable.

Jimmie Heck,

8700

The State of Ohio,  
Union County, ss.



Final Record, Union County Probate Court

8700

Jessie Beck, being duly sworn, makes oath that the facts stated in the foregoing answer are as she believes true.

Jessie Beck.

Sworn to by said Jessie Beck, before me, and signed by her in my presence, this 16<sup>th</sup> day of April, A.D. 1917.

Miles L. Myers, Notary Public

8701

Journal Entry

Probate Court, Union County, Ohio, April, 16<sup>th</sup> 1917.

Miles L. Myers, Administrator,

vs. 8701

Of the Estate of John H. Beck, Decd.

Journal Entry,

Order for Appraisement.

Plaintiff.

vs.

Jessie Beck,

Order For Appraisement.

Defendant

This day this cause came on to be heard upon the petition, proofs and exhibits and the answer of the widow, Jessie Beck, and the court find that all the defendants have been duly served with process or have voluntarily entered their appearance in the case; and that as set forth in the petition, it is necessary to sell the real estate therein described, to pay the debts of the said John H. Beck, deceased.

And Jessie Beck the widow of the said John H. Beck, having by her answer, waived the assignment of her dower by metes and bounds; it is therefore ordered and adjudged by the court that the said premises be appraised free of dower, by the oaths of Walter M. Otto, C. W. Hoopes and F. W. Galloway, judicious and disinterested freeholders of the vicinity, whom the court hereby appoint for that purpose, and that they return their proceedings to this court for confirmation.

Edward H. Porter, Probate Judge

8700

Order Of Appraisement.

Order of Appraisement

The State of Ohio,

Probate Court.

Union County, ss.

To Miles L. Myers, Sheriff;

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause wherein you as Administrator of the estate of John H. Beck, deceased are Plaintiff and Jessie Beck et al. are Defendants, you are commanded that by the oaths of Walter M. Otto, C. W. Hoopes, and F. W. Galloway, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual

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view made present Jessie Beck Robie County

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Oath of Appraisers

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Appraisers Return

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Final Record, Union County Probate Court

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view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free from the dower estate of the said Jannice Beck, therein, to-wit:

Being Lots Number 370, 372, and 373 of the Robinsons Addition to the Village of Marysville, in the County of Union and State of Ohio.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you then and there this writ.

Witness my signature as Judge and Ex officio Clerk of our said Probate Court and the Seal of said Court, at Marysville, Ohio, this 16<sup>th</sup> day of April, 1917.

Edward H. Porter, Probate Judge.

8700

Return.

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 16<sup>th</sup> day of April 1917.

Mrs. L. Myers.

Administrator aforesaid.

8700

Oath of Appraisers.

The State of Ohio,

Union County, ss.

Oath

of Appraisers

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

Walter M. Otto,

C. W. Hoopes,

F. W. Galloway,

Appraisers.

Shown to before me, and signed in my presence, this 16<sup>th</sup> day of April, 1917.

Ed Hoopes, Notary Public.

8700

Appraisers Return.

Appraisers Return.

In obedience to the foregoing order, after being first duly sworn, and upon actual view, of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at Two Hundred and <sup>40</sup>/<sub>100</sub> (200.00) Dollars, free from the said dower estate of the said Jannice Beck, Widow as follows to-wit:

Lot Number 370 valued at \$100.00

Lot Number 372 valued at 50.00

Lot Number 373 valued at 50.00

Final Record, Union County Probate Court

8700

Given under our hands this 16<sup>th</sup> day of April, 1917.

Walter M. Otte

C. W. Hoopes

F. W. Galloway,

Appraisers,

Fees of Appraisers \$2.00 per day each.

8701

Journal Entry: Orders Approving Appraisement and for Bond, Probate Court, Union County, Ohio,

Milo S. Myers, Administrator, of the Estate of John H. Heck, deceased.

April 16<sup>th</sup> 1917. Petition to Sell Real Estate.

Order for Bond

Plaintiff

Jimmie Heck,

Defendant.

Orders For Bond, etc.

This day came the said Plaintiff, by his attorney and produced to the court, the report of an appraisement herein made by Walter M. Otte, C. W. Hoopes and F. W. Galloway in pursuance of a former order of this court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said Milo S. Myers as such Administrator execute within 5 days, to the State of Ohio, a bond with sufficient free hold sureties, to be approved by the court, in the sum of Five Hundred Dollars, conditioned according to law, and this cause is continued.

Edward H. Porter,

Probate Judge,

Application To Sell Real Estate at Private Sale,

Probate Court, Union County, Ohio,

8702

Application

To

Real Est.

at

Private Sale

Milo S. Myers, Administrator of the Estate of John H. Heck, deceased. Plaintiff.

No. 8700

Petition To Sell Real Estate

Application.

Jimmie Heck,

Defendant.

The said Plaintiff represents that it would be for the best interest of the said estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

First: It being unimproved vacant lots of little value that it would not pay to advertise the same for sale at public sale.

Second: That said real estate can be sold at private sale, at once, at the appraised value

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Final Record, Union County Probate Court

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8700 thereof and for cash in hand.  
Third: The appraised value thereof is more than said real estate can be sold for at public sale as a whole, or as appraised separately by lots.  
And he therefor asks for an order authorizing him to sell said real estate at private sale.  
Milo L. Myers, Administrator  
of the estate of John H. Heck, Deceased.

etc.  
attorney  
an ap-  
C. W.

8700 The State of Ohio, Union County, ss.  
Milo L. Myers bring duly sworn says that the various matters set forth in the foregoing application are true, as he verily believes.  
Milo L. Myers.  
Known to before me, and signed in my presence, this 16<sup>th</sup> day of April, 1917.  
Eduard W. Porter, Probate Judge.

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8700 Affidavit of Disinterested Persons.  
Affidavit of The State of Ohio, Union County, ss.  
C. C. Penhorwood and John L. Longhry bring duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate of the said John H. Heck, deceased, to sell said real estate at private sale than at public sale, as they verily believe.  
C. C. Penhorwood,  
John L. Longhry.

Judge,  
ate Sale,  
Ohio,

Known to before me, and signed in my presence, this 16<sup>th</sup> day of April, 1917.  
Eduard W. Porter, Probate Judge.

Estate.

8700 Bond.  
Know all men by these presents: That we Milo L. Myers and The American Surety Company of New York are held and firmly bound unto the State of Ohio, in the sum of Five Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.  
Signed by us, and dated at Marysville, Ohio, this 16<sup>th</sup> day of April, 1917.

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The condition of the above obligation is such, that whereas, the above bound Milo L. Myers, was heretofore duly appointed and qualified by the Probate Court of Champaign County, Ohio, Administrator of the estate of John H. Heck, deceased.  
And whereas, the said Milo L. Myers, as such Administrator has filed a petition in



Final Record, Union County Probate Court

8700

said Probate Court, asking an order for the sale of certain Real Estate of said decedent described in said petition:

And whereas said Court, on the 16<sup>th</sup> day of April 1917, made an order requiring said Administrator to execute a bond according to the statute in such cases made and provided.

Now, if the said Milo L. Myers, as Administrator of the estate of John H. Heck, decd., as aforesaid, shall account for all the further assets arising from the sale of said Real Estate and that shall remain after payment of the debts and charges for which the land shall be sold, and to dispose of the same according to law: then this obligation to be void, otherwise to remain in full force.

Milo L. Myers.

The American Surety Co., of New York.

Milo L. Myers, atty-in-fact.

This Bond approved in open Court, this 16<sup>th</sup> day of April, 1917.

<sup>100</sup> Edward H. Porter, Probate Judge.

Journal Entry: Order Approving Bond for Private Sale - etc. Probate Court, Union County, Ohio.

Order approved

Milo L. Myers, Administrator,  
Of the estate of  
John H. Heck, deceased.  
Plaintiff.

April 16<sup>th</sup> 1917  
Petition To Sell Real Estate

v.  
Jimmie Heck.  
Defendant.

Order of Sale - etc.

This day this cause came on further to be heard, and it appearing to the Court, that the said Milo L. Myers the plaintiff above named has given bond as heretofore ordered, in the sum of Five Hundred Dollars, with Milo L. Myers, and The American Surety Company as surety, it is ordered that said bond be and hereby is approved.

And it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale.

It is therefore further ordered that said Milo L. Myers as such Administrator proceed to sell said real estate, free from dower of Jimmie Heck, therein, at private sale, for not less than \$200.00 the appraised value thereof, on the following terms, to-wit: Cash in hand on day of sale.

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Final Record, Union County Probate Court

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And said petition is ordered to make return to this court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge.

8701

Order of Sale - Free of Debt

Order

The State of Ohio

of

Union County, ss.

Sale.

To Milo L. Myers, Executor:

In obedience to an order and decree of the Probate Court, within and for said county, made this day, in a certain cause, wherein you as Administrator of the estate of John H. Heck, deceased, are Plaintiff and Jennie Heck is defendant, you are commanded to proceed according to law, to sell at private sale, for not less than \$200.00 the appraised value thereof free from the debt of Jennie Heck, widow of John H. Heck, deceased, the following described premises, to-wit:

Being Lots number 370, 372, and 373 of Robinsons Addition to the Village of Marysville in the County of Union and the State of Ohio.

Said sale to be private and to be upon the following terms: to-wit: cash in full in hand on day of sale.

You will make return of your proceedings to this court forthwith upon execution of this Order.

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 16<sup>th</sup> day of April, 1917.

Edward H. Porter, Probate Judge.

8700

Return

To the Probate Court of Union County, Ohio

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 16<sup>th</sup> day of April, 1917

Milo L. Myers,

Administrator aforesaid.

8700

Report

Report of Sale

In obedience to the within order, I sold, Lots Number 372, and 373, of said premises on the 16<sup>th</sup> day of April, 1917, to Lewis G. Thrall for the sum of \$50.00 each, or \$100.00 for both, and he assuming payment of the 1917 taxes and assessments thereon. Said sum being the appraised value of the same.

Dated the 16<sup>th</sup> day of April, 1917.

Milo L. Myers-



Final Record, Union County Probate Court

8700

The State of Ohio, Union County, ss.  
 The above named Milo L. Myers, as Administrator of the estate of John H. Heck, deceased, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.  
 Milo L. Myers.  
 Known to before me and signed in my presence, this 16<sup>th</sup> day of April, 1917.

Edward W. Porter, Probate Judge.

8701

Journal Entry: Order Approving and Confirming Sale.  
 Probate Court, Union County, Ohio.  
 April, 16<sup>th</sup> 1917

Order approving and confirming said

Milo L. Myers, Administrator of the estate of John H. Heck, deceased, Plaintiff

Petition To Sell Real Estate  
 Order Approving and Confirming Sale

8702

Journal Entry

Jimmie Heck, Defendant.

This day this cause coming on to be heard on the return of Milo L. Myers, Administrator of the estate of John H. Heck, deceased, of his proceedings and sale under the former order of this court; the court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made.

It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said Milo L. Myers as such Administrator make to the purchaser Simon H. Thrall a good and sufficient deed for the premises so sold, to wit, Lots Number 372 and 373 as described in plaintiffs petition.

It is further ordered that this proceeding be continued.

Edward W. Porter, Probate Judge.

8703

In the Probate Court, of Union County, Ohio,  
 Milo L. Myers, Administrator of the Estate of John H. Heck, deceased, Plaintiff.

vs.  
 Application To Sell Real Estate  
 Jimmie Heck, Defendant.

Now comes Milo L. Myers, Administrator of the estate of John H. Heck, deceased and represents

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Final Record, Union County Probate Court

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to the court that he has made diligent endeavor to sell at private sale, as per a former order of this court, Lot number 370 of the real estate belonging to said estate of said deceased, and that he has been unable to sell the same at the appraised value thereof, to wit: \$100.00 at private sale, and therefore, hereby asks for an order directing and commanding him to proceed according to law to sell said lot at public sale.

Milo S. Myers,

Administrator of the estate of John H. Heck, deceased.

8700

Journal Entry:

In the Probate Court of Union County, Ohio

Journal Entry

Milo S. Myers, Administrator of the estate of John H. Heck, Deceased, Plaintiff.

No. 8700

Journal Entry for Public Sale of Real Estate.

v

Jimmie Heck,

Defendant.

This day, this cause came on to be heard on the application of Milo S. Myers Administrator of the estate of John H. Heck, deceased, asking for an order of the court, directing and commanding him to sell certain real estate belonging to the estate of the said deceased at public sale.

And it being made to appear to the court that said real estate, being Lot number 370 situated in the Village of Marysville Mich said County of Union and State of Ohio, cannot be so sold at private sale as formerly herein ordered by the court for the appraised value thereof, \$100.00, B.C. and it is therefore ordered that the said Milo S. Myers, as such Administrator proceed according to law to sell said lot at public sale, after advertisement thereof in the Marysville Daily Tribune once a week for four consecutive weeks, for not less than one half of the appraised value thereof, it being unimproved lands, and for cash in full in hand on day of sale.

That said administrator make return of his proceedings to this court immediately after such sale is made, and this cause is continued.

Eduard W. Porter,

Probate Judge.

8700

Final Record, Union County Probate Court

8700  
 Order of Sale  
 The State of Ohio,  
 Union County, ss  
 To Mrs. L. Myers, Greeting:  
 In obedience to an order and decree of the Probate Court within and for said County, made this day, in a certain cause, wherein you as Administrator of the estate of John C. Heck, deceased, are Plaintiff and Jennie Heck, et al. are Defendants, you are commanded to proceed according to law, to sell at Public sale, for not less than one-half the appraised value thereof free from the dower of Jennie Heck widow of the said John C. Heck, deceased, the following described premises, to wit:  
 Being Lot Number Three Hundred and Seventy (370) of the Robinson's Addition to the Village of Marysville, in the County of Union and the State of Ohio,  
 Said sale to be at the North Door of the Court House and to be upon the following terms: to wit: Cash in full in hand, on day of sale.  
 you will make return of your proceedings to this Court forthwith upon execution of this order.  
 Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 6<sup>th</sup> day of November, 1918.

Edward W. Porter, Probate Judge,  
 Return

8700  
 Return  
 To the Probate Court of Union County, Ohio:  
 In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached,  
 Dated the 7<sup>th</sup> day of December, 1918.  
 Mrs. L. Myers.

Report of Sale

8700  
 Report of Sale  
 In obedience to the within order, I duly advertised the real estate therein described for sale, in the Marysville Evening Tribune a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situated, for at least 4 consecutive weeks prior to the 7<sup>th</sup> day of December 1919, the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour of One O'clock P.M. I attended at the North door of the Court House within said County, and offered said real estate for sale free from the dower estate of Jennie Heck therein, when no bidder came, or was any bid offered for said premises.

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Final Record, Union County Probate Court

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Milo L. Myers, Administrator aforesaid,  
Dated the 7<sup>th</sup> day of December, 1918.  
Legal Notice 223.

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The State of Ohio Union County, ss.

Paik

The above named Milo L. Myers being duly sworn, says,  
that the above report has been made after diligent  
endeavor to obtain a purchaser for said property.

Milo L. Myers.

Known to before me and signed in my presence, this  
25<sup>th</sup> day of March, 1919.

Edward H. Porter, Probate Judge.

8703

In the Probate Court, Union County, Ohio.

Report and  
Application  
of  
Administrator

Milo L. Myers, Administrator  
of the estate of  
John D. Beck, deceased,  
Plaintiff.

No. 8700

Report and Application  
of Administrator.

v.

John D. Beck, Defendant.

Now comes Milo L. Myers as Administrator of the  
estate of John D. Beck, deceased, and represents to  
the Court that Lot # 370 of which the said John D.  
Beck, deceased, died seized, located in the  
Robinson Addition to the village of Marysville  
in the County of Union and State of Ohio, was  
appraised on the 16<sup>th</sup> day of April, 1917, at \$100.00  
by the appraisers of said estate.

That as such Administrator I have made  
diligent effort to sell said lot, both at private  
and public sale, and have received no offers or  
bidders therefor.

That there is now due the Treasurer of this,  
Union County, Ohio, for taxes, assessments and  
penalty thereon the sum of \$176.08 which is the  
first and best lien on said premises, and  
under no consideration or condition can I sell  
said lot for said sum.

That on the 15<sup>th</sup> day of April, 1918, the Treasurer  
of this, Union County, Ohio, filed his petition in the  
Court of Common Pleas of said County, being case No.  
10234 therein, asking among other things that  
said premises be sold and the proceeds from  
such sale be applied to the payment of such  
indebtedness.

Therefore, I ask that no further proceedings be had  
in this the said Probate Court in reference to said  
premises or the sale thereof, that the matter be  
closed, that the said plaintiff pay the

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Final Record, Union County Probate Court

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Costs herein taxed at \$ and that this case be recorded

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Milo L. Myers, Administrator of the estate of John H. Beck, deceased.

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Journal Entry

In the Probate Court, Union County, Ohio,

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In de

Milo L. Myers, Administrator of the estate of John H. Beck, Deceased, Plaintiff

No. 3700

Legal notice

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Journal Entry

Jessie Beck Defendant

Journal Entry

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This day this cause came on to be heard on the report of Milo L. Myers, Administrator of the estate of John H. Beck, deceased, on the order of sale issued on the 6 day of November, 1918, herein, and on said Administrator application to have said case closed; the court being fully advised in the premises, and satisfied that said lot # 370 can not be sold by said Administrator either at private or public sale for enough to pay taxes, assessments and penalties due thereon, and as there is at this time pending in the Court of Common Pleas of this Union County, Ohio, a suit, case No. 10234, the prayer of which petition is for the sale of said lot, and that the proceeds therefrom be applied on the payment of said taxes, assessments, and penalties.

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said.

Therefore, it is hereby ordered, adjudged and decreed that the report of said order of sale and the said application be accepted, and that this case be closed.

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The court coming now to distribute the proceeds received by said Administrator under a former order of the Court, to-wit: the sum of \$100.00, it is ordered that the said Administrator pay:

8906

Fees

Mar. 19<sup>th</sup> 1918.

And

of

First: The taxes and assessments against said lots at the time of the sale thereof, the sum of \$13.56.

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Second: Pay to Jessie Beck her dower interest therein the sum of \$17.71.

Third: Pay to Milo L. Myers an attorney fee for legal services rendered in this action the sum of \$25.00.

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Fourth: Pay to this Court the costs of this proceeding taxed at \$20.00.

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Fifth: That said Administrator distribute the balance of said proceeds of said sale,

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Final Record, Union County Probate Court

8700 § 23.61 according to law.  
And it is further ordered that this case  
be recorded.

Eduard H. Porter, Probate Judge.

8700 Legal Notice.  
In the matter of the estate of John Beck, Deceased.  
In pursuance of an order of the Probate Court, of Union  
County, Ohio, in case No. 8700, I will offer for sale at public  
notice auction on Saturday, December 7<sup>th</sup> 1918.

at one o'clock at the north door of the Court House  
in the Village of Marysville, the following described  
real estate, to-wit: Being Lot Number 370 of Robinson's  
Addition to the said Village of Marysville in said  
County and State aforesaid.

Appraised at \$100.00 Terms of sale. cash.

Miss L. Myers, Administrator.

Nov. 7<sup>th</sup> 1918. J. M. Huber

8700 The State of Ohio,  
Union County, ss.  
Personally appeared before me John H. Shearer,  
and made solemn oath, that the notice, a  
copy of which is hereto attached was published  
for four consecutive weeks on and next after  
November 7<sup>th</sup> 1918, in the Marysville Tribune a  
newspaper of general circulation in the County aforesaid.

John H. Shearer.

Known to before me and signed in my presence  
this 7<sup>th</sup> day of December, A.D. 1918.

J. M. Huber, Notary Public.

8906. Petition for Sale of Minor's Real Estate.  
In the Probate Court of Union County, Ohio.  
Case No. 8906

Filed  
Mar. 19<sup>th</sup> 1918. Annal. Kieran, as Guardian  
of Carl U. Arnold, a minor,  
Plaintiff.

Petition

Said Carl U. Arnold, and  
Delia Barry, and  
Berula Arnold,  
Defendants.

Proceeding to sell  
Minor's Real Estate.

The Plaintiff says:  
That she is the duly appointed and qualified  
Guardian of Carl U. Arnold, a minor, now of the age of  
twenty years, whose residence is with the Plaintiff  
at the County of Wayne, in the State of Michigan; and  
Petition



Final Record, Union County Probate Court

8906

Plaintiff holds her said appointment under and by virtue of the order and judgment of the Probate Court of the said County of Wayne and State of Michigan; and said Plaintiff files here with copies of her Bond as such Guardian, her letters of Appointment, and the Orders of the said Probate Court approving said bond and granting said letters, all bound together, and having thereto attached Certificates of Authentication pursuant to the Act of Congress in that behalf and marked "Exhibit", reference to which is here made for Plaintiff's authority in the premises, Plaintiff is the mother of her said Ward.

The Plaintiff further says: That no personal estate of any kind, belonging to her said Ward, ever came to the knowledge or possession of Plaintiff; that there is no personal estate of her said Ward dependent upon the settlement of any decedent's estate or the execution of any trust, nor in expectancy; and that said Ward is the owner, in fee-simple, of the undivided one-fifteenth part of the following described Real Estate, situated in the Township of Taylor, County of Union and State of Ohio, in the Virginia Military District, and bounded and described as follows, viz:

Petition

Surveys No 829, 5629, and 6493. Beginning at a stake and stone South-west corner to A. Deaver's land and South-westely corner of James S. Baldwin's park of same Survey; thence North 9 1/2° West 56 1/4 poles to a stake and stone in the original South line of Survey No. 829; thence with said line South 81° 40' West 64 poles to the center of the road from Marysville to Kenton; thence with said road North 16° 32' West 39 poles to a stake and stone; thence South 86° 23' East 69 1/5 poles to a stake and stone South-east corner to a lot of 5.5 acres sold by Paxton to J. C. Pooler; thence North 8° 56' East 4 1/10 poles to a stake and stone; thence South 82° 1/3 East 102 poles to a stone corner to Wm. Deaver's land; thence with his West line South 10° 15' South 71 1/5 poles to a stake and stone; thence South 81° 10' West 101 poles to the beginning.

Containing 71 3/4 acres. Excepting therefrom 20 acres off the South side thereof sold heretofore by James S. Baldwin to J. C. Pooler, be the same more or less.

Being the same premises conveyed by Albert J. Hottel to George W. Arnold, (by Deed), and recorded in Vol. 41 page 541, Deed Records of Union County, Ohio.

The Plaintiff further says: That the interest of her said Ward in said Real Estate is worth annually, approximately \$13.50, but that the Plaintiff, as Guardian as aforesaid, has received no rental

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Final Record, Union County Probate Court

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whatever therefrom in cash, but whatever rental has accrued from said lands has been expended by agents managing the same, in paying the current expenses incident thereto and the general upkeep thereof; that a sale of the interest of said Ward in said lands is necessary for the following reasons, to-wit:

1. Said lands being undivided, Plaintiff, can not manage the same either conveniently or profitably for her said Ward;
2. By reason of the non-residence of the Plaintiff and her said Ward, the proceeds of a sale of said Ward's interest in said lands may be managed to the better advantage of said Ward by a transfer thereof to the jurisdiction of the Court having control of said Guardianship; and
3. Said proceeds are required to assist in said Ward's proper support and maintenance.

The said Ward has no indebtedness, and there are no liens upon said lands, except current taxes and assessments, to the knowledge of this Plaintiff.

Citation

The Plaintiff further says: That her said Ward, and his sisters, the defendants, Lelia Barry and Bula Arnold, are the only children and sole heirs at law of James Arnold, deceased, who predeceased his father, George W. Arnold, deceased, from the latter of whom the said Ward and his said sisters derive title, by devise, to the share of their said father in said lands had he survived the said testator, to-wit, the undivided one-fifth thereof; and the said sisters of said minor Ward have the next estate of inheritance, apparently, in the said interest of said Ward in said lands.

Wherefore, this Plaintiff prays that she may be granted the benefits, in the premises, of the Statutes of the State of Ohio, for such case made and provided; that the said Carl W. Arnold, her Ward, and the said Lelia Barry and Bula Arnold, may be made parties defendant to this petition; and that this Plaintiff may be ordered and fully authorized to sell the said interest of her said Ward in said real estate, and that she may be granted such other and further relief in the premises as the Court shall deem proper.

James M<sup>c</sup> Campbell, Attorney for the Plaintiff.

8906

The State of Ohio, Union County, ss.

James M<sup>c</sup> Campbell, being sworn, says that he is the Attorney of the Plaintiff in the above entitled

Final Record, Union County Probate Court

8906 cause, and duly authorized; that the said Plaintiff is a non-resident of said County and State; and that the facts stated in the foregoing petition are, as affiant believes, true.

James M<sup>c</sup> Campbell.

Sworn to before me and signed in my presence this 19<sup>th</sup> day of March, A. D. 1918.

Edward H. Porter.

Probate Judge.

8906 Journal Entry - Order Fixing Time of Hearing and for Notices, Probate Court, Union County, Ohio.

Anna A. Keenan, as Guardian of Carl W. Arnold, a minor - Plaintiff

Tuesday, March, 19<sup>th</sup> 1918. Petition to Sell Real Estate, Order For Notice.

Order for notice His Ward, et al. Defendants.

This day Anna A. Keenan, Guardian of Carl W. Arnold by James M<sup>c</sup> Campbell, her Attorney, said Guardian and Ward being non-residents of this State, appeared in open Court and filed her petition duly verified, asking for the sale of real estate therein described, belonging to her said Ward, which real estate is situated in this County. Thereupon, the said Guardian gave an undertaking for costs with Norman C. Brown and Ernest S. Brown as sureties, pursuant to law, which undertaking is approved by the Court. Wherefore,

It is ordered that the time of hearing said petition be and hereby is fixed for the 15<sup>th</sup> day of May, 1918, at One O'clock P.M.

It is further ordered that said Guardian cause notice thereof and of the filing and demand of said petition in the form of a summons, returnable May 15<sup>th</sup> 1918 to be given to said Carl W. Arnold; and that said summons be directed to J. E. Barney, American Motor Ambulance, Assembly, Base A. E. F. France, A.P.O. #701, to serve the same upon said defendant minor, in writing to be served upon him personally, ----- days before said day of hearing, and this cause is continued.

Edward H. Porter.

Probate Judge.

8906 Undertaking For Costs, Probate Court, Union County, Ohio.

Undertaking For Costs Anna A. Keenan, as Guardian of Carl W. Arnold, a minor. Plaintiff Said W. Arnold, et al. Defendants

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Final Record, Union County Probate Court

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Be it known, That Mr. Norman L. Bourn and Ernest S. Bourn, as surety for costs for the said Anna A. Keenan, Guardian of Earl N. Arnold, Plaintiff, a non-resident of said County, do hereby undertake, promise and agree to pay all costs which may be adjudged against the said Anna A. Keenan, as guardian, as aforesaid in the above entitled action, either in said Probate Court or in any other Court to which said action may be carried, and we also agree to pay the costs which may be taxed against the said Plaintiff in such action, whether the Plaintiff obtains judgment or not.

In Witness whereof We have hereunto set our hands at Marysville, Ohio, this 19<sup>th</sup> day of March, 1918.

Ernest S. Bourn,  
Norman L. Bourn.

The above undertaking and surety approved by me, this 19<sup>th</sup> day of March 1918.

Edward W. Porter  
Probate Judge.

8906

Exhibit.  
State of Michigan  
County of Wayne. ss.

No. 67306

Exhibit

at a session of the Probate Court for said County of Wayne, held at the Probate Court Room in the City of Detroit, on the 30<sup>th</sup> day of April 1917

Present Edgar O. Dufeu, Judge of Probate.

In the matter of the Estate of Earl N. Arnold, a minor  
The said Earl N. Arnold, having presented to this Court a petition praying that Anna A. Keenan, be appointed his guardian, and it appearing to the Court that said minor is a resident of said County of Wayne, and that it is necessary a guardian be appointed for him, that he is now the age of fourteen years, that his father is dead, and that said Anna A. Keenan is his mother;

It is Ordered And Decreed that said Anna A. Keenan, be and she is hereby appointed guardian of said minor, and that upon her giving bond in the penal sum of two hundred dollars with sufficient surety and the same being duly approved, letters of guardianship do issue.

Edgar O. Dufeu,  
Judge of Probate

8906

State of Michigan  
The Probate Court For the County of Wayne  
In the matter of the Estate of Earl N. Arnold, a minor,  
Know all men by these Presents, That we Anna A. Keenan



Final Record, Union County Probate Court

8906

of Eastlake Michigan as principal and American Surety Company of New York as surety, within the State of Michigan we bind and firmly bound and obliged unto Edgar C. Dwyer, Judge of Probate in and for said County, in the full sum of two hundred (\$200.00) dollars, lawful money of the United States of America to be paid unto said Judge of Probate, his successors in the said office or assigns to the true payment whereof we do bind ourselves, our heirs, executors and administrators, jointly and severally firmly by these presents.

Scaled with our seals this 28<sup>th</sup> day of May, A.D. 1917.

The condition of this obligation is such, that if the above bounden Anna A. Keeran, who has been appointed by said court guardian of said Ward, shall well and truly perform, observe and keep the conditions following, to-wit:

1<sup>st</sup> To make a true inventory of all the real estate, and of all the goods, chattels, rights and credits of said Ward, that shall come to her possession or knowledge, and return the same into said court, at such time as the judge thereof shall order;

2- To dispose of and manage all such estate and effects, according to law and for the best interest of said Ward, and faithfully discharge her trust as such Guardian.

3- To render an account, in writing of the property in her hands, including the proceeds of all real estate which may be sold by her and of the management and disposition of all such property within one year, and at such other times as the judge of probate shall direct; and,

4- at the expiration of her trust to settle her accounts with the judge of probate, or with said Ward, or his legal representatives, and pay over and deliver all the estate and effects remaining in her hands, or due from her on such settlement, to the person or persons who shall be lawfully entitled thereto; then this obligation to be void and of no effect, otherwise to remain in full force and virtue.

Anna A. Keeran (seal)

American Surety Company of America

By George D. Cloutier, Resident Vice President

Attest: Foster Hale - Resident Assistant Secretary

Filed June 11<sup>th</sup> 1917. Edward Command, Judge of Probate.

8906

State of Michigan - The Probate Court for the County of Wayne. In the matter of the Estate of Carl N. Amos, a minor to Anna A. Keeran of said County, Greeting! You have been appointed guardian of said

8906

Ward has do by aut your and Ward or m to s. perfe said requ to la with once of y ast back prop proce you. prop settle said our in to the their said

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Final Record, Union County Probate Court

8906

Ward; and having given a bond in the premises, which has been duly approved and filed as required by law, I do by these presents commit unto you full power and authority to ask, sue for, receive, receive and take into your custody, all and singular, the real estate, goods and chattels, rights and credits, which accrue to said Ward in right of inheritance, or which, by any other way or means, whatsoever, doth of right appertain or belong to said Ward; and you are to make a true and perfect inventory thereof, and return the same unto said Court within thirty days after the date hereof; requiring you to dispose of, manage, same according to law, and for the best interest of said Ward; and within one year from the date thereof and at least once in each year thereafter during the continuance of your guardianship, and at such other times as the judge of probate shall direct, to render on oath unto the said Court a true account of the property of said Ward in your hands, including the proceeds of all the real estate that may be sold by you, and of the management and disposition of such property; and at the expiration of your trust to settle your accounts with said Judge of Probate, or with said Ward or his legal representatives; and to pay over and deliver all the estate and effects remaining in your hands and due from you on such settlement, to the person or persons who shall be lawfully entitled thereto, and to perform all orders and decrees of said Court by you to be performed in the premises.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, at the City of Detroit, in said County, this 11<sup>th</sup> day of June 1917.  
 (Probate Seal) Edward Command, Judge of Probate

8906

State of Michigan Probate Court for said County.  
 County of Wayne, ss.  
 I, Albert W. Flint, Probate Register of said County, and acting as Clerk of said Probate Court, do hereby certify that I have compared the foregoing copy of Order appointing Guardian, bond of guardian, and letters of guardianship, in the matter of the estate of Carl N. Arnold, a minor, with the original record thereof, now remaining in this office, and have found the same to be a correct transcript therefrom, and of the whole of such original record.  
 In Testimony Whereof I have hereunto set my hand and affixed the seal of said



Final Record, Union County Probate Court

8906

Probate Court at Detroit, this 4<sup>th</sup> day of January A.D. 1918.  
Albert W. Flint  
Seal Probate Register.

9052  
Filed Nov. 18<sup>th</sup> 1918

8906

State of Michigan  
County of Wayne - ss. Probate Court for said County.  
I, Edward Courmand, one of the judges of the Probate Court  
aforesaid, do hereby certify that Albert W. Flint who  
signed the foregoing certificate, is Register of the Probate  
Court for said County, and that the foregoing  
exemplification of record is authenticated in due  
form.

In Testimony whereof I have hereunto set my hand and  
affixed the seal of said Probate Court, at Detroit, this  
4<sup>th</sup> day of January, A.D. 1918.

Edward Courmand,  
Judge of Probate.

8906

Seal  
Wainor

In the Probate Court of Union County, Ohio,  
No. 8906.

Anna A. Keenan  
As Guardian of  
Carl H. Arnold, Minor.  
Plaintiff.

Petition To Sell Real Estate  
of Minor

Wainor

said Carl H. Arnold, and  
Lelia Barry, and  
Bessie Arnold,  
Defendants.

Wainor of Process and  
Consent To Sell.

We, the undersigned, parties defendant in the above  
entitled cause for the sale of Real Estate of the estate of  
said minor, Carl H. Arnold, hereby wainor service of process  
and consent to the sale of the Real Estate in said  
Petition mentioned, as therein prayed for and the  
statutory time for pleading is hereby waived and we  
consent that said Petition may be heard at such  
time as may be by the Court ordered.

Bessie Arnold  
Lelia Barry

Petition

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Final Record, Union County Probate Court

A.D. 1918,  
County,  
Probate Court,  
Ohio,  
County, Ohio,

9052  
Filed Nov. 15<sup>th</sup> 1918

Petition for Sale of Real Estate To Pay Debts	
Probate Court, Union County, Ohio.	no. 9052
John R. Dodge, as Administrator of the Estate of E. Gertrude Guy, Deceased, Plaintiff.	Civil Action, Petition to Sell Real Estate
vs	
Robert L. Guy, Ethelyn L. Guy, and Ella Dodge, Defendants.	Petition

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the Estate of E. Gertrude Guy, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is two thousand dollars, as near as can be ascertained; that the charges of Administration of said estate will amount to about One Hundred and Seventy-five Dollars; and that no personal estate of said Decedent has come into the hands of the Plaintiff and Plaintiff claims, and so avers, there is no such estate from which to pay said indebtedness, or any part thereof, and costs aforesaid. The plaintiff further represents that said E. Gertrude Guy, died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit:

Situated in the County of Union, in the State of Ohio, and in the village of Mansfield part of Survey No. 3354, and bounded and described as follows:

Beginning at the intersection of the North line of Seventh Street with the East line of Maple Street; thence N. 5° E. with the East line of said Maple Street to the South West corner of a parcel of land formerly owned by Hester A. Fay; thence Easterly with the South line of said land to the North west corner of a lot of land conveyed by Garrison Longbray to Letter Hartley, March, 9<sup>th</sup> 1892; thence with the West line of said land southerly to the South west corner of the same in the North line of said Seventh Street; thence N. 85° W. 48 feet to the beginning.

Bring a part of the premises conveyed by Maria Partridge and Ruben L. Partridge, her husband, to Garrison Longbray October 22<sup>nd</sup> 1887.

The said decedent died leaving the defendant, Robert L. Guy, her widow, who is entitled to dower in said premises; that the defendant Ethelyn L. Guy a minor is the only child and sole heir at law

9052

Final Record, Union County Probate Court

9052 of said decedent, having the next estate of inheritance from said E. Gertrude Guy, deceased, in said premises; that the Defendant, Ella Dodge, claims some interest in said property by way of a mortgage lien thereon which, if the same exist, Plaintiff prays may be required to be set forth herein; and, in default thereof, that the said lien, if any there be, may be forever barred.

The Plaintiff therefore prays that the dower of said Robert G. Guy, in said premises may be assigned and set off to him; that the rights, interests and liens of the said Ella Dodge, if asserted, may be fully determined, adjusted and protected according to equity; and that your petitioners may be authorized and ordered to see said real estate subject to said dower, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

James M<sup>c</sup> Campbell,  
Attorney for the Plaintiff.

9052 The State of Ohio, Union County, ss.  
John R. Dodge the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

John R. Dodge,  
Sworn to before me and signed in my presence, this 18<sup>th</sup> day of November, 1918.

Edward H. Porter, Probate Judge.

9052 Probate Court, Union County, Ohio.  
John R. Dodge as Administrator  
Of the Estate of  
E. Gertrude Guy, deceased,  
Plaintiff.

vs 9052  
Civil Action.  
Petition to Sell Real Estate  
Principals

Against  
Robert G. Guy, et al.  
Defendants.  
Ethelwyn L. Guy, a minor, residing in the Village of Marysville, Ohio, and direct the same to John R. Dodge plaintiff herein, for service pursuant to law, and returnable according to law.

James M<sup>c</sup> Campbell,  
Plaintiff's Attorney.

9052 Journal Entry: Filing Petition to Sell Real Estate  
In the Probate Court of Union County, Ohio.  
John R. Dodge, as Administrator  
of the Estate of E. Gertrude Guy, deceased, Plaintiff,  
Robert G. Guy, et al. Defendants.

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Final Record, Union County Probate Court

9052

Monday, November, 18<sup>th</sup> 1918.

Case No.

Journal Entry

Filing Petition to Sell Real Estate.

This day came the Plaintiff John R. Dodge, as Administrator of the estate of E. Gertrude Guy, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said E. Gertrude Guy, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Whereupon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency, and prayer of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Edward H. Porter, Probate Judge.

9052

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County, ss.

Summons

To Ella Dodge:

on  
Petition  
to  
sell  
Real Estate

You are commanded to notify Ethelyn L. Guy, a minor, that on the 18<sup>th</sup> day of November A. D. 1918, John R. Dodge, as Administrator of the Estate of E. Gertrude Guy, Deceased, filed his petition in the Probate Court of said Union County, Ohio, against her and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts and that unless they answer by the 4<sup>th</sup> day of January 1919, said petition will be taken as true and an order granted accordingly.

You will make due return of this writ on the 16<sup>th</sup> day of December A. D. 1918.

Witness my hand and the seal of said Court, this 2<sup>nd</sup> day of December A. D. 1918.

Edward H. Porter.

Judge and Ex-officio Clerk of the Probate Court of said County.

9052

Return

Return

The State of Ohio, Union County, ss.

I, Ella Dodge, being duly sworn, say that on the 11<sup>th</sup> day of December 1918, I served this writ by delivering a copy thereof personally to the following named persons, to wit:

Ethelyn L. Guy, a minor. And, the said Ethelyn L. Guy, not having a legal guardian, on the 13<sup>th</sup> day of December, 1918, I served this writ by delivering a copy thereof personally to Robert L. Guy



Final Record, Union County Probate Court

9052

as the father of said Ethelwyn L. Guy, and with whom she resides.

Ella Dodge

Sworn to before me and signed in my presence, this 14<sup>th</sup> day of December, 1918.

Agnes D. Porter, Deputy Clerk, Probate Court.

9052

Wainor

In the Probate Court of Union County, Ohio.

John R. Dodge, as Administrator of the Estate of E. Gertrude Guy, deceased.

Plaintiff.

Petition To Sell Real Estate.

Wainor

Robert G. Guy, Ethelwyn L. Guy, and Ella Dodge.

Defendants.

Wainor Of Process and Consent To Sell.

We the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby wainor service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Robt G. Guy, Ella Dodge.

9052

Answer Of Widower.

In the Probate Court of Union County, Ohio.

Answer of Widower

John R. Dodge, As Administrator of the Estate of E. Gertrude Guy, deceased.

Plaintiff.

vs. 9052

Answer Of Widower.

Proceedings to Sell Real Estate.

Robert G. Guy et al.

Defendants.

And now comes Robert G. Guy, one of the defendants in the above entitled cause and voluntarily enters his appearance herein, and for his answer to the petition in this case filed, says: that - he is the widower of said E. Gertrude Guy, deceased, and as such is entitled to dower in the premises described in said petition; that his age is forty-six years; that he consents to the sale of the Real Estate of said decedent, as prayed for, and that he waives the assignment of his dower in said premises by metes and bounds, or in rents

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John as of the E. Ella Dodge, a defendant, Rob.

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Final Record, Union County Probate Court

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and profits: and asks the court that said premises may be sold free from his down estate therein and that the value of such down estate may be allowed and paid him in money out of the proceeds of such sale, as the court may deem reasonable.

Robert G. Guy

This 14<sup>th</sup>

9052

The State of Ohio, Union County, ss

Robert G. Guy, being duly sworn, makes oath that the facts stated in the foregoing answer are as he believes true.

Robert G. Guy

Ohio, Gertrude Guy

oath

Sworn to by said Robert G. Guy before me, and signed by him in my presence, this 20<sup>th</sup> day of December 1918.

James M. Campbell  
Notary Public of Union County, Ohio.

9052

Answer and Cross-Petition of Ella Dodge, a defendant  
In the Probate Court, Union County, Ohio,  
Case No. 9052

the above estate of ... of ... Estate ... ed for ... by ... heard at ...

Answer and Cross-Petition of Ella Dodge, a defendant

John R. Dodge,  
As Administrator  
of the Estate of  
E. Gertrude Guy, deceased,  
Plaintiff.

Answer and Cross-Petition of Ella Dodge, a defendant.

Robert G. Guy, et al,  
Defendants,

County, Ohio

Now comes Ella Dodge, a defendant, and, by leave of the court first had, by way of answer and cross-petition to the petition of the Plaintiff herein filed, says:

That she admit the allegations of the petition, but avers:

That the decedent, E. Gertrude Guy, and the defendant, Robert G. Guy, her husband, did, on the 24<sup>th</sup> day of October, 1913, convey the premises in the petition described to one J. F. Andrews, by mortgage, to secure the payment of \$1500.00 with eight per cent. interest after maturity, payable annually, represented by a promissory note of that day, and ten interest promissory notes of that day, representing the semi-annual interest upon said sum of \$1500.00 until the maturity thereof, each for the sum of \$41.25, due respectively on the 24<sup>th</sup> day of April and the 24<sup>th</sup> day of October of each year until the 24<sup>th</sup> day of October, 1918, the date of the maturity of said principal sum, each of said interest notes to bear eight per cent. interest after maturity payable annually. That said mortgage-deed was on the 24<sup>th</sup> day of October, 1913, at 2:40.0'clock.

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the defendant's family enters ... to ... - is ... ased, and ... isis ... is ... of the ... for, and ... down in ... in rents



Final Record, Union County Probate Court

9052

P.M. of said day duly left for record with the Recorder of said County of Union, and thereby became, and still is valid and subsisting first lien on said premises;

That no payments have been made on said principal sum nor on its interest since the maturity thereof, but that the first five of the said interest-notes have been fully paid; and that the said principal sum of \$1500.00 with interest thereon since maturity, as aforesaid, and the last five of said interest-notes, with interest on each since maturity, as aforesaid, are still due and unpaid.

This answering defendant further says: That, on the 11<sup>th</sup>-day of August, 1917, for value, the said J. F. Andrews duly assigned and transferred, in writing, to this answering defendant the said Mortgage-Deed, with the said promissory notes, last aforesaid, remaining unpaid, which said assignment is indorsed upon the said Mortgage-Deed.

Wherefore this answering-defendant prays that the said premises, in the petition described, may be sold and her said claim first satisfied out of the proceeds thereof.

Ella Dodge

9052

The State of Ohio, Union County, ss.

Ella Dodge the above named defendant, being duly sworn says that the facts stated and allegations made in her foregoing answer and cross-petition are, as she verily believes

Ella Dodge

Sworn to by the said Ella Dodge before me, and signed by her in my presence, this 6<sup>th</sup>-day of January A. D. 1919.

James M. Campbell

Notary Public, Union County, Ohio.

9052

Journal Entry:

Probate Court, Union County, Ohio.

Monday, January, 6<sup>th</sup> 1919.  
No 9052.

Order  
For  
Appraisement

John R. Dodge,  
As Administrator  
of the Estate of  
E. Gertrude Guy  
Deceased.  
Plaintiff.

Journal Entry

Robert G. Guy, et al.  
Defendants

Order For Appraisement.

This day this cause came on to be heard.

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Final Record, Union County Probate Court

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upon the petition, proofs and exhibits and the evidence. Whereupon, the Court find that all the defendants have been duly served with process, or have voluntarily entered their appearance in the case: and that as set forth in the petition, it is necessary to sell the real estate therein described, to pay the debts of the said E. Gertrude Guy, deceased.

And Robert G. Guy, the widower of the said E. Gertrude Guy having by his answer, waived the assignment of his dower by metes and bounds; it is therefore ordered and adjudged by the Court that the said premises be appraised free of dower, by the oaths of J. A. Mangano, Norman C. Bown, and Joseph Roff, judicious and disinterested freeholders of the vicinity, whom the Court hereby appoint for that purpose, and that they return their proceedings to this Court for confirmation.

Edward H. Porter, Probate Judge.

905-2

Order Of Appraisement

The State of Ohio, Probate Court, Union County, ss.

Order Of Appraisement

To John R. Dodge, as Administrator of the Estate of E. Gertrude Guy, Deceased, Greeting:

In obedience to an order and decree of the Probate Court within and for said County, made this day in a certain cause, wherein you as Administrator of the Estate of E. Gertrude Guy, Deceased, are Plaintiff and Robert G. Guy et al. are Defendants you are commanded that by the oaths of J. A. Mangano, Norman C. Bown, and Joseph Roff, three judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises, free of the dower estate of said Robert G. Guy, widower of said E. Gertrude Guy, Deceased, therein tenant:

Situated in the County of Union, in the State of Ohio, and in the Village of Mansfield, part of Survey No. 3354, and bounded and described as follows:

Beginning at the intersection of the North line of South Street with the East line of Maple Street; thence N. 5° E. with the East line of said Maple Street to the South West corner of a parcel of land formerly owned by Hester A. Fry; thence easterly with the South line of said land to the North West Corner of a lot of land conveyed by Garrison

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Final Record, Union County Probate Court

9052

Longhony to Lettie Bartley March 9<sup>th</sup> 1892; thence with the West line of said land southerly to the Southeast corner of the same in the North line of said Berneth Street; thence N. 85° W. 48 feet to the beginning.

Bring a part of the premises conveyed by Maria Partridge and Rurben S. Partridge, her husband, to Garrison Longberry, October 22 - 1887.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you then and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the seal of said Court, at Marysville, Ohio, this 7<sup>th</sup> day of January, 1919.

Edward W. Porter, Probate Judge

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To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 9<sup>th</sup> day of January, 1919.

John R. Dodgson, Administrator

Plaintiff vs. By James M. Campbell, his attorney.

Order of appraisers.

9052

The State of Ohio,

Union County, ss

Oath of Appraisers

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

J. A. Mangano

Norman C. Bown

Appraisers

Joseph Roff

Sworn to before me and signed in my presence, this 9<sup>th</sup> day of January, 1919.

Edward W. Porter, Probate Judge

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Appraisers' Return.

Appraisers

Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at (\$1800.00) Eighteen Hundred Dollars free from said decedent's estate of Robert H. Esuy.

Given under our hands, this 9<sup>th</sup> day of January, 1919.

J. A. Mangano

Norman C. Bown

Joseph Roff

Appraisers

Admin. Sale of Real Estate

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Final Record, Union County Probate Court

9051

Journal Entry:

Probate Court, Union County, Ohio.

John R. Dodger, as Administrator,  
of the Estate of  
E. Gertrude Guy, Deceased,  
Plaintiff.

Thursday January 9<sup>th</sup> 1919.  
Petition To Sell Real Estate.  
Order Approving Appraisement.

Robert G. Guy, et al.  
Defendants.

Order  
Approving  
Appraisement.

This day came the said Plaintiff, by his Attorney,  
and produced to the Court, the report of an ap-  
praisement herein made by J. A. Mangano, Norman  
C. Bown, and Joseph Roff in pursuance of a former  
order of this Court; and it appearing upon ex-  
amination that said report is in all respects regular  
and correct, it is ordered that the same be and  
hereby is approved and confirmed.

And this cause is adjourned for further hearing  
and Order as to date of the premises in the petition  
described.

Eduard W. Porter - Probate Judge.

9052

The State of Ohio.

Union County, ss Village of Marysville.

Oath.

Personally appeared before me John H. Shearer and made  
solemn oath, that the notice, a copy of which is  
hereto attached was published for four consecutive weeks  
on and next after February, 19<sup>th</sup> 1919 in the Marysville  
Evening Tribune, a newspaper of general circulation  
in the Village aforesaid

John H. Shearer,

known to before me and signed in my presence this  
22<sup>nd</sup> day of March, A. D. 1919.

J. M. Huber, Notary Public

Printer's Fees \$12.50

9052.

Administrator's Sale of Real Estate

Admin-  
Sale of  
Real Estate.

In pursuance of an order of the Probate Court of  
Union County, Ohio, I will offer at public auction, on  
Saturday, the 22<sup>nd</sup> day of March, 1919. at One O'clock  
P.M. at the East door of the Court House, in the  
Village of Marysville, in said County, the following  
described real estate, to-wit:

Situated in the County of Union, in the State of  
Ohio, and in the Village of Marysville, part of Survey  
No. 3354, and bounded and described as follows:

Beginning at the intersection of the North line  
of Seventh Street with the East line of Maple Street;  
Thence N. 5° E. with the East line of said Maple Street



Final Record, Union County Probate Court

9052

to the Southwest corner of a parcel of land formerly owned by Cester A. Fay; thence Easterly with South line of said land to the North west corner of a lot of land conveyed by Garrison Longberry to Dettie Barkley, March 9<sup>th</sup> 1892; thence with the West line of said land southerly to the Southwest corner of the same in the North line of said Seventh Street; thence N. 85° W. 48 feet to the beginning. Bring a part of the premises conveyed by Maria Partridge and Ruben L. Partridge, her husband to Garrison Longberry, October 22-1887.

appraised at \$1800.00. Terms of sale: One-third cash in hand on day of sale. One-third in one year, and one-third in two years, from day of sale, with interest. Deferred payments to be secured by a mortgage upon the premises sold.

John R. Dodge Administrator of the Estate of E. Gertrude Guy, Deceased. James M. Campbell, Atty for said Administrator Feb. 19<sup>th</sup> 1919 - - - 47.

9052  
Orders  
Approving  
Appraisement  
for  
Public Sale.

Journal Entry: Order Approving Appraisement, for Public Sale Probate Court, Union County, Ohio.

John R. Dodge, as Administrator of the Estate of E. Gertrude Guy, deceased. Plaintiff.

Wednesday, February 19<sup>th</sup> 1919. Petition to Sell Real Estate.

Robert G. Guy, et al. Defendants.

Order of Sale.

This day came the said Plaintiff, by his attorney and thereupon, this cause came on to be further heard as to a sale of the real estate in this Petition described, and the method thereof.

Whereupon, on consideration -

It is ordered that said John R. Dodge, as such Administrator, proceed according to law to sell the real estate, described in the petition free of duty - at public auction at the East door of the Court House of said County, for not less than two-thirds the appraised value thereof, on the following terms, to wit, one-third cash in hand on day of sale, one-third in one year and one-third in two years from the day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. It is further ordered that said petitioner give notice at least four weeks successively of the terms and time and place of sale, prior thereto, in some newspaper of general circulation in Union County, Ohio, where said real

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Order of Sale.

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Final Record, Union County Probate Court

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estate is situate,

And said petitioner is ordered to make return to this Court immediately after such sale is made and this cause is continued.

Eduard H. Posten,

Probate Judge.

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Order Of Sale Free of Down.

The State of Ohio,

Probate Court.

Union County, ss.

Order

To John R. Dodge, as Administrator of the estate of E. Gertrude Guy, deceased. Meeting:

Of Sale.

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Administrator of the Estate of E. Gertrude Guy, deceased, are Plaintiff and Robert H. Guy et al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than two-thirds the appraised value thereof free of down of Robert H. Guy widower of said E. Gertrude Guy, deceased, the following described premises, to-wit:

Situated in the County of Union, in the State of Ohio, and in the Village of Mansfield, part of Survey No 3357, and bounded and described as follows:

Beginning at the intersection of the North line of Seneca Street with the east line of Maple Street; thence N. 5° E. with the East line of said Maple Street to the South West corner of a parcel of land formerly owned by Hester A. Fay; thence easterly with the South line of said land to the North east corner of a lot of land conveyed by Garrison Longbray, to Lettie Heartley, March. 9<sup>th</sup> 1892; thence with the West line of said land southerly to the South west corner of the same in the North line of said Seneca Street; thence N. 85° W. 48 feet to the beginning.

Being a part of the premises conveyed by Maria Partridge and Ruben L. Partridge, her husband, to Garrison Longbray, October. 22 - 1887.

Said sale to be free the down estate of Robert H. Guy, widower as aforesaid, and to be upon the following terms:

One third cash in hand on day of sale; one third in one year; and the balance of One third in two years.

The deferred payments to be secured by mortgage on the premises and to bear interest from the day of sale, payable annually.

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You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 19<sup>th</sup> day of February, 1919.

Edward H. Porter, Probate Judge.

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Return.

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 22<sup>nd</sup> day of March, 1919.

John R. Dodger, Plaintiff.

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Report of Sale.

Report of Sale.

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Marysville Evening Tribune, a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate, for at least four consecutive weeks prior to the 22<sup>nd</sup> day of March, 1919, the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour of One O'clock P.M. I attended at the place of sale, and offered said real estate for sale free of the down estate of Robert G. Guy, therein when Robert W. Henderson bid to pay for the same the sum of Eighteen Hundred and Ten Dollars, which being the highest and best bid that was offered, and being more than two-thirds the appraised value of said premises, I then and there sold the same to him for that sum.

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John R. Dodger, Plaintiff, as Administrator of the estate of E. Gertrude Guy, deceased.

Dated the 22<sup>nd</sup> day of March, 1919.

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Journal Entry:

Probate Court, Union County, Ohio.

Order of Confirmation Distribution etc

John R. Dodger, as Administrator of the Estate of E. Gertrude Guy, deceased, Plaintiff

Monday, March, 24<sup>th</sup> 1919,

Petition to

Sell Real Estate,

vs Robert G. Guy, et al. Defendants.

Order of Confirmation Distribution, etc.

This day this cause came on to be heard on the report of John R. Dodger as Administrator of the estate of E. Gertrude Guy, deceased, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in

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obedience to said order: and the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made: it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said E. Gertrude Guy in said real estate, to the purchaser Robert M. Henderson, upon the said purchaser executing to said Administrator a mortgage upon the premises sold to secure the deferred payments of the purchase money.

And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Eighteen Hundred and Ten, (\$1810.<sup>00</sup>) Dollars; and the said Robert G. Guy, widower having by answer herein waived the assignment of dower in said premises by metes and bounds, or in rents and profits, and asked that the value of such dower be allowed and paid him out of the proceeds of the said sale; the Court finds the just and reasonable value of his dower interest in said real estate to be the sum of Four Hundred and Eight and 8/100 Dollars.

The Court finds that there is due the said Ella Dodge upon the note set forth in her answer and cross-petition from the estate of said E. Gertrude Guy, deceased, the sum of \$1780.<sup>00</sup> Dollars, with interest thereon from the date of this entry; that the said E. Gertrude Guy, and said Robert G. Guy, her husband, to secure the payment of said promissory note gave a mortgage upon the premises in the petition described, which was a valid and subsisting lien upon said premises, and now upon the fund in the hands of said Administrator arising from the sale of said premises.

It is ordered that an entry of release and satisfaction of said mortgage lien be entered of record in the office of the recorder of Union County, Ohio, according to law.

And this cause is adjourned for further hearing as to the distribution of the proceeds of said sale.

Eduard W. Porter, Probate Judge

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Journal Entry: Order Of Distribution

Final Record, Union County Probate Court

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In the Probate Court of Union County, Ohio  
John R. Dodge, as Administrator  
of the Estate of  
E. Gertrude Guy, deceased.  
Plaintiff.

Case No. 9052  
Wednesday, April 2 - 1919.  
Journal Entry.

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Filed  
Dec. 7 - 1918.

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Robert G. Guy, et al.  
Defendants.

Order of Distribution

Order of  
Distribution

This day this cause came on to be further heard  
as to the distribution of the proceeds of the sale of real  
estate heretofore sold herein.

When upon the Court being fully advised in the  
premises, orders:

That the said Administrator, out of the proceeds of  
the sale, aforesaid, amounting to \$1,810.00 in his  
hands pay:

First - To the Treasurer of this County, the sum of  
\$ ---, being the taxes, assessments, penalty and  
interest thereon, against said real estate, including  
the taxes and assessments due in the month of  
June, 1919.

Second - To this Court the costs incurred in  
the sale of said real estate, amounting to  
the sum of \$ ---.

Third - To Ella Dodge, on the notes and mortgages  
set forth and described in her answer and  
cross-petition herein, the sum of \$1750.77.

Fourth - To Robert G. Guy, if any of said proceeds  
remain, on the value of his dower estate in said  
real estate, as heretofore found, the sum of \$408.80,  
And.

Fifth - That said Administrator account for the  
balance of said proceeds, if any remain, according  
to law.

It is further ordered that complete record in  
the premises be made and that said Administrator  
pay the costs, aforesaid, within ten days.

Edward H. Porter, Probate Judge.

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Final Record, Union County Probate Court

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files  
Dec. 7<sup>th</sup> 1918.

Guardian's Petition To Sell Real Estate,  
Probate Court, Union County, Ohio.

Eduard Koffroth, as Guardian of  
Roland D. Koffroth, an Imbecile,  
Plaintiff,

No. 9065-  
Petition

vs.  
He is said Ward - and  
Milton B. Koffroth,  
Lusetta Bigley  
Glenna Pyles  
John F. Koffroth, and -  
Jane B. Koffroth.

To  
Sell Real Estate  
Petition

Defendants.

The Plaintiff represents that he is the duly ap-  
pointed and qualified Guardian of Roland D. Koffroth  
an imbecile, of the age of eighty one years, on the  
5<sup>th</sup> day of May, 1918, and residing with the defendant,  
Lusetta Bigley, at W<sup>o</sup> Guffey, Ohio.

Petition

The Plaintiff further represents that his said  
Ward has no personal property, either in possession,  
or expectancy, and that no personal property is in  
possession of this Plaintiff as Guardian or within  
his knowledge;

That the annual rental value of said Ward's  
real estate is \$675.<sup>00</sup>; and that said rent,  
received in said amount, is applied annually to  
the payment of taxes, insurance and repairs, and  
the maintenance of said Ward and his wife  
who is insane and confined in the Columbus  
State Hospital; but the said rental is insufficient  
for the purpose aforesaid;

That a sale of said Ward's real estate is  
necessary for the payment of debts and the  
current maintenance of said Ward and his said wife;  
and Plaintiff proposes to reinvest the surplus or balance  
of proceeds of such sale in first mortgages or  
U. S. Bonds pursuant to law, as the Court may approve.

The list of debts, as nearly as the same can  
be stated now, is as follows:  
J. W. Andrews and Co., \$1100.<sup>00</sup>; Wilson Darley \$200.<sup>00</sup>;  
Eduard Koffroth, \$110.<sup>00</sup>; The First National Bank, Richmond,  
Ohio, \$110.<sup>00</sup>; and accrued interest upon said several  
items.

That said Ward is the owner in fee simple of the  
following described real estate, situated in the  
County of Union, State of Ohio, and in the Township  
of Leesburg, to-wit:

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Bounded and described as follows: Part of



Final Record, Union County Probate Court

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lots Nos One and Two of the Sub-division of the West part of Virginia Military Survey No. 5630 and 6510.

Beginning in the North line of said Survey No. 5630 and 6510, and South line of Survey No. 3692, and North-West corner of David Hildreth's land; thence with the West line of said David Hildreth's land, and the West line line of Wm. Hildreth jr's land S. 10° W. 160 poles to the South-West corner of said Wm. Hildreth jr's. land, and North-East corner of said Roland D. Koffroth's land; thence with the North line of said Koffroth's land N. 83° W. 110 poles to the South-East corner of Julia A. Wallace's land; thence, with the East line of said Julia A. Wallace's land N. 10° E. 160 poles to the said Survey line first mentioned; thence with said Survey line S. 83° E. 110 poles to the place of beginning, containing One Hundred and Ten Acres, more or less.

Also, a right of way, in common with the lands of said Julia A. Wallace, two rods wide along the West line of Stephen Carey's land from the lands herein conveyed to the Broadway and Charistury Grant Road.

Petition

The plaintiff, Edward Koffroth, and the defendants, Milton B. Koffroth, Lusetta Bigley, Glenna Pyles, and John F. Koffroth, are the only children and, apparently, have the next estate of inheritance in said lands, of the said Roland D. Koffroth, ward as aforesaid.

The defendant, Jane B. Koffroth, is the wife of Plaintiff's said Ward, is an adjudged lunatic, and is now confined in the Columbus State Hospital for the Insane, at the City of Columbus, in the State of Ohio; and the said wife has a contingent right of dower, as such wife, in the aforesaid lands of Plaintiff's said Ward.

That the sale of said real estate is asked for the aforesaid purposes of paying debts and expenses of maintenance, and the investment of surplus funds as hereinbefore suggested, if the Court approve the same.

The Plaintiff therefore prays that said Milton B. Koffroth, Lusetta Bigley, Glenna Pyles, John F. Koffroth, Jane B. Koffroth, and Plaintiff's said Ward, Roland D. Koffroth, may be made Defendants to this petition, and notified of the pendency hereof according to law; that the rights of the defendant, Jane B. Koffroth, if any she have, be ascertained, adjudged, and protected according to law; and that Plaintiff may be ordered to sell said real estate for the reasons and purposes herein before proposed, and for other proper relief.

Edward Koffroth, Guardian &c-

By James M. Campbell, his attorney.

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The State of Ohio, Union County ss.  
 Edward Koffroth being duly sworn, says that he is  
 the Plaintiff mentioned in the foregoing petition, and  
 that the facts stated therein are true, as he verily  
 believes.  
 Edward Koffroth.  
 Sworn to before me and signed in my presence, this  
 6<sup>th</sup> day of December 1918.  
 L. E. Kagay, Notary Public.

Journal Entry: Orders fixing Time of Hearing and for Notice.  
 Probate Court, Union County, Ohio.  
 Edward Koffroth, as Guardian of Roland D. Koffroth, an imbecile, Plaintiff.  
 His Ward, et al. Defendants.  
 Saturday, December 7<sup>th</sup> 1918.  
 Petition to Sell Real Estate.  
 Order For Notice.

This day Edward Koffroth, as Guardian of Roland D. Koffroth, an imbecile appeared in open court and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his said Ward, and praying that all Defendants named in said petition be made parties thereto and notified of the pendency thereof pursuant to law, whereupon  
 It is ordered that the time of hearing said petition be and hereby is fixed for the 18<sup>th</sup> day of January, 1919 at One O'clock, P.M.  
 It is further ordered that said Guardian cause notice thereof and of the filing and demand of said petition, to be given to said Roland D. Koffroth his Ward, to Jane B. Koffroth, wife of such Ward, and to Milton B. Koffroth, Susetta Bigley, Glenn Pyro, and, it appearing to the Court from the affidavit of Plaintiff filed with said Petition that the residence of John F. Koffroth is unknown, it is ordered that the said John F. Koffroth be notified of the pendency of the said petition by publication pursuant to law; bring the persons apparently entitled to the next estate of inheritance in such real estate, Defendants in writing, to be served upon them except as to said John F. Koffroth and by leaving copies thereof at the usual place of residence of each of those who cannot be served personally, 20 days before said day of hearing, and this cause is continued.  
 Edward H. Porter  
 Probate Judge

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Final Record, Union County Probate Court

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Notice To Defendants

The State of Ohio Union County, ss.  
 To Roland D. Koffroth, (an Imbecile) and Jane B. Koffroth -  
 Legally wife of said Roland D. Koffroth  
 you are hereby notified, that on the 7<sup>th</sup> day of December, 1918,  
 the undersigned as Guardian, filed in the Probate Court  
 of Union County, Ohio, a petition, the object and prayer  
 of which is to procure said Court to order the assignment  
 of down and the sale of the Real Estate of the said  
 Roland D. Koffroth, situated in the County of Union, in the  
 State of Ohio, and in the Township of Leesburg, and described  
 as follows to-wit:

Notice

Part of Lots Nos. One and Two of the Sub-division of the  
 West part of Virginia Military Survey, Nos. 5630 and 6510,  
 containing 11<sup>1</sup>/<sub>2</sub> acres more or less, and, also, a right of  
 way two rods wide along the West line of Stephen Carey's  
 land from the said 10 acres tract to the Broadway  
 and Parisburg Grant Road.

For a more particular description of said lands,  
 by metes and bounds, reference is here made to  
 the said petition and to the deed thereof, to said  
 Roland D. Koffroth, found at Vol. 63 page 239, of the Deed  
 Records of Union County, Ohio.

The further object and prayer of said petition is to  
 use the proceeds of such sale to pay the debts of  
 said Roland D. Koffroth, to support him and his  
 wife, Jane B. Koffroth, and to reinvest the surplus in  
 first-mortgage loans or in bonds of the United  
 States Government, as the Court shall order.

Said petition will be for hearing by said Court,  
 on the 18<sup>th</sup> day of January 1919, at One O'clock P.M., at  
 which time an order will be asked, as prayed for  
 in said petition.

Dated this 11<sup>th</sup> day of December, 1918.

E. E. Koffroth, Guardian  
 of Roland D. Koffroth, an Imbecile.

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Affidavit Of Service

The State of Ohio, Union County, ss.  
 I, Edward E. Koffroth, being duly sworn, say, that on the  
 18<sup>th</sup> day of December, 1918, I served this writ by  
 delivering a true copy thereof personally to the follow-  
 ing named persons, to-wit:

Roland D. Koffroth, an Imbecile, and Lucretia Bigley  
 with whom said Roland D. Koffroth resides; also, on  
 the 21<sup>st</sup> day of December, 1918, I delivered a true  
 copy of this writ to Jane B. Koffroth, and also to  
 W. H. Britchard, as Superintendent of the Columbus



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State Hospital for the insane in whose custody the said Jane B. Koffroth now is, she having no legal guardian, Edward E. Koffroth.

Brought to before me and signed in my presence this 6<sup>th</sup> day of January, 1919.

Agnes D. Porter, Deputy Clerk

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Wainor.

In the Probate Court of Union County, Ohio

No. 9065-

Eduard Koffroth, as Guardian of Roland D. Koffroth, an Imbecile, Plaintiff.

Petition To Sell Real Estate

Wainor

His said Ward, Milton B. Koffroth, Lucretia Bigley, Glenn Pyers, John F. Koffroth, and Jane B. Koffroth, Defendants.

Wainor Of Process and Consent To Sell

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of Roland D. Koffroth, an Imbecile to pay debts &c. hereby wainor service of process and consent to the sale of the Real Estate in said Petition mentioned, as therein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Milton B. Koffroth, Lucretia Bigley, Glenn Pyers.

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Affidavit for Constructive Service

In the Probate Court of Union County, Ohio

Case no. 9065-

affidavit for Constructive Service

Eduard Koffroth, as Guardian of Roland D. Koffroth, an Imbecile, Plaintiff.

affidavit for Constructive Service

His Ward - et al. Defendants.

The State of Ohio, Union County, ss. Eduard Koffroth, the Plaintiff in the above entitled proceeding for the sale of his Ward's real estate, being first duly sworn, says that the residence of the defendant John F. Koffroth, is unknown and cannot with reasonable diligence be ascertained; and that the cause is one of those mentioned in Section No. 11292 of the General Code

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of Ohio.

Eduard Koffroth.

Done to by the said Eduard Koffroth before me, and signed by him in my presence, this 6<sup>th</sup> day of December, A. D. 1918.

State G. E. Kazay, Notary Public

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Application, Appointment of Trustee for Suit.

In the Probate Court of Union County, Ohio,

Eduard Koffroth, as Guardian of  
Roland D. Koffroth, an Imbecile.

Case, No. 9065

Proceeding to Sell  
Real Estate

Plaintiff

v.

His said Ward et al.

Defendants.

Application, Appointment  
of Trustee for Suit.

Application

Appointment

of

Trustee for Suit

to the Hon. Eduard H. Porter, Judge of said Court:

The undersigned, as guardian of Roland D. Koffroth, an imbecile, and, also, on behalf of Jane B. Koffroth, a lunatic, both being defendants to the proceeding herein, hereby makes application for the appointment of a Trustee for the suit for the said Defendants in the above entitled proceeding.

The said Roland D. Koffroth, an adult adjudged imbecile, and the said Jane B. Koffroth, an adult adjudged lunatic, have both been duly served with notice herein.

The undersigned suggests that Milton B. Koffroth, who is a suitable person therefor, be appointed as Trustee for the suit to represent the said incapacitated Defendants.

Respectfully,

Eduard Koffroth, Guardian &c.

By James M. Campbell, his Attorney.

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Journal Entry:

In the Probate Court of Union County, Ohio,

Eduard Koffroth, as Guardian of  
Roland D. Koffroth, an Imbecile,  
Plaintiff.

Case, No. 9065-

Wednesday January 8<sup>th</sup> 1919  
Journal Entry.

App't- of  
Trustee

for the suit.

v.

His said Ward, et al.

Defendants.

Appointment of Trustee  
for the suit.

This day came the Plaintiff, by his Attorney of Record, and made application for the appointment of a Trustee for the suit for Roland D. Koffroth, an imbecile, his ward, and for Jane B. Koffroth, a lunatic, both defendants to the petition herein filed.

And it appearing to the Court that both of the said Defendants are of full age, of unsound mind, and each wholly incapacitated to act herein,

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Answer

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and that both have been duly served with notice of this proceeding and the purpose thereof---

It is considered and ordered by the court that Milton B. Koffroth be, and he is hereby, appointed Trustee for the suit to represent the respective rights and interests of the said Roland D. Koffroth and Jane B. Koffroth, defendants, as aforesaid.

And now comes the said Milton B. Koffroth and accepts the said appointment, and is granted leave to answer in the premises.

Edward H. Porter, Probate Judge.

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Answer of Trustee for the Suit.

In The Probate Court of Union County, Ohio,

Answer of Trustee for the suit

Eduard Koffroth, as Guardian of Roland D. Koffroth, an imbecile, v. His said Ward, and others, Defendants.

Case No. 9065- Answer of Trustee for the Suit.

Now comes Milton B. Koffroth, as Trustee, for the suit, hereto for appointed herein for Roland D. Koffroth, an adult adjudged imbecile, and Jane B. Koffroth, an adult now confined in the Columbus State Hospital for the Insane at Columbus, Ohio, adjudged lunatic.

defendants to the petition herein, and for answer to the said petition says: That he denies for the said Defendants all the material allegations in the petition which are, or may become, prejudicial to them, or either of them, that said Roland D. Koffroth was 82 years of age, May 3<sup>rd</sup>, 1918, and said Jane B. Koffroth was 82 years of age February 17<sup>th</sup>, 1918, and has a contingent down interest in said lands sought to be sold, and that, by reason of the mental infirmity of each of the said Defendants, they are ignorant of the law governing the proceedings in this case and wholly incapable of protecting their respective rights and interests in the premises. Said Trustee, for said imbecile and lunatic, consents to a sale of said lands as prayed, free of said contingent down interest, and consents and elects to take the value of said down interest of Jane B. Koffroth in money, from the proceeds.

Wherefore, this Answering - Trustee for the Suit prays the court to protect the respective rights and interests of the said Defendants involved in this case; and that they, and each of them, may be awarded such down and further relief in the

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Final Record, Union County Probate Court

9065- premises as the Court shall deem just.  
Milton B. Koffroth,  
as Trustee for the Suit &c.

9065- The State of Ohio, Union County, ss.  
Cath Milton B. Koffroth, being duly sworn, says that he is  
the Trustee for the Suit herein above mentioned; that he  
has personal knowledge of the facts stated in his  
forgoing Oath, and that the said facts and allegations  
therein stated are, as he believes true.

Milton B. Koffroth.  
sworn to by the said Milton B. Koffroth before me, and  
signed by him in my presence, this 13<sup>th</sup> day of  
January, A. D. 1919.

L. E. Nagay, Notary Public,  
of Union County, Ohio.

9065- Legal Notice  
John F. Koffroth, whose residence is unknown, will take  
Notice that on the 7<sup>th</sup> day of December, 1918, Edward Koffroth  
as the legal guardian of Roland D. Koffroth, an imbecile,  
filed in the Probate Court of Union County, Ohio, a petition,  
being Case No. 9065, on the Docket of said Court the object  
and prayer of which is, to procure the said Court to  
order the sale of real estate of the said Roland D.  
Koffroth, situated in the County of Union, State of Ohio,  
and in the Township of Deebury, and described as follows:  
to-wit: Part of Lots Nos. One and Two of the Sub-division  
of the West part of Virginia Military Survey, Nos. 5630 and  
6510, containing 110 acres, more or less, and, also, a  
right of way, two rods wide along the West line of  
Stephen Leary's land from the said 110 acre tract to the  
Broadway and Pharisburg Grant Road.

For a more particular description of said lands,  
by metes and bounds, reference is here made to the  
said Petition and to the deed thereof, to said Roland  
D. Koffroth, found at Vol. 63, page, 239 of the Deed Record  
of Union County, Ohio.

The further object and prayer of said petition is  
to use the proceeds of such sale to pay the debts of  
said Roland D. Koffroth, to support and maintain  
him and wife, Jane B. Koffroth, and to re-invest the  
surplus in first mortgage loans or in bonds of the  
United States Government, as the Court shall order.

The said petition will be for hearing by the said  
Court on the 18<sup>th</sup> day of January, 1919, at One O'clock  
P.M., at which time, unless cause is shown to the  
contrary, an order will be asked, as prayed for  
in said petition.

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Final Record, Union County Probate Court

9065- Dated December 11<sup>th</sup> 1918.

Eduard Koffroth,  
as Guardian of Roland D. Koffroth, an Imbecile.  
James Mc Campbell, Atty for Guardian.  
Dec. 11<sup>th</sup> 1918 - G.W.

9065- State of Ohio, Union County, ss.

Personally appeared before me John B. Shearer and  
made solemn oath, that the notice a copy of which  
is hereto attached was published for six consecutive  
weeks on and next after December 11- 1918, in the  
Marysville Tribune, a newspaper of general circulation  
in the county aforesaid.

John B. Shearer.

Brought before me and signed in my presence, this  
18<sup>th</sup> day of January A. D. 1919.

J. M. Amber, Notary Public.

Printer's Fees \$ 21.<sup>00</sup>,

9065- Journal Entry:

In the Probate Court of Union County, Ohio.  
Eduard Koffroth, as Guardian  
of Roland D. Koffroth, an Imbecile,  
Plaintiff.  
Case No. 9065-  
Saturday, January, 18<sup>th</sup> 1919.  
Journal Entry.

Petition

vs

His Ward et al.  
Defendants

Petition granted, and  
lands ordered appraised by

lands  
ordered  
appraised, etc.

This day this cause came on to be heard upon  
the petition, the answer of the defendants, Roland D.  
Koffroth and Jane B. Koffroth, by Milton B. Koffroth,  
their Trustee for the suit, and the evidence; and  
the same was submitted to the court.

Whereupon, the court, being fully advised in the  
premises, finds:

That all the Defendants herein have duly and legally  
notified of the pendency and prayer of the petition,  
or have voluntarily entered their appearance thereto,  
and are now properly before the court; and that,  
excepting as to the said Roland D. Koffroth and  
Jane B. Koffroth, the allegations of the petition, for  
want of answer and demurrer thereto, are con-  
fessed to be true and the court finds the facts  
in the premises truly fully stated.

The court further finds: That the said Roland D.  
Koffroth and the said Jane B. Koffroth are husband  
and wife; that the said Jane B. Koffroth is an  
adjudged lunatic now confined in the Columbus  
State Hospital for the Insane, at Columbus, Ohio;



Final Record, Union County Probate Court

9065-

that as such wife she has under the Statute for such case provided, a contingent right and expectancy of dower in the lands herein sought to be sold; and that the said trustee for the suit, on behalf of the said Jane B. Koffroth, consents to the sale of said lands free of the said right and expectancy of dower, and elects for her to take the value thereof, in such sum as the Court may allow, in money from the proceeds of such sale.

Wherefore, the Court being fully satisfied that the real estate described in the petition ought to be sold for the purpose of paying debts and maintenance as alleged and prayed, it is considered and ordered by the Court that James Maddox, Alexander Johnson, and George Ringel, judicial freeholders of the County, and not of kin to the petitioner, be and they hereby are appointed to appraise said lands at their fair cash value, free from the said right and expectancy of dower of the said Jane B. Koffroth therein.

It is further ordered that said appraisers be sworn as required by law, and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, pursuant to law; and this cause is adjourned for such report.

Edward W. Porter, Probate Judge.

Order of Appraisement.

9065-

The State of Ohio,

Probate Court,

Union County, ss.

Order

of

Appraisement

To Edward Koffroth, as Guardian of Roland D. Koffroth, an Imbecile, Greeting;

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Guardian of Roland D. Koffroth, an Imbecile are Plaintiff and His said Ward et al. are Defendants, you are commanded that by the oaths of James Maddox, Alexander Johnson, and George Ringel judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County, in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free of the dower estate of Jane B. Koffroth, therein, to wit:

Situated in the County of Union State of Ohio, and in the Township of Leesburg, to wit:

Bounded and described as follows: Part of lots Nos. One and Two of the sub-division of the

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Final Record, Union County Probate Court

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West part of Virginia Military Survey Nos. 5630 and 6510. Beginning in the North line of said Survey Nos. 5630 and 6510, and South line of Survey No. 3692, and North-west corner of David Hildreth's land; thence with the West line of said David Hildreth's land, and the West line of Wm. Hildreth Jr.'s land S. 10 W. 160 poles to the South-west corner of said Wm. Hildreth Jr.'s land, and North-east corner of said Roland D. Koffroth's land; thence with the North line of said Koffroth's land N. 83 W. 110 poles to the South-east corner of Julia A. Wallace's land; thence, with the East line of said Julia A. Wallace's land N. 10 E. 160 poles to the said Survey line first mentioned; thence with said Survey line S. 53 E. 110 poles to the place of beginning. Containing One Hundred and Ten Acres, more or less.

Also a right of way, in common with the lands of said Julia A. Wallace, two rods wide along the West line of Stephen Cary's land from the lands herein conveyed to the Broadway and Charlestown Grand Road.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you then and there this Writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the seal of said Court, at Marietta, Ohio, this 18<sup>th</sup> day of January, 1919.

*Edw.* Edward W. Porter Probate Judge.

9065-

Return

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 31<sup>st</sup> day of January, 1919.

Edward Koffroth, Guardian - Plaintiff.

9065-

Oath Of Appraisers

The State of Ohio,  
Union County, ss.

Oath

of Appraisers

We, the undersigned appraisers, do make solemn oath, that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

James Maddox

Alexander Johnson.

George Ruyth

Appraisers

Final Record, Union County Probate Court

9065-

Sworn to before me and signed in my presence, this 22<sup>nd</sup> day of January, 1919.

Arthur Flesher, Notary Public.

9065-

Appraisers Return.

Appraisers Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at \$115. per acre making a total valuation of Three thousand six hundred and fifty dollars free of said contingent down estate of James B. Koffroth.

Given under our hands, this 22<sup>nd</sup> day of January, 1919.

James Maddex

Alex. Johnson,

George Rygl.

Appraisers-

9065-

Order

Approving appraisement and for Bond.

Journal Entry: Order Approving Appraisement and for Bond, Probate Court, Union County, Ohio.

Friday, January, 31<sup>st</sup>, 1919.

Eduard Koffroth, as Guardian of Roland D. Koffroth, an Imbecile Plaintiff.

Petition to

See Real Estate.

v.

His Ward, et al.

Order For Bond, Etc.

Defendants.

This day came the said Plaintiff, by his attorney, and produced to the court, the report of an appraisement herein made by James Maddex, Alexander Johnson, and George Rygl in pursuance of a former order of this court, and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said Eduard Koffroth execute within -- days, to the State of Ohio a bond with sufficient freehold sureties, to be approved by the court, in the sum of Twenty-five thousand and Three hundred Dollars, conditioned according to law, and this cause is continued.

Eduard H. Porter, Probate Judge.

9065-

Suggestion of death of a

In the Probate Court of Union County, Ohio. Eduard Koffroth, as Guardian of Roland D. Koffroth, an Imbecile Plaintiff.

Case No.

Suggestion of death of a Defendant

v.

His said Ward, et al.

Defendants.

Now comes Eduard Koffroth, the Plaintiff, by his Attorney of Record, and suggests to the Court that

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Application of Rol

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Final Record, Union County Probate Court

9060- Jan 13. Koffroth, a defendant herein, died on the 7<sup>th</sup> day of February 1919, at the Columbus State Hospital for the Insane, at Columbus, Ohio and the action proceeds, Edward Koffroth, Plaintiff

9061- Application to Sell Real Estate at Private Sale, Probate Court, Union County, Ohio. No. 9061

Application of Edward Koffroth, as Guardian of Roland D. Koffroth, an Insane, Plaintiff.

His Ward, et al. Defendants, Application. The said Plaintiff represents that it would be for the best interest of the said Roland D. Koffroth to sell the real estate described in the petition in this case at private sale, for the following reasons: 1. Plaintiff has a bona fide offer of the appraisement. 2. The appraisement represents the fair value of the lands in the petition described.

3. A considerable sum in costs will be saved by private sale, and,

4. The lands described, at public sale, might sell for less than the appraisement.

And he therefore asks for an order authorizing him to sell said real estate at private sale.

Edward Koffroth, Guardian, of Roland D. Koffroth, an Insane.

9062- The State of Ohio, Union County, ss. Edward D. Koffroth, being duly sworn, says that the various matters set forth in the foregoing Application are true as he verily believes. Edward Koffroth.

Sworn to before me, and signed in my presence this 4<sup>th</sup> day of March, 1919. Edward H. Porter, Probate Judge.

9063- Affidavit of Disinterested Person. The State of Ohio, Union County, ss. Wm. H. Sherman and Wm. E. Langhrey, being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it



Final Record, Union County Probate Court

9060- known for the interest of the said Roland D Koffroth, an imbecile to sell said real estate at private sale than at public sale, as they verily believe.

William L. Sherrinman,  
W. E. Langhrey.

Known to before me, and signed in my presence, this 4<sup>th</sup> day of March, 1919.

Seal Edward H. Porter, Probate Judge.

Guardian's Bond.

9065-

Bond.

Know all men by these presents, that Mr. Edward Koffroth, Loretta Bigley, Glenna Piers, and M. B. Koffroth, are held and firmly bound unto the State of Ohio, in the sum of Twenty Five thousand, and three hundred dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Mansfield, Ohio, this 4<sup>th</sup> day of March, 1919.

The condition of the above obligation is such, that whereas the above bound Edward Koffroth was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, guardian of Roland D. Koffroth, an Imbecile.

And whereas the said Edward Koffroth as such Guardian, has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said ward, described in said petition, which under proceedings in said Court duly had, has been appraised at the sum of Twelve thousand and six hundred and fifty dollars.

And whereas said Court, on the 31<sup>st</sup> day of January, 1919 made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now if the said Edward Koffroth, as Guardian aforesaid, shall faithfully discharge his duties as such Guardian, and faithfully pay over and account for all moneys arising from the sale of said Real Estate according to law, then this obligation to be void, otherwise to remain in full force.

Edward Koffroth.

Loretta Bigley.

Glenna Piers.

M. B. Koffroth.

This Bond approved in open Court this 4<sup>th</sup> day of March, 1919.

Seal Edward H. Porter, Probate Judge.

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Journal Entry - Orders Approving Bond for Private Sale, etc, Probate Court, Union County, Ohio.

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Final Record, Union County Probate Court

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Tuesday, March 4<sup>th</sup> 1919.

Eduard Koffroth, as Guardian,  
of Roland D. Koffroth an Imbecile,  
Plaintiff.

Petition to Sell Real Estate

v.

His Ward et. al.

Order of Sale, etc.

Defendants.

Order  
approving  
bond  
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Sale.

This day this cause came on further to be heard, and it appearing to the Court, that the said Eduard Koffroth the plaintiff above named has given bond as heretofore ordered, in the sum of Twenty-five thousand and three hundred Dollars, with Losetta Bigley, Glenna Pyers, and M. B. Koffroth freeholders as Sureties, it is ordered that said bond be and hereby is approved.

And, thereupon, upon the suggestion of the Plaintiff, by his Attorney, of record, that the defendant, Jane B. Koffroth, wife of the Plaintiff's said Ward, deceased on the 7<sup>th</sup> day of February, 1919, the Court finds the said suggestion true, and that the contingent dower estate of the said Jane B. Koffroth in the lands in the petition described has, by her death, determined.

And it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said Roland D. Koffroth to sell the real estate described in the petition at private sale.

It is therefore further ordered that said Eduard Koffroth, as such Guardian proceed to sell said real estate, free of dower at private sale, for not less than the appraised value thereof, on the following terms, to-wit: Cash in hand on day of sale.

And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Eduard W. Porter, Probate Judge.

9065-

Order Of Sale.

Probate Court,

The State Of Ohio, Union County, ss.

To Eduard Koffroth Guardian of Roland D. Koffroth, an Imbecile, Greeting:

Order  
of  
Sale

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, No. 9065, now pending in said Court, wherein you as Guardian of Roland D. Koffroth, an Imbecile, are Plaintiff and your Ward et al., are Defendants, you are commanded

4<sup>th</sup> day  
Probate Judge  
D. W. Porter, etc.  
Union County, Ohio.



Final Record, Union County Probate Court

9065

to proceed according to law, to sell at private sale, for not less than the appraised value thereof free of down.

the following described premises, to wit:

Situated in the County of Union, in the State of Ohio, and in the Township of Leaburg, to wit:

Bounded and described as follows: Part of Lots Nos. One and Two of the Sub-Division of the West part of Virginia Military Survey, Nos. 5630 and 6510.

Beginning in the North line of said Survey No. 5630 and 6510, and South line of Survey No. 3692, and North-west corner of David Hildreth's land; thence with the West line of said David Hildreth's land, and the West line of Wm. Hildreth Jr. land S. 10° W. 160 poles to the South-west corner of said Wm. Hildreth Jr.'s land, and North-east corner of said Roland D. Koffroth's land; thence with the North line of said Koffroth's land N. 83° W. 110 poles to the South-east corner of Julia A. Wallace's land; thence with the East line of said Julia A. Wallace's land N. 10° E. 160 poles to the said Survey line first mentioned; thence with said Survey line S. 83° E. 110 poles to the place of beginning, containing One Hundred and Ten acres, more or less.

Also a right of way, in common with the lands of said Julia A. Wallace, two rods wide along the West line of Stephen Carey's land from the lands herein conveyed to the Broadway and Parisburg Grant Road.

Said sale to be free of down, and to be upon the following terms: Cash in hand, and in full on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court at Marysville, Ohio, this 4<sup>th</sup> day of March, A. D. 1919.

Eduard W. Porter, Probate Judge.

9065

Return

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 24<sup>th</sup> day of March, 1919.

Eduard Koffroth Guardian of Roland D. Koffroth, an Incubitor Report of Sale.

9065

Report

In obedience to the within order, I sold said premises on the 22<sup>nd</sup> day of March, A. D. 1919 to Alfred L. Lake and Elizabeth Lake for the sum of Twelve Thousand Six Hundred and Fifty (\$12,650.00) Dollars.

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Final Record, Union County Probate Court

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Edward D. Koffroth, Guardian of  
Roland D. Koffroth, an Imbecile.  
Dated the 24- day of March, A.D. 1919.

9065- The State of Ohio, Union County, ss.  
The above named Edward Koffroth, Guardian of  
Roland D. Koffroth, an Imbecile, being duly sworn, says  
that the sale above reported has been made after  
diligent endeavor to obtain the best price for said  
property, and that said sale is for the highest  
price he could get for said property.  
Edward Koffroth.  
Known to before me and signed in my presence  
this 24- day of March, A.D. 1919.  
Edward W. Porter, Probate Judge.

9065- Journal Entry:  
In the Probate Court of Union County Ohio,  
Edward Koffroth, as Guardian of Roland D. Koffroth, an Imbecile,  
Plaintiff,  
vs.  
His said Wards, et al.,  
Defendants.  
Monday, March 24- 1919,  
no. 9065-  
Journal Entry.

Confirming sale and  
Ordering Distribution  
This day this cause came on to be heard on the  
return of the Order of Sale heretofore issued herein to  
Edward Koffroth, as Guardian of Roland D. Koffroth, and  
of this proceedings and sale thereunder.  
Thereupon the Court after having carefully examined  
said return, and being satisfied that such sale  
has in all respects been made according to law  
and the former order of this Court, it is therefore  
considered and ordered by the Court that said  
sale be and the same thereby is approved and  
confirmed, and said Edward Koffroth, as such  
Guardian is hereby ordered to execute and deliver to  
Alfred L. Lake and Elizabeth Lake the purchasers, a good  
and sufficient deed for the premises so sold.  
And the Court coming now to distribute the  
proceeds of said sale in the hands of said  
Guardian, viz: \$12650.00, orders that he pay:  
First:- To the Treasurer, the taxes, penalties, and  
interest thereon against said lands, amounting  
to the sum of \$---.  
Second: To the Clerk of this Court, the costs of this  
action, herein taxed at \$---.  
9065- Third: The debts and current maintenance of said

Final Record, Union County Probate Court

9065-

Ward, as prayed in the petition.

And said Guardian is ordered to invest the balance of said proceeds in first mortgages, or in Bonds of the United States Government, pursuant to the Statutes for such cases provided, and to report the same to this Court pursuant to law.

It is further ordered that a complete record in the premises be made.

Edward H. Porter, Probate Judge.

9109

Filed

Feb. 7<sup>th</sup> 1919

Petition To Sell Real Estate To Pay Debts.

The Probate Court Of Union County, Ohio.

Charles Stockman, Executor  
Of the Estate of  
J. D. Meckling, Deceased.  
Plaintiff.

Petition To  
sell Real Estate  
To Pay Debts.

v.

vs. 9109.

Martha C. Meckling,  
Florence Meckling,  
The Plain City Home and  
Savings Company,  
Charles Stockman, and  
Elton D. Meckling, a  
minor over 14 years of age,  
Charles Stockman, Executor  
of the Estate of  
J. D. Meckling, Deceased,  
Defendants.

Petition

The plaintiff represents that he was on the 1<sup>st</sup> day of July, A. D. 1918, duly appointed and qualified executor of the estate of J. D. Meckling, deceased, late of Jerome Township, Union County, Ohio, and is still acting as such executor; that the amount of debts due the deceased, is one thousand dollars, as near as they can be ascertained, that the charges of administration of said estate will amount to about one hundred and fifty dollars and that there is no personal estate and effects of said decedent, bring no personal property or effects to pay said costs and indebtedness afor said.

The plaintiff further represents that said J. D. Meckling died seized in fee simple of the following described real estate, situated in the township of Jerome, County of Union, State of Ohio, and bounded and described as follows:

Bring in Survey nos. 775-8 and 7830.

Beginning at a stake in the south line of a 20 foot alley and south west corner to a

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Final Record, Union County Probate Court

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parcel of land conveyed by Nathaniel Harrington and wife to Charles Bell Jan. 15<sup>th</sup> 1896; thence with the south line of said alley across a parcel of land conveyed by said Harrington to said Bell June 29<sup>th</sup> 1895; N. 69° 14' W. 6-2/3 poles to the west line of last named parcel of land; thence with said line and H. Wrights east line N. 20° 46' East 22-5/100 poles to a stake in the south line of the lands of George Rickard's heirs; thence with said line S. 85° 18' E. 6-74/100 poles to a stake; thence S. 20° 46' W. 24 6/100 poles to the beginning containing 158-78/100 sq. rods of land.

The above alley to be kept open for public purposes. Bring the same land conveyed by said Harrington and wife to said W. Knight Apr. 29<sup>th</sup> 1902.

The plaintiff further represents that said real estate was appraised in accordance with the order of the Probate Court of Union County, Ohio, by the appraisers of the personal estate of said decedent free from any dower estate therein and that the amount of said appraisement is eight hundred dollars.

Petition

That Jacob Weaver, Frank J. Currier and W. E. Chandler were the appraisers of the personal and real estate appointed by said court and are residents of the vicinity, and of Union County, Ohio, and are free holders.

The decedent died leaving the defendant Martha C. Meckling, his widow, who has elected, and said election is filed in said court to take under the last Will and Testament of said decedent thereby waiving her right of dower in said premises; that the defendants Florence Meckling, Elton D. Meckling and Charles Stockman are the only children, devisees, legatees and heirs at law of said decedent, having the next estate of inheritance and rights under the last Will and Testament of J. D. Meckling deceased, in said premises; that the Plain City Home and Savings Company, defendant, has or claims to have a mortgage lien in said premises. That said The Plain City Home and Savings Company be required to set up its claim or be forever barred to its claim of said mortgage lien on said premises.

That Charles Stockman Executor of the Estate of J. D. Meckling, deceased, has since the death of the said J. D. Meckling paid to The Plain City Home and Savings Company, out of his personal fund, the sum of \$96.<sup>57</sup> as a payment on the aforesaid mortgage lien.

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Final Record, Union County Probate Court

9109

The plaintiff therefore prays that the right interest and lien of the said The Plain City Home and Savings Company may be fully determined, adjudged and protected according to equity, that Charles Stockman may be re-imbursed for the sum of money that he paid to The Plain City Home and Savings Company as a payment on said mortgage, and that your petition may be authorized and ordered to sell said real estate according to the General Code of Ohio, in such cases made and provided, and for all other proper orders and relief in the premises.

J. E. Strayer,  
Attorney for Plaintiff.

9109

State of Ohio, Madison County, ss.

oath

Charles Stockman, being first duly sworn, says that he is the plaintiff in the above action, and that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Charles Stockman

brorn to before me and subscribed in my presence this 3rd day of February A. D. 1919.

J. E. Strayer, Notary Public.

9109

Journal Entry:

In the Probate Court of Union County, Ohio.

Charles Stockman, Executor  
of the Estate of  
J. D. Mechling, Deceased,  
Plaintiff  
vs.  
Martha C. Mechling, et al.,  
Defendants.

February, 7<sup>th</sup> 1919  
Case no. 9109  
Journal entry.

Filing  
Petition to  
sell Real Estate

This day came the Plaintiff Charles Stockman Executor of estate of J. D. Mechling and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said J. D. Mechling, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Where upon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to

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Answer  
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Final Record, Union County Probate Court

9109 each of the said defendants; and this cause is continued,  
Edward H. Porter, Probate Judge

9109 The Probate Court of Union County, Ohio,  
no. 9109  
Charles Stockman, Executor of  
The Estate of  
J. D. Meckling, Deceased,  
Plaintiff  
v.  
Martha C. Meckling, et al.  
Defendants  
Proceedings To Sell Land,  
Answer of  
Charles Stockman, Executor  
of The Estate of  
J. D. Meckling  
Deceased.

Answer  
of  
Charles  
Stockman  
Executor

Now comes Charles Stockman, Executor of the Estate of J. D. Meckling, deceased, one of the defendants in the above cause and says that he is the Executor of the Estate of J. D. Meckling, Deceased, that the said J. D. Meckling during his life time executed and delivered a mortgage to the Plain City Home and Savings Company, one of the defendants herein named, on the premises described in the petition in this case to secure the payment of a loan made to him by said Company. That the provisions of said mortgage provided for the payment of the same in weekly installments for the purchase of seven shares of stock in said Company. That said decedent was to pay 25 cents per week on each share, to be applied on the principal of said loan and twelve cents per week on each share to be applied as interest and in case of the default of payments each week five cents for each share as a fine for failure of such payments.

That said decedent did not leave any personal property and there were no funds to pay said loan. That in order to save the Estate of J. D. Meckling from paying fines to said Company for failure to make such payments; said executor paid out of his personal funds to said company the following payments, as follows:

	Principal	Interest		Principal	Interest
May 18 <sup>th</sup> 1918.	1.75	.84	July, 20 - 1918.	1.75	.84
May 25 <sup>th</sup> 1918	1.75	.84	July, 27 - 1918	1.75	.84
June 1 1918	1.75	.84	August, 3 - 1918	1.75	.84
June 8, 1918	1.75	.84	August 10 - 1918	1.75	.84
June 15, 1918	1.75	.84	August 17 - 1918	1.75	.84
June 22 - 1918	1.75	.84	August 24 - 1918	1.75	.84
June 29 - 1918	1.75	.84	August 31 - 1918	1.75	.84
July, 6 - 1918	1.75	.84	September 7 - 1918	1.75	.84
July 13 - 1918	1.75	.84	September 14 - 1918	1.75	.84

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Final Record, Union County Probate Court

	Principal	Int.				
9109	September 21- 1918	1.75	84	December. 7- 1918	1.75	84
	September. 28- 1918	1.75	84	December. 14- 1918	1.75	84
	October 5- 1918	1.75	84	December. 21- 1918	1.75	84
	October 12- 1918	1.75	84	December. 28- 1918	1.75	84
	October 19- 1918	1.75	84	January. 4- 1919	1.50	72
	October 26- 1918	1.75	84	January. 11- 1919	1.50	72
	November 2- 1918	1.75	84	January 18- 1919	1.50	72
	November. 9- 1918	1.75	84	January 25- 1919	1.50	72
	November. 16- 1918	1.75	84	February 1- 1919	1.50	72
	November. 23- 1918	1.75	84			
	November. 30- 1918	1.75	84			
					\$ 65.20	\$ 31.32

Making a total of Principal and interest paid to said Company by the said Charles Stockman of \$96.57.

Wherefore,

the said Charles Stockman, Executor of the Estate of J. D. Mechling, deceased, asks the Court to order the amount of \$96.57, paid to him out of the funds of the sale of said premises, after the court costs, taxes, costs of administration and the claim of the Plain City Home and Savings Company has been paid and for such other and further relief as law and equity may afford.

Charles Stockman, Executor  
of the Estate of J. D. Mechling, Deceased.

9109 State of Ohio, Madison County, ss.

Charles Stockman, Executor of the Estate of J. D. Mechling deceased, being first duly sworn says that he is one of the above named defendants and that the facts herein stated and allegations contained therein are true as he verily believes.

Charles Stockman

Sworn to before me and subscribed in my presence this 3<sup>rd</sup> February, 1919.

James W. Bouns, Notary Public.

9109

Summons On Petition To Sell Real Estate.

Summons. The State Of Ohio, Union County, ss.

To the Sheriff of Madison County, Ohio;

you are commanded to notify Florence Mechling; Elton D. Mechling, a minor over fourteen years of age, that on the 7<sup>th</sup> day of February A. D. 1919 Charles Stockman, Executor of the Estate of J. D. Mechling, Deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale certain Real Estate belonging to said decedent, in said petition described,

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Final Record, Union County Probate Court

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for the purpose of paying debts, and that unless they answer by the 8<sup>th</sup> day of March, 1919, said petition will be taken as true, and an order granted accordingly. You will make due return of this writ on the 17<sup>th</sup> day of February, A. D. 1919.

Witness my hand and the seal of said court, this 7<sup>th</sup> day of February, A. D. 1919.

Edward H. Porter,

Judge and Ex-Officio Clerk of the Probate Court of said County, Sheriff's Return

9109

The State of Ohio, Madison County, ss.

Recind this writ February 8<sup>th</sup> 1919, at 11 O'clock, A.M. and pursuant to its command on the 10<sup>th</sup> day of February 1919, I served the within named Florence Meckling and Elton D. Meckling by handing to each of them a true copy of this writ with all the endorsements thereon, Elton D. Meckling, being a minor and having no father, mother nor Guardian. I served Martha C. Meckling by handing to her a true copy of this writ with all the endorsements thereon, she being the person with whom he makes his home.

L. C. Dobison, Sheriff.

Sheriff's Fees	
Service and Return	.75
Additional Names	.50
Mileage	2.80
Total	\$4.05

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Wainor

The Probate Court of Union County, Ohio,

No. 9109

Charles Stockman, Executor of the Estate of J. D. Meckling, Deceased, Plaintiff,

Proceedings for Sale of Land

Wainor

Martha C. Meckling, et al. Wainor Of Summons. Defendants,

We, the undersigned parties defendant in the petition in said cause, hereby waive issuing and service of summons, and voluntarily enter our appearance as such defendants.

The Plain City Home and Savings Company  
Per J. R. Woods, Secretary,  
Martha C. Meckling  
Charles Stockman  
Charles Stockman, Executor of the Estate of J. D. Meckling, Deceased.

9109

Final Record, Union County Probate Court

9109  
 Answer of Martha C. Meckling, widow of J. D. Meckling, Deceased,  
 The Probate Court of Union County, Ohio,  
 No. 9109  
 Charles Stockman, Executor of  
 The Estate of  
 J. D. Meckling, Deceased.  
 Plaintiff  
 v.  
 Martha C. Meckling  
 Defendant.  
 Answer of Martha C. Meckling  
 widow of J. D. Meckling, deceased,  
 And now comes Martha C. Meckling, one of the  
 defendants in the above entitled cause and volun-  
 tarily enters her appearance herein; and for answer to  
 the petition in this case filed says: That she is the  
 widow of the said J. D. Meckling, deceased, and as  
 widow of said decedent elected to take under the  
 last will and testament of the said J. D. Meckling,  
 deceased, that said election has been filed in  
 said court. That she is not entitled to dower in  
 said premises by reason of her election under the last  
 will and testament of said decedent, and therefor  
 waives her right of dower in said premises. That she  
 freely consents that said premises may be sold as  
 prayed for in said petition.  
 Martha C. Meckling

9109  
 State of Ohio, Madison County, ss.  
 Martha C. Meckling, being first duly sworn,  
 says, that she is the widow mentioned in the  
 foregoing answer, and that the several matters  
 and things set forth in said answer are true.  
 Martha C. Meckling  
 Sworn to before me and subscribed in my presence  
 this 11<sup>th</sup> day of February, 1919.  
 Frank J. Courier, Notary Public

9109  
 Answer and Cross-Petition. The Plain City Home and Savings Company  
 In the Probate Court of Union County, Ohio.  
 Charles Stockman, Executor  
 Of the Estate of  
 J. D. Meckling, Deceased.  
 Plaintiff,  
 v.  
 Martha C. Meckling et al.  
 Defendants.  
 Now comes The Plain City Home and Savings Company  
 one of the defendants in the above titled cause  
 of action, and for its answer says, that it is  
 a corporation organized under the laws of Ohio,

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Final Record, Union County Probate Court

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and doing business in the Village of Plain City, Madison  
County, Ohio.

Affirm and Cross-Petition.

The defendant says by way of Affirm and Cross-petition,  
that on the 16<sup>th</sup> day of August A.D. 1917, it advanced as  
a loan to J.D. Mechling, in accordance with its  
Constitution and by-laws, the sum of Seven Hundred  
Dollars, being the estimated value of seven shares  
of its capital stock.

That in order to secure the repayment of the  
same in installments of dues, interest, premiums  
and fines, in case of the non-payment of dues,  
said J.D. Mechling, together with Martha C.  
Mechling, his wife, executed and delivered to  
said plaintiff their mortgage deed upon the  
premises described in plaintiff's petition in  
this cause of action.

That said mortgage was filed for record with  
the recorder of Union County, Ohio, on the 24<sup>th</sup> day  
of August A.D. 1917, and was duly recorded,  
in Mortgage Book No. 80, page 327, of the mortgage  
records of said county.

That by the terms of said mortgage it was  
provided: "Provided, nevertheless, and these presents  
are upon this condition, that, whereas, the said  
J.D. Mechling has entered into a contract in  
writing with said Company in the words and  
figures to wit:

\$700.<sup>00</sup> Plain City, Ohio, August 16<sup>th</sup> 1917.

Rekind of the Plain City Home and Savings  
Company of Plain City, Ohio, Seven Hundred Dollars  
as a loan on seven shares of stock owned by me  
in said company. I agree to pay to said  
Company, weekly, not less than Two and 5/100

Dollars, which shall be applied as follows:

First: To the payment of fines, insurance, taxes, or  
any other assessments made against me in fur-  
suance of the by-laws of said Company.

Second: To the payment of the interest due on said  
loan at the rate of twelve cents per week upon  
each share of stock upon which said loan  
is made.

Third:

To the payment of dues due on said  
loan at the rate of twenty five cents per  
week upon each share of stock upon which  
said loan is made. Said payments shall

9109

be continued until dues so credited on said



Final Record, Union County Probate Court

9109

stock, together with the dividends declared thereon, shall equal the amount loaned.

Borrower may also at any time pay up in full on one or more shares of stock on which a loan has been taken and have such shares and proportionate amount of the loan cancelled.

Should I fail for eight weeks to pay said weekly payments, then the whole amount of said loan shall become due and payable.

Signed J. D. Mechling

Now, if the said J. D. Mechling shall pay to said company its successors or assigns, the said sum of money when due as set forth in said contract, then these presents shall become void.

That on the first day of February, 1919, there was due said The Plain City Home and Savings Co. on said mortgage the sum of five hundred and fifty seven and 50/100 Dollars.

That on the 1st day of March, 1919, the account of said decedent's estate with this defendant was as follows:

Dues delinquent 4 weeks, \$6.00; Interest 4 weeks \$2.88; Fines 4 weeks \$1.70

That the total amount necessary to satisfy said mortgage on March 1st, 1919, was \$561.58

That said defendant is entitled to interest at the rate of 72 cents per week, and fines at the rate of 30 cents per week from February 1st, 1919, until said loan is satisfied.

Wherefore The Plain City Home and Savings Company, defendant, prays that said premises may be sold, and their claim of \$557.50 with interest at the rate of 72 cents per week and fines at the rate of thirty cents per week from February 1st, 1919, may be paid according to the terms and for such other and further relief as equity and justice may afford.

J. E. Strayer, attorney

For the Plain City Home and Savings Co.

9109

State of Ohio, Madison County, ss.

Oath

J. R. Woods, being first duly sworn says that he is Secretary of The Plain City Home and Savings Company, the defendant, and that the facts stated and the allegations contained in the foregoing answer and cross-petition are true as he verily believes.

J. R. Woods

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Final Record, Union County Probate Court

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Sworn to before me and subscribed in my presence, this 5<sup>th</sup> day of March, 1919.

J. E. Strayer, Notary Public.

9109

Application for Appointment of Guardian ad litem, Probate Court, Union County, Ohio

Charles Stockman

No. 9109

Executor of Estate of J. D. Meckling, Deceased, Plaintiff.

Charles Stockman, Executor of the Estate of J. D. Meckling, Deceased, Plaintiff

v.

Martha L. Meckling et al. Defendants

Application.

Application

To the Hon. Edward H. Porter Judge of said Court.

The undersigned Charles Stockman, Executor of the estate of J. D. Meckling, Deceased, Plaintiff, makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case.

The Defendant Elton D. Meckling over the age of fourteen years, and has been duly served with summons herein and that said minor defendant, Elton D. Meckling has neglected for more than twenty days after the return of the summons served upon him to apply for a Guardian ad litem.

The undersigned suggests that James McBanfield who is a suitable person be appointed as such Guardian ad litem.

Respectfully,

Charles Stockman Executor of

the Estate of J. D. Meckling, deceased, Plaintiff

Per. J. E. Strayer, His Attorney.

9109

Journal Entry:

Probate Court, Union County, Ohio,

March 14<sup>th</sup> 1919

Charles Stockman Executor of the Estate of J. D. Meckling, Deceased, Plaintiff.

No. 9109

v.

Martha L. Meckling et al. Defendants

Appointment of Guardian ad litem.

Appt of Guardian ad litem

This day Charles Stockman, Executor of the Estate of J. D. Meckling, Deceased, Plaintiff appeared in open court, and made application for the appointment of a Guardian ad litem for the minor defendant in this case.

And it appearing to the Court that the



Final Record, Union County Probate Court

9107

defendant Elton D. Meckling over the age of fourteen years, and has been duly and legally served with summons herein, and that said defendant Elton D. Meckling has neglected for more than twenty days after the return of the summons served upon him to apply for a guardian ad litem. it is ordered that James Mc Campbell, be and hereby is, appointed guardian for the suit, for said minor defendant.

And now comes the said James Mc Campbell, and in open court accepts said appointment.

Eduard H. Porter, Probate Judge.

9109

Answer of Guardian Ad litem.

The State of Ohio, Union County, ss. In the Probate Court of said County.

Answer of Guardian ad litem

Charles Stockman, Executor

of the Estate of

J. D. Meckling Deceased.

Pl't,

Answer of Minor Defendant

vs.

Martha C. Meckling et al.

Def'ts.

And now comes the said Elton D. Meckling the minor defendant to the petition in said cause, by James Mc Campbell, his guardian ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations therein contained, prejudicial to said minor defendants; and further say, that they are of tender years and not acquainted with the law in such cases.

They therefore pray the Court to protect their rights in this case, and for such relief as may be just.

Elton D. Meckling.

By James Mc Campbell,

Guardian Ad litem.

9109

Entry:

The Probate Court of Union County, Ohio.

Entry.

Charles Stockman, Executor

of the Estate of

J. D. Meckling Deceased,

Plaintiff

vs.

Martha C. Meckling et al.

Defendants.

This day this cause came on to be heard upon the petition, the answer of Charles Stockman, Executor of said estate, the answer and cross-petition of the Plain City Home and Savings Company, the answer of the widow, Martha C. Meckling, of said

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Final Record, Union County Probate Court

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decendent, the ancestor of James M. Campbell, Guardian ad litem of Elton D. Meckling, a minor defendant and upon the return of the summons issued and waiver of issuance and service of summons and the evidence and the Court being fully advised in the premises finds that all the parties in interest are now properly before the Court; that the statements and allegations in the petition are true, and that it is necessary to sell the real estate described in the petition to pay the debts of said decendent.

The Court further finds that Martha C. Meckling widow of the said decendent, elected to take under under the last will and testament of said decendent, and by her answer waived the right of dower in said premises. Whereupon the Court finds that the said Martha C. Meckling, widow of the said decendent has no right of dower in said premises.

The Court further finds that the real estate in the petition described was appraised by the appraisers of the personal estate at \$800.00.

It is therefore ordered that further appraisement of said real estate be dispensed with.

And it is further ordered that, before making said sale, the said executor give additional bond in the sum of \$1600.00 to be approved by this Court, to secure the assets arising from said sale.

Eduard H. Porter, Probate Judge.

9119

Affidavit For Private Sale.

Affidavit For Private Sale.

Charles Stockman, Executor,  
of the Estate of  
J. D. Meckling, Deceased,  
Plaintiff.

Affidavit for Private Sale

no - 9109

vs  
Martha C. Meckling et al,  
Defendants.

State of Ohio, Madison County, ss.

H. M. Robinson, Levy Couse, and T. P. Douglas, bring first duty sworn, say that they have read the application to which this affidavit is annexed; that they have no interest what ever in the matter therein referred to; and that it will be more for the interest of the estate of J. D. Meckling, Deceased, to sell the land of said estate at private sale, as they verily believe.

H. M. Robinson, Levy Couse, T. P. Douglas.

Final Record, Union County Probate Court

9109 Sworn to before me and subscribed in my presence this 28<sup>th</sup> day of March, A.D. 1919.

James H. Towns, Notary Public

9109

Application for Private Sale.

The Probate Court of Union County, Ohio,

Charles Stockman, Executor,

vs. 9109

Application for Private Sale

of The Estate of J. D. Meckling, Deceased, Plaintiff,

Application for Private Sale

v.

Martha C. Meckling, et al. Defendants.

The Plaintiff herein represents that it would be best for the interest of the estate of said J. D. Meckling, deceased, to sell the real estate described in the petition in this cause, at private sale, for the following reasons: That the costs of a public sale would be greater than the costs of a private sale; that the demand for small tracts of land is not great enough to induce bidders at a public sale.

The plaintiff therefore asks for an order authorizing him to sell said real estate at private sale.

Charles Stockman Executor of the Estate of J. D. Meckling, Deceased.

9109

State of Ohio, Madison County, ss.

Charles Stockman, being first duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes

Charles Stockman,

Sworn to before me and subscribed in my presence, this 28<sup>th</sup> day of March, 1919.

Frank J. Currier, Notary Public

9109

Bond.

Bond,

Know all men by these Presents: That we Charles Stockman and The Artua Casualty and Surety Company of Hartford, Conn. are held and firmly bound unto the State of Ohio, in the sum of sixteen hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Plain City, Ohio, this 14<sup>th</sup> day of March, 1919.

The condition of the above Obligation is such, that whereas the above bound Charles Stockman was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Executor of

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Final Record, Union County Probate Court

9109

the estate of J. D. Mechling, deceased.

And whereas the said Charles Stockman, as such Executor has filed a petition in said Probate Court asking an order for the sale of certain Real Estate of said decedent described in said petition:

And whereas said Court, on the 14<sup>th</sup> day of March, 1919, made an order requiring said Executor to execute a bond according to the Statute in such made and provided.

Now, if the said Charles Stockman as aforesaid, shall account for all the further assets arising from the sale of said Real Estate and that shall remain after payment of the debts and charges for which the land shall be sold, and to dispose of the same according to law; then this obligation to be void, otherwise to remain in full force.

Charles Stockman

The Artur Casnady and Surety Company  
By C. H. Bancroft Attorney-in-Fact.

Executed in Presence of  
Bessie Leonard

F. J. Leunier.

This Bond approved in open Court, this 28<sup>th</sup> day of March, 1919.

Edward H. Porter, Probate Judge

9109

Entry:

The Probate Court of Union County, Ohio,  
Charles Stockman, Executor of  
The Estate of J. D. Mechling, Deceased,      no. 9109  
Plaintiff.

v<sup>o</sup>

Entry:

Martha C. Mechling, et. al.  
Defendants

Entry:

This day, this cause came on further to be heard and it appearing to the Court that plaintiff, as heretofore ordered by this Court, has given bond in the sum of sixteen hundred dollars, with approved sureties thereon, conditioned according to law, the said bond is hereby approved.

And it further appearing to the Court that it would be to the interest of said estate to sell the real estate described in the petition at private sale, it is now ordered that said Charles Stockman, as such executor, proceed and sell said real estate at private sale not less than the appraised value thereof, for cash, on day of sale, Edward H. Porter, Probate Judge.



Final Record, Union County Probate Court

9109 Order of Sale From down.  
 The State of Ohio, Probate Court,  
 Union County, ss.  
 To Charles Stockman, Executor of the estate of  
 J. D. Meckling, deceased. Greeting:  
 In obedience to an order and decree of the Probate  
 Court, within and said County, made this day, in  
 a certain cause, wherein you as Executor of the Estate  
 of J. D. Meckling, deceased, are Plaintiff and Martha  
 C. Meckling et al. are Defendants, you are commanded  
 to proceed according to law, to sell at private sale,  
 for not less than the appraised value thereof free  
 from the dower of Martha C. Meckling, widow of J. D.  
 Meckling, deceased, the following described premises,  
 to-wit:  
 Situated in the Township of Jerome, County of  
 Union, State of Ohio, in Surnys No. 775-8 and 7530 and  
 bounded and described as follows:  
 Beginning at a stake in the south line of a  
 20 foot alley and south west corner to a parcel  
 of land conveyed by Nathaniel Harrington and wife  
 to Charles Bell Jan. 15<sup>th</sup> 1896; thence with the south  
 line of said alley across a parcel of land conveyed  
 by said Harrington to said Bell June 29<sup>th</sup> 1895. N. 69°  
 14' W. 6-<sup>7</sup>/<sub>100</sub> poles to the west line of last named  
 parcel of land; thence with said line and N.  
 Wright's east line N. 20° 46' East 22-<sup>8</sup>/<sub>100</sub> poles to  
 a stake in the south line of the lands of  
 George Richards heirs; thence with said line S. 85°  
 18 Min. E. 6-<sup>9</sup>/<sub>100</sub> poles to a stake; thence S. 20° 46'  
 W. 24-<sup>3</sup>/<sub>100</sub> poles to the beginning, containing 158-  
<sup>2</sup>/<sub>100</sub> sq. rods of land.  
 Said sale to be upon the following terms:  
 Cash in hand on day of sale.  
 You will make return of your proceedings to  
 this Court forthwith upon execution of this Order.  
 Witness my signature and the seal of said  
 Probate Court at Marysville, Ohio, this 28<sup>th</sup> day of  
 March, 1919.

*Edw.* Edward H. Porter, Probate Judge,  
 Return.

9109  
 Return  
 To the Probate Court of Union County, Ohio;  
 In obedience to the foregoing order, I have caused  
 the same to be duly executed, as will fully  
 appear by the proceedings hereto attached.  
 Dated the 5<sup>th</sup> day of April, 1919.  
 Charles Stockman

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Final Record, Union County Probate Court

9109

Report of Sale.

Report of Sale

In obedience to the within order, I sold said premises on the 5<sup>th</sup> day of April, 1919 to Myrtle Scott for the sum of Eight Hundred Dollars said sum being the appraised value of the same.

Charles Stockman

Dated the 5<sup>th</sup> day of April, 1919.

9109

The State of Ohio, Madison County, ss.

Quit

The above named Charles Stockman, Executor of the Estate of J. D. Mechling, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Charles Stockman.

Known to before me and signed in my presence, this 5<sup>th</sup> April 1919.

James W. Bourn Notary Public

9109

Entry:

Entry

The Probate Court of Union County, Ohio.  
vs. 9109  
Charles Stockman, Executor of the Estate of J. D. Mechling, Deceased, Plaintiff.  
vs.  
Martha C. Mechling, et al. Defendants.

This cause now coming on to be heard upon the return of Charles Stockman, Executor of the Estate of J. D. Mechling, deceased, of his proceedings and sale under the order of this Court, the Court, after having carefully examined said return, being satisfied that such sale has in all respects been legally made, do hereby approve and confirm the same, and order that the said Charles Stockman, as such executor, make the purchaser Myrtle Scott, a good and sufficient deed for the premises so sold.

The Court coming now to distribute the proceeds of said sale amounting to \$800.00.

It is ordered that said executor, out of the money in his hands, pay:  
First: To the treasurer of this County, the taxes, penalty and interest thereon against said property, to wit, the sum of \$ 3<sup>53</sup>.  
Second: The Costs and expenses incurred in the



Final Record, Union County Probate Court

9109

sale of said property, Court costs, amounting to \$17.<sup>05</sup>.  
 Third: To The Plain City Home and Savings Company on  
 note and mortgage set forth and described in its  
 answer and cross-petition herein the sum of \$567.<sup>70</sup>,  
 which the Court finds to be the amount due it.  
 Fourth: To Charles Stockman for money paid by him  
 personally to The Plain City Home and Savings Company  
 on said mortgage and note as set forth and  
 described in his answer and cross-petition herein,  
 the sum of \$96.<sup>57</sup> which the Court finds to be the  
 amount due him.

It is ordered that the balance of the proceeds  
 of said fund be accounted for by said executor  
 according to law.

Edward H. Porter, Probate Judge

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Nov. 26-1918

Guardian's Petition To Sell Real Estate.  
 Probate Court, Union County, Ohio.  
 F. J. Auman, Guardian of  
 Susan Snider, Lunatic  
 Plaintiff.  
 v.  
 He is said Ward  
 Susan Snider.  
 Defendants.

uo. 8360  
Petition To Sell  
Real Estate.

Petition.

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Petition

The Plaintiff represents that he is the duly appointed  
 and qualified Guardian of Susan Snider, insane  
 and residing within said Union County at  
 present sojourning at Mt. Gilead and Leanington  
 that said ward is the owner in fee simple of the  
 following described real estate, situated in the County  
 of Van Wert, State of Ohio, and in the City of Van  
 Wert townit:  
 Lot number One hundred, seventy six (176)  
 Said real estate is worth annually seventy (\$70.<sup>00</sup>)  
 Dollars.  
 That said Plaintiff has received rents from the  
 real estate of his ward, the sum of Seven Dollars per  
 month from which has to be deducted the com-  
 mission of the agent renting the property, the  
 insurance, taxes and repairs, so that the net income  
 of the property is very small, almost nothing, the  
 property is on an unimproved street and is  
 liable for assessment for street improvement purposes and  
 so may become unproductive besides the deterioration  
 of the principal, that said Real Estate is worth about  
 \$700. or \$500.

That the plaintiff now has an opportunity to

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Final Record, Union County Probate Court

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8360 dispose of said real estate at private sale for the sum of \$1,000- which is such an advantageous offer that it would be folly to refuse it.  
That the sale of said real estate for the reasons above given would be most advisable and beneficial to said Ward's estate.  
The Plaintiff therefore prays that said Susan Snider may be made Defendant to this petition, and notified of the pendency hereof according to law, and that Plaintiff may be ordered to sell said real estate for the reasons and purposes hereinbefore proposed, and for other proper relief.  
F. J. Asmaw, Guardian of Susan Snider, Plaintiff.  
By John B. Kirkade, Atty.

Ohio,

8360 The State Of Ohio,  
Union County, ss.  
F. J. Asmaw, being duly sworn, says that he is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as he verily believes.  
F. J. Asmaw.  
sworn to before me and signed in my presence, this 26<sup>th</sup> day of November, 1915.  
Eduard H. Porter, Probate Judge

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Susan  
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8360 Journal Entry: Orders Fixing Time of Hearing and For Notice.  
Probate Court, Union County, Ohio,  
November, 26- 1915;  
F. J. Asmaw, Guardian of Susan Snider, a Lunatic, Plaintiff.  
v.  
His Ward, et al.  
Defendants.  
Order For Notice.

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This day F. J. Asmaw, Guardian of Susan Snider, a Lunatic appeared in open court and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his said Ward.  
It is ordered that the time of hearing said petition be and hereby is fixed for the 27<sup>th</sup> day of December 1915, at One O'clock P.M.  
It is further ordered that said Guardian cause notice thereof and of the filing and demand of said petition, to be given to said Susan Snider, his Ward, and to all persons entitled to the next estate of inheritance in such real estate.  
Defendants: in writing to be served upon them personally, and by leaving copies thereof at the

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Final Record, Union County Probate Court

8360

usual place of residence of each of those who can not be served personally 3 days before said day of hearing, and this cause is continued.

Edward H. Porter, Probate Judge.

8360

Warrant

State of Ohio, Union County, ss.  
F. J. Asman, Guardian of  
Susan Snider Plaintiff.

No. 8360

Warrant

Susan Snider, his Ward.  
Defendant.

Petition To Sell Real Estate.

We the undersigned hereby warrant the issuance and service of process, and enter our appearance herein and join the Plaintiff in the application for the sale of the said real property, November 27<sup>th</sup> 1915.

Mrs Susan Snider  
Mary Snider Byrd  
Harriett Snider Miracle  
Flora Snider

8360

Summons Re Petition To Sell Real Estate.

The State of Ohio, Union County, ss.  
To F. J. Asman, Guardian!

Summons

You are commanded to notify Susan Snider and Fred J. Asman as Guardian of said Susan Snider, domestic, that on the 27<sup>th</sup> day of November A. D. 1915; Fred J. Asman, as Guardian of the estate of Susan Snider, insane, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of re-investing funds - and that unless they answer by the 25<sup>th</sup> day of December 1915 - said petition will be taken as true, and an order granted accordingly. You will make due return of this writ on the 11<sup>th</sup> day of December A. D. 1915.

Witness my hand and the seal of said Court, this 27<sup>th</sup> day of November, A. D. 1915.

Edward H. Porter, Judge and  
Ex-Officio Clerk of the Probate Court of said County.

8360

The State of Ohio, Union County, ss.

Cash

I, F. J. Asman, being duly sworn, say that on the 10<sup>th</sup> day of December, 1915; I served this writ by delivering a copy thereof personally to the following named persons, to-wit:  
Susan Snider (ward) and Mary Snider Byrd her daughter with whom she lives and to Fred

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Final Record, Union County Probate Court

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J. Asman, guardian of said ward

F. J. Asman,

known to before me and signed in my presence, this 10<sup>th</sup> day of December, 1915.

Eduard H. Porter, Probate Judge.

8360

Journal Entry: Order On Hearing of Appraisement etc. Probate Court, Union County, Ohio.

F. J. Asman, Guardian of Susaw Snider, Lematia, Plaintiff.

December 11<sup>th</sup> 1915.

Petition To Sell Real Estate.

His ward, et al,

Order of Appraisement

Order

Defendants.

This day this cause came on to be heard upon the appraisement petition, evidence and testimony and the court being fully advised in the premises finds: That all the defendants herein have been duly and legally notified of the pendency and prayer of this petition, and are now properly before the court. That the statements and allegations in said petition are true.

And the court being satisfied that the real estate described in the petition ought to be sold as prayed for.

It is ordered that C. W. Bonewitz, George M. Kohn, and S. W. Long, judicious freeholders of the County and not of kin to the petitioner, be and they hereby are appointed to appraise said lands at their fair cash value, free from down.

It is further ordered that said appraisers be sworn as required by law, and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this court, on or before the 12<sup>th</sup> day of January 1916 and this cause is continued.

Eduard H. Porter, Probate Judge.

8360

Order of Appraisement

The State of Ohio, Union County, ss.

Probate Court,

Order

To F. J. Asman, Guardian of Susaw Snider, Lematia, Gutting; In obedience to an order and decree of the Probate Court within and for said County, made this day in a certain cause, wherein you as Guardian of Susaw Snider, Lematia, are Plaintiff and His Ward et al, are Defendants, you are commanded that by the oaths of C. W. Bonewitz, George M. Kohn, and S. W. Long, judicious disinterested men of the County not of kin to the petitioner, who are freeholders of the County in which said real estate is



Final Record, Union County Probate Court

8360

situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free of any down estate, therein, to wit:

That said Ward is the owner in fee simple of the following described real estate, situated in the County of Van Wert, State of Ohio, and in the City of Van Wert, to wit:

Lot Number One hundred seventy-six (176) of the former ...

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you there and there this writ,

Witness my signature as Judge and Ex-officio Clerk of our said Probate Court and the Seal of said Court, at Mansfield, Ohio, this 6<sup>th</sup> day of January, 1916.

Edward H. Porter, Probate Judge

8360

Return

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 12<sup>th</sup> day of January, 1916.

F. J. Asman, Guardian of Susan Snider, Insane.

Oath Of Appraisers.

8360

The State of Ohio,

Oath

Van Wert County, ss.

of Appraisers

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties, required of us, in pursuance of the foregoing order.

C. H. Bonemitz,

George H. Tolin

S. H. Long.

Appraisers

Sworn to before me, and signed in my presence, this 11<sup>th</sup> day of January, 1916.

L. S. Mark, Notary Public.

8360

Appraisers' Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at Nine Hundred (\$900-) Dollars free of any down estate.

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Final Record, Union County Probate Court

8360 Given under our hands, this 11<sup>th</sup> day of January, 1916.

G. W. Bourintz,  
George W. Kolun, Appraisers,  
S. W. Long.

Fees of Appraisers \$1.00 each per day. Total \$3.00.

8360

Application For Private Sale.

In Probate Court, Union County, Ohio,

No. 8360

Application

F. J. Asman, Guardian of  
Susaw Snider, decedent.

Plaintiff.

Application For Private Sale.

v.

His Ward.

Susaw Snider, et. als.

Defendants.

The undersigned applicant, F. J. Asman, guardian of Susaw Snider, in said represents that it is desired to best application for the interest of the estate of said Ward, Susaw Snider, to sell the Real Estate described in the Petition Private Sale in this cause, at Private Sale, for the following reasons:

" That Grace A. Wilson, and James R. Wilson, husband and wife, of the City of Van Wert, of Van Wert County, Ohio, have made the following proposition for the purchase of said real estate in Lot No. 176, in the City of Van Wert, Van Wert County, Ohio, that they will give \$1,000. for said premises, payable as follows: - \$100 cash, \$8.34 on Jan. 1<sup>st</sup>, 1916, and the balance to be paid at the rate of \$8.33<sup>1/3</sup> on the first day of each and every month thereafter until the entire amount of \$1,000. is fully paid.

The deferred payments to bear 6% interest from Jan. 1<sup>st</sup>, 1916, payable semi-annually and will pay the June 1916 installment of taxes.

Deed for said premises to be executed and delivered when the One-half (1/2) of the purchase price therefor is fully made. Grantor to execute and deliver a mortgage for the remaining one-half (1/2) and to keep the buildings that are now on said lot or that may be erected thereon insured with loss payable to guardian, as Ward's interest may appear until said premises are fully paid for. Purchaser to have the right to pay as much more than the stipulated payments herein and to pay at any time before due as they may be able.

Purchaser to have the rent of said premises after January 1<sup>st</sup>, 1916."

8360.

Applicant represents that said proposition is the

Final Record, Union County Probate Court

8360 best proposition that he has been able to obtain, and that it is to the interest of the ward to accept the same.

He therefore asks for an order authorizing him to sell said real estate at Private Sale upon the above proposition.

F. J. Asman, Guardian  
Of Susan Snider, Insane.

8360 State of Ohio, Union County, ss.  
Oath F. J. Asman, being duly sworn says that the various matters set forth in the foregoing application are true as he verifiably believes.

F. J. Asman  
Sworn to and subscribed before me this 13<sup>th</sup> day of January, 1916.

~~seal~~ Agnes D. Porter, Deputy Clerk.

8360 Affidavit  
In Probate Court, Union County, Ohio.  
No. 8360  
F. J. Asman Guardian of  
Susan Snider,  
Plaintiff.

Affidavit  
vs.  
His Ward,  
Susan Snider, et al.  
Defendants.

S. W. Long and L. C. Klein, being duly sworn say that they have read a copy of the Application for Private Sale, in this case, to which this Affidavit is attached.

That they have no interest whatever in the matter referred to. And that it will be more for the interest of the Estate of Susan Snider to sell the said Real Estate at Private Sale, as they verifiably believe.

S. W. Long  
L. C. Klein

Sworn to and subscribed by S. W. Long and L. C. Klein before me this 13<sup>th</sup> day of January, 1916.

~~seal~~ C. S. Mank, Notary Public.

8360 Ordering Private Sale  
In Probate Court, Union County, Ohio.  
F. J. Asman, Guardian of  
Susan Snider, Insane,  
Plaintiff.

Ordering Private Sale  
vs.  
His Ward, et al.  
Defendants.

This cause coming on this day further to be heard and it appearing to the Court that the appraisement heretofore ordered has been made and reported to this Court and the Court having



## Final Record, Union County Probate Court

8360

Carefully examined the same finds that said appraisement has been made in all respects in accordance with law and the order of this court. The same is now here approved and confirmed.

And it appearing to the court that the Plaintiff above named has given bond in sufficient amount with approved sureties conditioned according to law.

And it further appearing to the court from said application and from the testimony of witnesses - S. W. Long, and L. C. Klein, that it would be to the interest of said estate to sell the real estate described in the petition at Private Sale.

It is now ordered that said F. J. Asman, as guardian of Susan Brider, insane, proceed to sell said real estate, at private sale at not less than the appraised value thereof and to enter into a contract for said sale with James P. Wilson and Grace A. Wilson, husband and wife, of City of Van Wert, Van Wert County, State of Ohio, on the following terms, to-wit:-

"That the purchaser will give \$1000.00 for said premises, payable as follows:-

\$100 cash - \$8.34 on Jan. 1<sup>st</sup> 1916, and the balance to be paid at the rate of \$8.33 <sup>13</sup>/<sub>100</sub> on the first day of each and every month thereafter until the entire amount of \$1,000.00 is fully paid.

The deferred payments to bear 6% interest from Jan. 1<sup>st</sup> 1916, payable semi-annually and the purchaser to pay the June 1916 installment of taxes.

Deed for said premises to be executed and delivered when the One-half (1/2) of the purchase price therefor is fully made. Grantor to execute and deliver a mortgage for the remaining one-half (1/2) and to keep the buildings that are now on said lot or that may be erected thereon insured with loss payable to guardian, as it may be interest may appear until said premises are fully paid for. Purchaser to have the right to pay as much more than the stipulated payments herein and to pay at any time before due as they may be able. Purchaser to have rent of said premises after Jan. 1<sup>st</sup> 1916. Monthly payments to be credited semi-annually Jan. 1<sup>st</sup> and July 1<sup>st</sup> of each year, and interest to be computed accordingly."

And said Plaintiff is ordered to make return to this court immediately after execution of Contract of sale and at the proper time to make and execute deed for said real estate in accordance with this order.

8360

Final Record, Union County Probate Court

Witness my signature as Judge and Ex Officio Clerk of our said Probate Court and the Seal of said Court at Marysville, Ohio, this 13<sup>th</sup> day of January, 1916.

Edward W. Porter, Probate Judge, Certificates.

I, E. W. Porter, sole Judge and Ex-officio Clerk of the Probate Court within and for the County of Union, State of Ohio, do hereby certify the foregoing to be a true copy of the Order of Sale in the foregoing case as the same appears from the records and files of said Court.

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of said County at Marysville, Ohio, this 13<sup>th</sup> day of January, 1916.

Edward W. Porter, Probate Judge, Union County, Ohio.

Journal Entry: Orders Approving Appraisement and for Bond, Probate Court Union County, Ohio.

F. J. Asman Guardian of Susan Snider, Leticia, Plaintiff

January, 13<sup>th</sup> 1916 Petition to Sell Real Estate

Orders Approving Appraisement and for Bond.

His Ward Susan Snider, et al. Defendants.

Orders For Bond, etc.

This day came the said Plaintiff, by his attorney, and produced to the Court the report of an appraisement herein made by C. W. Bonvint, George H. Kohn and S. W. Long in pursuance of a former order of this Court, and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said Guardian execute within 10 days, to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the Court in the sum of Two Thousand Dollars, conditions according to law, and this cause is continued.

Edward W. Porter, Probate Judge, Guardian's Bond

Know all men by these Presents, That we, F. J. Asman are held and firmly bound unto the State of Ohio, in the sum of Two Thousand (\$2000.) Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 13<sup>th</sup> day of January, 1916.

The Condition of the above Obligation is such, that whereas the above bound F. J. Asman was heretofore duly appointed and qualified by the Probate Court

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Final Record, Union County Probate Court

Clerk of our  
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Judge,  
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Marysville, Ohio,  
Judge,  
Bond,  
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Real Estate  
etc.

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of Union County, Ohio, guardian of Susan Snider  
And whereas the said F. J. Asman, as such Guardian,  
has a filed a petition in said Probate Court, asking an  
order for the sale of certain Real Estate of said Ward,  
described in said petition, which under proceedings  
in said Court duly had, has been appraised at the  
sum of One Hundred Dollars.

And whereas said Court, on the 13<sup>th</sup> day of January  
1916, made an order requiring said Guardian to  
execute a bond according to the statute in such  
cases made and provided.

Now, if the said F. J. Asman as Guardian aforesaid,  
shall faithfully discharge his duties as such Guardian,  
and faithfully pay over and account for all  
moneys arising from the sale of said Real Estate  
according to law, then this obligation to be void,  
otherwise to remain in full force.

In the presence of  
Edwin F. Smith,

F. J. Asman.  
Charles Asman.  
J. H. Kinkadee.

This Bond approved in open Court, this 13<sup>th</sup> day of  
January, 1916.

Edward H. Porter, Probate Judge.

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Probate Court

8360

Journal Entry; Order Approving Bond for Private Sale, etc.,  
Probate Court, Union County, Ohio.

Order  
approving  
Bond  
for  
Private  
Sale, etc.

F. J. Asman, Guardian  
of Susan Snider,  
Plaintiff

January, 13<sup>th</sup> 1916,  
Petition to Sell Real Estate

vs  
His Ward, Susan Snider, et al.,  
Defendants

This day this cause came on further to be  
heard, and it appearing to the Court, that the  
said F. J. Asman, Guardian of the plaintiff above named  
has given bond as heretofore ordered, in the sum  
of Two Thousand (\$2000<sup>00</sup>) Dollars, with Charles Asman  
and J. H. Kinkadee freeholders as sureties, it is  
ordered that said bond be and hereby is approved.

And it being made to appear to the Court, upon  
satisfactory evidence, that it would be more for the  
interest of said Ward to sell the real estate  
described in the petition at private sale.

It is therefore further ordered that said F. J.  
Asman, as such Guardian proceed to sell said  
real estate, free of down, at private sale, for not  
less than the appraised value thereof, on the  
following terms, to-wit: of Contract heretofore approved by

8360



Final Record, Union County Probate Court

8360

This Court

Deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale payable annually. And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Edward W. Porter, Probate Judge.

8361

Motion For Order Of Sale.

In Probate Court, Union County, Ohio,

F. J. Asman, Guardian of  
Susan Snider, Plaintiff.

No. 8360.

His Ward, Susan Snider,  
et al. Defendants.

Motion For Order Of Sale.

Motion  
For

Order of Sale

now comes the Plaintiff, F. J. Asman, as Guardian of Susan Snider, his Ward, by his attorney John B. Hinkade, and represents to the Court, that by virtue of a former order of this Court, of the date of the 13<sup>th</sup> day of January 1916, in obedience to said order, he entered into a contract for the sale of the Real Estate in the petition described, with James P. Wilson, and Grace A. Wilson, husband and wife, on the following terms, to wit: "That the purchasers will give \$1,000.00 for said premises, payable as follows:-

\$100. cash. \$8.34 on Jan. 1<sup>st</sup> 1916. and the balance to be paid at the rate of \$8.33 1/3 on the first day of each and every month thereafter until the entire amount of \$1,000. is fully paid.

The deferred payments to bear 6% interest from Jan. 1<sup>st</sup> 1916, payable semi-annually and the purchasers to pay the June 1916 installment of taxes.

Deed for said Premises To Be Executed and Delivered When The One-Half (1/2) Of The Purchase Price Thereof is Fully Made. Grantor to execute and deliver a mortgage for the remaining One-half (1/2) and to keep the buildings that are now on said lot or that may be erected thereon insured with loss payable to Guardian, as Ward's interest may appear until said premises are fully paid for. Purchasers to have the right to pay as much more than the stipulated payments herein and to pay at any time before due as they may be able. Purchasers to have rent of said premises after Jan. 1<sup>st</sup> 1916. Monthly payments to be credited semi-annually Jan. 1<sup>st</sup> and July 1<sup>st</sup> of each year, and interest computed accordingly.

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The Plaintiff represents to the Court that said

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Return.

To

Final Record, Union County Probate Court

8360 Contract has now been duly executed by the said purchaser having paid unto the said Guardian more than the One-half of the Consideration of \$1,000.00 to wit, by the payment of \$ 587.<sup>92</sup> upon said Contract and is now asking for a deed for said premises according to the terms of said Contract.

Wherefore said Guardian, Plaintiff, moves the Court for an Order of Sale herein, in due form authorizing him to sell and convey said Premises to said Purchasers, James P. Wilson, and Isaac A. Wilson, (Husband and Wife) by proper Guardian's deed therefor in accordance with the terms of said Contract and said former order of this Court, by taking a mortgage for the remainder of the purchase money, the sum of \$ 412.<sup>08</sup> according to the said Contract of sale.

F. J. Asman, Guardian of Susan Snider  
By, John H. Kinkade, His Attorney,  
Order of Sale.

8360

The State of Ohio.

Probate Court.

Union County, ss.

To F. J. Asman, Guardian of Susan Snider, an Insane person, Is suing;

Order

In obedience to <sup>an</sup> order and decree of the Probate Court, within and for said County, made this <sup>Sale</sup> day, in a certain cause, No. 8360, now pending in said Court, wherein you as Guardian of Susan Snider, an Insane person, are Plaintiff and your Ward et al., are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than the appraised value thereof free of down, the following described premises, to wit:

Situated in the County of Van Wert, State of Ohio, and in the City of Van Wert, to wit: Lot number One Hundred and Seventy-six (176).

Said sale to be free of down, said Ward being a widow, and to be upon the following terms:

The deferred payments to be secured by Mortgage on the premises and to bear interest from the day of sale, payable annually,

you will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court, at Marysville, Ohio, this 15<sup>th</sup> day of January, A. D. 1919.

*Eduard H. Porter*, Probate Judge.

Return.

8360

Return.

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have



Final Record, Union County Probate Court

8360

caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 15<sup>th</sup> day of January, 1919.

F. J. Asman, Guardian of Susan Snider Lumatic.

8360

Report Of Sales

Report of Sales

In obedience to the within order, I sold said premises on the 15<sup>th</sup> day of January A. D. 1919, to James P. Wilson and Grace A. Wilson for the sum of One thousand Dollars, said sum being more than the appraised value of the same.

F. J. Asman Guardian of Susan Snider.

Dated the 15<sup>th</sup> day of January, A. D. 1919

8360

The State of Ohio, Union County, ss.

With.

The above named F. J. Asman, Guardian of Susan Snider Lumatic being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

F. J. Asman.

Sworn to before me and signed in my presence, this 15<sup>th</sup> day of January, A. D. 1919.

Edward H. Porter, Probate Judge

8360

Journal Entry:

Order Sale and Deed.

In Probate Court, Union County, Ohio.  
F. J. Asman, Guardian of Susan Snider, Plaintiff.  
vs.  
His Ward Susan Snider et al, Defendants.

No. 8360.

Entry Order Sale and Deed.

This day this cause came on further to be heard, upon the motion for an order of sale and execution of deed.

And it being made to appear to the Court upon satisfactory evidence, that the purchasers of the premises in the petition described, had fully complied with the provisions of their contract and had paid to the Guardian the sum of \$587.<sup>92</sup> which amount is more than one-half of the purchase price for said premises.

It is therefore ordered by the Court, that the said Guardian, said F. J. Asman, proceed to execute a good and sufficient deed to the purchasers James P. Wilson and Grace A. Wilson, husband and wife, for the premises in the petition described,

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Final Record, Union County Probate Court

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free of down etc. and that an Order of Sale, to that effect shall issue to said Guardian as of this date. Upon the terms of the Contract executed between the said Guardian and said purchasers, by the execution and delivery to said Guardian of a mortgage upon said premises for the remaining amount of said purchase money to wit: The sum of \$412.<sup>08</sup>; which shall bear interest at the rate of 6% per annum from January 1-1919, payable semi-annually. Principal payable at the rate of \$8.33 <sup>1</sup>/<sub>3</sub> on the first day of each and every month until entire amount fully paid.

Purchaser to keep the buildings that are now on said premises, or that may be erected there on fully insured with loss, if any, payable to Guardian as wards interest may appear, until said mortgage is fully paid and cancelled.

Purchasers to have the right to prepay as much more than the stipulated payments herein and to pay at any time before due as they may see fit.

Monthly payments to be credited semi-annually July 1<sup>st</sup> and July 1<sup>st</sup> of each year and interest computed accordingly.

Said Petition is ordered to make due return of his proceedings hereunder and to pay the costs herein taxed at \$-

Edward H. Porter.

Probate Judge, Union County, Ohio.

9123

Files

Feb. 26<sup>th</sup> 1919

Guardian's Petition To Sell Real Estate, Probate Court, Union County, Ohio.

No. 9123.

Philip Schriderer, Guardian of  
Le Roy C. M. Scheiderer, Minor,  
Plaintiff.

Petition To Sell  
Real Estate.

vs

His said Ward,  
Le Roy C. M. Scheiderer,  
Geo. J. Schriderer  
Andrew J. Scheiderer,  
Edward J. Scheiderer,  
Casper G. Scheiderer  
John L. Scheiderer,  
Mary Schriderer and  
Louise E. M. Fladt.

Petition.

Defendants.

The Plaintiff represents that he is the duly appointed and qualified Guardian of Le Roy C. M. Scheiderer of the age of 9 years, on the fourth day of September 1918, and residing

Final Record, Union County Probate Court

9123

within Marathon County, at Wisconsin

That the Plaintiff Philip Scheiderer, the father of said Le Roy C. M. Scheiderer, is the duly and legally appointed Guardian of his said son said Le Roy C. M. Scheiderer, having been so appointed by Judge F. E. Bump, County Judge as is evidenced by an authenticated copy of the record of said court showing said appointment according to law, and also by an authenticated copy of his bond as such Guardian which are filed herewith as a basis for this proceeding.

That said Ward is the owner in fee simple of the undivided 1/8 of the following described real estate, situated in the County of Union, State of Ohio, and in the Township of Darby. In The Virginia Military District Survey # 7218.

Beginning at a stone in the line of said Survey <sup>and</sup> northwesterly corner to a tract of land containing 88 3/4 acres, conveyed to John M. Scheiderer, by William Brown and wife, and transferred the 10<sup>th</sup> day of March, 1870. Thence with said Survey line S. 36 1/2° E. 100 1/2 poles to a stake in said line and a corner to Adam Brown's land; thence with one of his lines S. 54 1/2° W. 42 1/2 poles to a stake, another of Brown's corners; thence with another of his lines S. 20° W. 63.6 poles to a stake in said Brown's line and corner to Geo. A. Blumenschein's land; thence with one of said Blumenschein's lines N. 85° W. 72.4 poles to a stake; thence with another of his lines N. 4 3/4° E. 23.4 poles to a stake one of corners; thence with another of his lines N. 85° W. 42.64 poles to a stone in the center of the Mansfield and Unionville roads; thence with the center of said road N. 1 1/2° E. 47.82 poles to a stone at an angle in said road; thence with the center of said road N. 2° W. 88.24 poles to a stone in the center of said road, and corner to William Rausch's land (formerly Philip Rausch); thence with his line and the line of George Rausch's N. 63 1/2° E. 90 poles to a stone in said Survey line; thence with said line S. 35° E. 54.28 poles to the beginning, containing One hundred forty-six and 3/4 acres (146 3/4) more or less.

Also the undivided 1/8 of the following described real estate, situated in the County of Union State of Ohio, and in the Township of Darby, In the Virginia Military District Survey # 7218.

Beginning at a stone Northwesterly corner of a lot of land sold to John M. Scheiderer by David Marquis and wife; thence with the Northwesterly

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Final Record, Union County Probate Court

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line of said lot and the line of land owned by Wm. J. Rausch (formerly Philip Rausch) S. 54° W. 40.24 poles to a stone in said line; thence S. 35° E. 31.8 poles to a stone; thence N. 54° E. 40.24 poles to a stone at the corner of said lot bought of Margins; thence with one of the lines of said lot N. 35° W. 31.8 poles to the beginning. Containing 8 acres more or less.

The two tracts above described being the same premises conveyed by John W. Scheidew to John P. Scheidew Nov. 10<sup>th</sup> 1871. See vol. 39 page 86 record of deeds Union County, Ohio.

The said Ward holding title to the undivided 1/8 part of the tracts above described as heir of the said John P. Scheidew, deceased, (his grandfather)

Said real estate is worth annually — Dollars. That said Plaintiff has received no rents from the real estate of his Ward. The corpus has not received anything. is to be money received from sale of 1/8 interest in certain lands in Union County, Ohio.

That the sale of said real estate is desired for the purposes of completing the full title to said real estate in the purchaser of the other 7/8 interest of said title and that the proceeds due the said Ward from the sale of his interest in said real estate may be reinvested in property that will yield better returns to the estate of said Ward.

The Plaintiff therefore prays that said Le Roy C. M. Scheidew said Ward, and the following named Uncles and Aunts of said Ward who have the next estate of inheritance to wit: George J. Scheidew, Andrew J. Scheidew, Edward J. Scheidew, Casper G. Scheidew, John L. Scheidew, Mary Scheidew and Louise E. M. Fleast, may be Defendants to this petition, and notified of the pendency hereof, according to law, and that Plaintiff may be ordered to sell real estate for the reasons and purposes hereinbefore proposed, and for other proper relief.

Philip Scheidew Guardian of Le Roy C. M. Scheidew, Minor.

The State of Ohio,  
Union County, ss

9123



Final Record, Union County Probate Court

9123

John C. Kinkade bring duly sworn, says that he is Attorney for the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as he verily believes that said Plaintiff is a non-resident of the State of Ohio, and is now absent therefrom.

John C. Kinkade  
sworn to before me and signed in my presence, this 26<sup>th</sup> day of February, 1919.

Edward H. Porter, Probate Judge

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in the  
Date

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Journal Entry: Order Fixing Time of Hearing and for Notice,  
Probate Court, Union County, Ohio.

Order  
Fixing  
Time of  
Hearing  
and for  
Notice

Philip Scheidner, Guardian of  
Le Roy C. M. Scheidner, Minor,  
Plaintiff,

February, 26<sup>th</sup> 1919  
Petition To Sell Real Estate

His Ward et al.  
Defendants

Order For Notice.

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This day Philip Scheidner, Guardian of Le Roy C. M. Scheidner by his Attorney John C. Kinkade, appeared in open court and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his said Ward.

It is ordered that the time of hearing said petition be and hereby is fixed for the 29<sup>th</sup> day of March 1919, at One O'clock P.M.

It is further ordered that said Guardian cause notice thereof, and of the filing and demand of said petition, to be given to said Le Roy C. M. Scheidner, his Ward, and to George J. Scheidner, Andrew J. Scheidner, Edward J. Scheidner, Casper G. Scheidner, John S. Scheidner, Mary Scheidner and Louise E. M. Fladt, all persons entitled to the next estate of inheritance in such real estate, Defendants; in writing to be served upon them personally, and by leaving copies thereof at the usual place of residence of each of those who can not be served personally, -- -- days before said day of hearing, and this cause is continued.

Edward H. Porter, Probate Judge,

Letter Of Guardianship, Le Roy C. M. Scheidner.

9123

State of Wisconsin  
County of Marathon, ss.

Letter  
of  
Guardianship

D. F. E. Bump County Judge of Marathon County, Wisconsin, and sole presiding Magistrate of the County Court of said County, do hereby certify that R.E. Hochtut whose name is subscribed to the preceding exemplification, is the Register in Probate for the said County Court of the County of Marathon

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Final Record, Union County Probate Court

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and that full faith and credit are due to his  
official acts. I further certify that the seal affixed  
to the said exemplification is the seal of our said  
County Court, and that the attestation thereof is in  
due form, according to the form of attestation used  
in this State.

Dated Wausau, February 24<sup>th</sup> 1919.

F. E. Bump, County Judge

Probate Judge  
Notice,  
Ohio,  
1919

9173

State of Wisconsin  
County of Marathon, ss.

I, R. E. Hockleit, Register in Probate of the County  
Court of Marathon County, do hereby certify, that  
the Hon. F. E. Bump, whose name is subscribed to the  
preceding certificate, is the presiding Magistrate of  
the County Court of Marathon County, duly elected and  
qualified and that the signature of said  
Magistrate to said certificate is genuine.

In testimony thereof, I have hereunto set my hand  
and affixed the seal of the said County Court  
this 24<sup>th</sup> day of February, A. D. 1919.

seal R. E. Hockleit,  
Register in Probate.

Real Estate  
Roy C. M.  
appeared in  
verified,  
in described,

9173

State of Wisconsin  
Marathon County, ss.

I, R. E. Hockleit, Register in Probate of the County  
Court in and for said County of Marathon, do  
hereby certify that the copy hereunto annexed has  
been compared by me with the original Letters of  
Guardianship of Leroy C. M. Scheiderer, et al. now on  
file and of record in my office, and required by  
law to be in my custody, and that said copy is a  
true copy thereof and of the whole thereof.

In testimony whereof I have hereunto set my  
hand and affixed the seal of the County Court  
of said County, at Wausau, Wis. in said County,  
this, 24<sup>th</sup> day of February, A. D. 1919.

seal R. E. Hockleit, Register in Probate.

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Judge,  
Scheiderer.

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State of Wisconsin  
Marathon County, ss.

The State of Wisconsin, to all whom it may concern,  
and especially to Philip Scheiderer of Marathon County,  
Wisconsin. Greeting:

Know Ye, That whereas application has been made to  
County Court of said County, for the appointment  
of a guardian to Le Roy C. M. Scheiderer, minor

9173

County,  
of the  
certify that  
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in Probate  
of Marathon



Final Record, Union County Probate Court

9123

And it appearing to the Court that it is necessary to appoint a guardian to said Le Roy C. M. Scheiderer, and the said Philip Scheiderer having been approved for said trust by the Court, and having given bond as required by law, which has been approved, filed and recorded in said Court,

Now, therefore, trusting in your care and fidelity, we have appointed, and do by these presents appoint you, the said Philip Scheiderer, as such guardian of Le Roy C. M. Scheiderer hereby authorizing and empowering you to take and have the custody of the person of said Le Roy C. M. Scheiderer (and the care of his education) and the care and management of his estate until he arrives at the age of twenty-one years, or until you shall be legally discharged.

And requiring you to make a true inventory of all the estate, real and personal, of the said Ward, that shall come to your possession or knowledge, and to return to the same into the said County Court within such time as the Judge shall order: to dispose and manage all such estate according to law and for the best interest of the Ward, and faithfully to discharge your trust in relation thereto, and also, when required, in relation to the care, custody and education of the Ward: to render an account on oath of the property, real and personal of the said Ward, in your hands, and all proceeds or interest derived therefrom, and of the management and disposition of the same, within one year after your appointment, and annually thereafter, and at such other times as the proper Court shall direct: and at the expiration of your trust to settle your account with the County Court or with the Ward, if he shall be of full age or his legal representatives, and to pay over and deliver all the property, real and personal, remaining in your hands, or due from you on such settlement, to the person lawfully entitled thereto.

In Testimony whereof, We have caused the seal of said County Court to be hereunto affixed.

Witness The Hon. F. E. Bump Judge of our said County Court at the City of Mansura in said County, this 8<sup>th</sup> day of October A. D. 1918.

F. E. Bump County Judge

Wainor

In the Probate Court of Union County, Ohio.

Philip Scheiderer, Guardian of  
Le Roy C. M. Scheiderer minor,

9123  
Plaintiff vs. Petition to Sell Real Estate

His Ward Le Roy C. M. Scheiderer, et al Defendants | Wainor of Powers and Consent To Sell

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Final Record, Union County Probate Court

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We the undersigned parties defendant in the above entitled cause for the sale of Real Estate of said Ward defendant in Union County Ohio, having the next estate of inheritance in said lands, hereby waive service of process and consent to the sale of the Real Estate in said Petition mentioned, as therein prayed for and the statutory time for pleading is hereby waived and we consent that said petition may be heard at such time as may be by the court ordered.

March, 1<sup>st</sup> 1919.

Geo. J. Scheidner  
Edw. J. Scheidner  
Andrew J. Scheidner  
Casper G. Scheidner  
Mary Scheidner  
Louise E. M. Fleck

9123

Waiver.

In the Probate Court of Union County, Ohio.

Philip Scheidner, Guardian of  
Le Roy C. M. Scheidner Minor.  
Plaintiff

No. 9123

Petition To Sell Real Estate.

His Ward, Le Roy C. M. Scheidner  
et al. Defendants.

Waiver of Process and  
Consent To Sell.

Waiver

We the undersigned parties defendant in the above entitled cause for the sale of Real Estate of said Ward defendant in Union County, Ohio, having the next estate of inheritance in said lands, hereby waive service of process and consent to the sale of the real estate in said petition mentioned as therein prayed for and the statutory time for pleading is hereby waived and we consent that said petition may be heard at such time as may be by the court ordered.

John L. Scheidner.

9123

Waiver.

In the Probate Court of Union County, Ohio.

Philip Scheidner, Guardian of  
Le Roy C. M. Scheidner Minor.  
Plaintiff

No. 9123

Petition To Sell Real Estate.

Waiver

His Ward, <sup>Le Roy</sup> C. M. Scheidner Minor  
Defendants

Waiver of Process and  
Consent To Sell.

We the undersigned parties defendant in the above entitled cause for the sale of Real Estate of said Ward defendant in Union County, Ohio, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for

Final Record, Union County Probate Court

9123

pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

DeRoy L.M. Scheidew  
By Philip Scheidew his Guardian  
Philip Scheidew father of DeRoy L.M. Scheidew  
Minor.

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The State of Ohio Union County ss.

To Philip Scheidew, Guardian Meeting;

You are commanded to notify DeRoy L.M. Scheidew Minor making service of this summons upon him, and also if either of them can be found upon his guardian or his father, or if neither his guardian nor his father can be found, then upon his mother, or the person having the care of such infant, or with whom he lives, that he has been sued by Philip Scheidew in the Probate Court of Union County, and that unless he answer by the 29<sup>th</sup> day of March, 1919, the petition of said Plaintiff against him filed in said Court, such petition will be taken as true, and judgment rendered accordingly.

Summons

Minor

You will make due return of this summons on the 10<sup>th</sup> day of March, 1919.

Witness my hand and the seal of said Court, this 26<sup>th</sup> day of February, 1919.

Edmund H. Porter, Probate Judge  
and Ex-officio Clerk of the Probate Court of said County

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Philip

Application  
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appointment

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The State of Wisconsin

Marathon County ss.

Oath

I, Philip Scheidew, being duly sworn say that I served this writ by delivering a copy thereof with the endorsements thereon personally to the within named defendants, on the days hereafter named, viz: March 1<sup>st</sup> 1919 to DeRoy L.M. Scheidew, minor, defendant herein named, and also as to the within named Philip Scheidew, March 1<sup>st</sup>, 1919 the Guardian of such infant.

Philip Scheidew,

sworn to before me and signed in my presence, this 1<sup>st</sup> day of March, 1919.

L. Mearnschroder, Notary Public,  
my com. Exp- 10-12-19.

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App't of  
Guardian  
ad litem

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Journal Entry:

In Probate Court Union County, Ohio.



Final Record, Union County Probate Court

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Philip Scheiden, Guardian of  
Le Roy C.M. Schiden, Minor  
Plaintiff

No. 9123  
Entry allowing Guardian  
to waive service for his Ward

vs.  
His Ward, Le Roy C.M. Schiden  
Minor  
et al. Defendants.

and dispensing with  
Guardian ad litem.

Ward

In view of the fact that it is authorized specially  
by statute permitting the Guardian to waive service  
for the Ward, and in view of the fact that all the  
persons having the next estate of inheritance have  
consented to the sale of the wards interest in  
said real estate and it is manifestly in the Wards  
interest.

The Court Orders and directs that the service  
of summons upon the Ward be dispensed with and  
that his father the legal Guardian be permitted to  
waive the service of summons on behalf of said  
Ward, and that Guardian ad litem be dispensed  
with in these proceedings.

Edward W. Porter, Probate Judge

9123

Application for Appointment of Guardian ad litem,  
Probate Court, Union County, Ohio.

Philip Scheiden, Guardian  
Plaintiff

No. 9123

Application  
for  
Appointment  
of  
Guardian  
ad litem.

vs.  
His Ward, Le Roy C.M. Schiden  
Defendants.

Application.

To the Hon. E.W. Porter, Judge of said Court:

The undersigned Philip Scheiden, by his attorney J.H.  
Kirkade makes application for the appointment  
of a Guardian ad litem for the minor defendant  
in the above entitled case.

The Defendant Le Roy C.M. Schiden under the  
age of fourteen years, and has been duly served  
with summons herein and summons served  
also upon his father with whom he resides.

The undersigned suggests that C.A. Hoopes  
who is a suitable person be appointed as such  
Guardian ad litem.

Respectfully,  
Philip Scheiden

By J.H. Kirkade, Atty.

9123  
App't of  
Guardian  
ad litem

Journal Entry: Appointment of Guardian ad litem  
Probate Court, Union County, Ohio.

Philip Scheiden, Guardian of  
Le Roy C.M. Schiden, Plaintiff.

March 11<sup>th</sup> 1919

No. 9123.

His Ward, Le Roy C.M. Schiden, Minor  
Defendant

App't of Guardian ad litem.

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March 11<sup>th</sup>  
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Final Record, Union County Probate Court

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This day Philip Scheiderer by his Atty J. R. Kirkpatrick appeared in open court, and made application for the appointment of a Guardian ad litem for the minor defendant in this case.

And it appearing to the court that the defendant Le Roy C. M. Scheiderer, is a minor, under the age of fourteen years, and has been duly and legally served with summons herein, as has also his father with whom he resides it is ordered that C. A. Koopes be and he hereby is, appointed Guardian for the suit, for said minor defendant.

And now comes the said C. A. Koopes, and in open court accepts said appointment.

Edward H. Porter, Judge.

9123

Answer of Guardian Ad Litem.

The State of Ohio.

Union County, ss.

Philip Scheiderer, Guardian

Plff.

v.

His Ward Le Roy C. M. Scheiderer

Def't.

Answer of Minor

Defendant.

And now comes the said Le Roy C. M. Scheiderer the minor defendant to the petition in said cause, by C. A. Koopes his Guardian ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations therein contained, prejudicial to said minor defendant; and further says that he is of tender years and not acquainted with the law in such cases.

He therefore prays the court to protect his rights in this case, and for such relief as may be just.

Le Roy C. M. Scheiderer

By C. A. Koopes, Gd. ad litem.

9123

Entry Ordering Appraisement

In Probate Court, Union County, Ohio.

# 9123

Ordering Philip Scheiderer, Guardian Appraisement of Le Roy C. M. Scheiderer, Minor

Plaintiff

v.

His Ward, Le Roy C. M. Scheiderer

et als. Defendants.

Entry Ordering Appraisement

This day this cause came on to be heard upon the petition, and the evidence and the court being fully advised in the premises finds that all the parties interested are now properly before the court. That the Guardian for his Ward, also the

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Final Record, Union County Probate Court

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Ward's father with whom he resides That Geo. J. Scheidner, Andrew J. Scheidner, Edward J. Scheidner, Casper G. Scheidner, John L. Scheidner, Mary Scheidner and Louise E. M. Fleadt, the persons holding the next estate of inheritance, have each and all waived the serving of process in writing and voluntarily entered their appearance and consented to said sale waiving time for pleading consent that said cause be heard at once.

The Court finds that the statement and allegations in the petition are true, and that the real estate described therein ought to be sold as prayed for in said petition. That it would be for the advantage of said Ward to have the same sold.

That George J. Emmert, S. L. Norman, and Charles Rausch judicious freeholders of this county and not of kin to the petitioner, be and are hereby appointed appraisers in said cause and that they be sworn as required by law before entering upon the discharge of their duties as said appraisers.

That said appraisers upon actual view of the premises described in said petition appraise the same at its fair cash value free from any down estate and that said appraisers make return of their appraisement and other doings to this court, with all convenient speed for confirmation.

Eduard W. Porter, Probate Judge.

9123

Application To Sell Real Estate at Private Sale, Probate Court, Union County, Ohio,

Philip Scheidner, Guardian  
Of Le Roy C. M. Scheidner, Minor.  
Plaintiff

No. 9123

Petition To Sell Real Estate,

Application

To

Sell

Real Estate

at

Private Sale,

vs. Ward, Le Roy C. M. Scheidner,  
et al. Defendants.

Application.

The said Plaintiff represents that it would be for the best interest of the said Ward to sell the real estate described in the petition in this case at private sale, for the following reasons:

The Ward's interest is only a 1/8 interest, and the other 7/8 is being sold by the other parties in interest, with the understanding on the part of the purchaser that Ward's interest should be in same proportion. That the 1/8 interest by itself would not bring as much on the market, as there would be no desire for it with some one else owning the other 7/8. That this 1/8 interest can now be sold to complete the title to a

9123



Final Record, Union County Probate Court

9173

been advantage than under any other circumstances, That said W's interest as it now stands is not a desirable interest to hold and Wards investment would be more satisfactory and better by itself, That part of said lands are inaccessible and have no outlet,

That it is the judgment of the Guardian and also that of the parties holding the next estate of inheritance that Ward's interest therein should be now sold,

That if said interest was to be sold at public auction, it would not bring so much as at private sale, because of lack of competitor bidding,

and he therefore asks for an order authorizing him to sell said real estate at private sale.

Philip Scheiderer, Guardian of  
Le Roy C. M. Scheiderer, minor  
By John H. Kinkade, atty.

Order  
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Appraisement

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The State of Ohio, Union County, ss.

John H. Kinkade, being duly sworn, says he is the Attorney of the Plaintiff, who is a non-resident of State of Ohio and now absent therefrom, that the various matters set forth in the foregoing application are true as he verily believes.

Oath.

John H. Kinkade.

Sworn to before me, and signed in my presence this 11<sup>th</sup> day of March, 1919.

Edward H. Porter, Probate Judge.

9123

Affidavit of Disinterested Persons

affidavit  
of  
Disinterested  
Persons

The State of Ohio, Union County, ss.

Chas. Rausch, C. L. Korrner, and Geo. J. Emmert being duly sworn, say, that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said Ward to sell said real estate at private sale than at public sale, for the reasons stated in the application for private sale, as they verily believe.

Chas. Rausch  
J. Geo. Emmert  
C. L. Korrner

Sworn to before me, and signed in my presence this 11<sup>th</sup> day of March, 1919.

Edward H. Porter  
Probate Judge

9123

Order Of Appraisement

The State of Ohio,  
Union County, ss.

Probate Court,

9123



Final Record, Union County Probate Court

9123

To Philip Scheidew, Guardian of LeRoy C. M. Scheidew Min. Heir.

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Guardian of LeRoy C. M. Scheidew, are Plaintiff and your ward LeRoy C. M. Scheidew, et al. are Defendants, you are commanded that by the oath of George J. Emmert, C. L. Korman and Charles Rausch, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County, in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises free of any down estate therein, to wit:

Order of Appraisement

The undivided 1/8 of the following Real Estate, situated in the Township of Dary, County of Union and State of Ohio, Part of Survey # 7218.

1<sup>st</sup> Tract: - Beginning at a stone in the line of said Survey and Northerly corner to a tract of land, containing 99 3/4 acres, conveyed to John W. Scheidew by William Brown and wife and transferred the 10<sup>th</sup> day of March 1870: Thence with said Survey line S. 36 1/2° E. 100 1/2 poles to a stake in said line and corner to Adam Brown's land: thence with one of his lines S. 54 1/2° W. 42 1/2 poles to a stake, another of Brown's corners: Thence with another of his lines S. 20° W. 63.6 poles to a stake in said Brown's line and corner to Geo. A. Blumenschein's land: Thence with one of said Blumenschein's lines N. 85° W. 72.4 poles to a stake: Thence with another of his lines N. 4 1/4° E. 23.4 poles to a stake one of his corners: Thence with another of his lines N. 85° W. 42.64 poles to a stone in the center of the Marysville and Unionville and Minnville road: Thence with the center of said road N. 1 1/2° E. 47.82 poles to a stone at an angle in said road: Thence with the center of said road N. 7° W. 88.24 poles to a stone in the center of said road and corner to Philip (Mrs. J.) Rausch's land: Thence with his line and the line of Geo. Rausch's N. 63 1/2° E. 90 poles to a stone in said Survey line: Thence with said line S. 35° E. 54.28 poles to the beginning containing One Hundred and forty-six and 3/4 Acres. (146 3/4) more or less.

Tract 2. Beginning at a stone Northerly corner of a lot of land sold to John W. Scheidew by David Marguis wife. Thence with the Northwesterly line

9123

Final Record, Union County Probate Court

9123

of said lot and the line of land (formerly owned by Philip Rausch) owned by Mrs. J. Rausch. S. 54° W. 40.24 poles to a stone in said line; thence S. 35° E. 31.8 poles to a stone; thence N. 54° E. 40.26 poles to a stone at the corner of said lot bought of Margis; thence with one of the lines of said lot N. 35° W. 31.8 poles to the beginning. Containing 8 acres more or less.

Being same premises conveyed by Jas. M. Scheidew to John A. Scheidew. Nov. 10<sup>th</sup> 1871. vol. 39. page 86 record of deeds. Wards interest the undivided 1/8 part of said two described tracts.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order and have you then and there this writ.

Witness my signature as Judge and Ex-officio Clerk of our said Probate Court, and the seal of said Court, at Mansville, Ohio, this 11<sup>th</sup> day of March, 1919.

Edward H. Porter, Probate Judge.

9123

Return

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 11<sup>th</sup> day of March, 1919.

Philip Scheidew Guardian

By his attorney John D. Hinkade.

9123

Oath of Appraisers.

The State of Ohio,

Union County, ss.

Oath of Appraisers

We, the under signed appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

Wm. Rausch

J. Geo. Emmert

C. L. Korman

Appraisers.

Sworn to before me, and signed in my presence, this 11<sup>th</sup> day of March, 1919.

Edward H. Porter, Probate Judge.

9123

Appraisers' Return.

Appraisers Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the under signed Appraisers, estimate the value of said real estate at Tract #1 1/8 of 146 3/4 acres at \$ 1742 65/100 Tract # 2 of 1/8 of 8 acres at \$ 67.50/100 Dollars.

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Order Approving Appraisement and for Bond.

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Final Record, Union County Probate Court

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Given under our hands, this 11<sup>th</sup> day of March, 1919.

Chas. Rausch,

J. Geo. Emmert,

L. L. Korman,

Appraisers.

Fees of appraisers \$6.00 per day each, \$2.00 each.

9123

Journal Entry: Orders Approving Appraisement and for Bond.  
Probate Court, Union County, Ohio.

Orders Approving Appraisement and for Bond.

Philip Scheidew, Guardian of  
Le Roy L. M. Scheidew, minor,  
Plaintiff.

9123

March, 12<sup>th</sup>, 1919.

Petition to Sell Real Estate.

for Bond.

Reis Ward Le Roy L. M. Scheidew,  
et al. Defendants.

Orders for Bond, etc.

This day came the said Plaintiff, by his attorney, and produced to the court the report of an appraisement herein made by George Emmert, Charles Rausch and L. L. Korman in pursuance of a former order of this court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said Philip Scheidew as such Guardian execute within 10 days to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the court, in the sum of Five Thousand (\$5000.00) Dollars, conditioned according to law, and this cause is continued.

Edward W. Porter, Probate Judge.

Guardian's Bond.

9123

Bond.

Know all men by these Presents, that we, Philip Scheidew National Surety Co. by Charlotte Henderson atty in fact, J. H. Kirkade, atty in fact, are held and firmly bound unto the State of Ohio, in the sum of Five Thousand (\$5000.00) Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio this 12<sup>th</sup> day of March, 1919.

The condition of the above Obligation is such, that whereas, the above bound Philip Scheidew, was heretofore duly appointed and qualified by the Court of Marathon County, Wisconsin, Guardian of Le Roy L. M. Scheidew

And whereas, the said Philip Scheidew as such Guardian, has filed a petition in said Probate Court, asking an order for the sale



Final Record, Union County Probate Court

9123

of certain Real Estate of said Ward. described in said petition, which under proceedings in said Court duly had, has been appraised at the sum of Two Thousand and eighty-seven and 5/100 (\$ 2087.<sup>50</sup>) Dollars and whereas said Court, on the 12<sup>th</sup> day of March 1919 made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now, if the said Philip Scheiderer as Guardian aforesaid, shall faithfully discharge his duties as such Guardian, and faithfully pay over and account for all moneys arising from the sale of said Real Estate according to law, then this obligation to be void, otherwise to remain in full force.

Philip Scheiderer  
National Surety Co.  
by Charlotte Benderson, atty-in-fact  
J. B. Kirkade, atty-in-fact

Executed in Presence of  
Agnis D. Porter  
Carrie W. Bombert

9123

This Bond approved in open Court, this 12<sup>th</sup> day of March, 1919.

Edward H. Porter, Probate Judge

9123

Order  
Approving  
Bond  
for  
Private Sale.

Journal Entry: Orders Approving Bond for Private Sale - etc.  
Probate Court, Union County, Ohio.

Philip Scheiderer, Guardian  
of Le Roy L. M. Scheiderer, Minor.  
Plaintiff.

No. 9123  
March, 12<sup>th</sup> 1919.  
Petition To Sell Real Estate

vs.  
His Ward, Le Roy L. M. Scheiderer.  
Minor, et al.  
Defendants.

Order of Sale

This day this cause came on further to be heard, and it appearing to the Court, that the said Philip Scheiderer, Guardian of Le Roy L. M. Scheiderer the plaintiff above named has given bond as heretofore ordered, in the sum of Five Thousand (\$5000.<sup>00</sup>) Dollars, with National Surety Co., as surety, it is ordered that said bond be and hereby is approved.

And it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said Ward to sell the real estate described in the petition at private sale.

It is therefore further ordered that said Philip Scheiderer as such Guardian

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Final Record, Union County Probate Court

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proceed to sell said real estate, free of any down, at private sale for not less than the appraised value thereof, on the following terms, to wit: back in hand on day of sale, said petitioner is ordered to make return to this court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge.

Order of Sale.

9123

The State of Ohio.

Probate Court

Union County, S.S.

Order

To Philip Scheidew, Guardian of Le Roy C. M. Scheidew Minor, Guetung.

of

Sale.

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, No. 9123, now pending in said Court, wherein you as Guardian of Le Roy C. M. Scheidew, are Plaintiff and your Ward et al. are Defendants, you are commanded to proceed according to law, to sell at Private sale, for not less than the appraised value thereof, free of any down.

The undivided 1/8 part of the following described premises, to wit:

Tract 1.

Situated in the Township of Dady, County of Union, and State of Ohio, and described as follows: In Virginia Military District Part of Survey No. 7218. Beginning at a stone in the line of said Survey, and northerly corner to a tract of land, containing 99 3/4 acres conveyed to John M. Scheidew, by William Brown and wife and transferred the 10th day of March 1870: Thence with said Survey line S. 36 1/2° E. 100 poles to a stake in said line and corner to Adam Brown's land; Thence with one of his lines S. 54 1/2° W. 42 1/2 poles to a stake, another of Browns corner; Thence with another of his lines S. 20° W. 63.6 poles to a stake in said Browns line and corner to Geo. W. Blumenschein's land; Thence with one of the said Blumenschein lines N. 85° W. 72.4 poles to a stake, Thence with another of his lines N. 4 3/4° E. 23.4 to a stake, one of his corners; Thence with another of his lines N. 85° W. 42.84 poles to a stone in the center of the Marysville and Unionville road; Thence with the center of said road, N. 1 1/2° E. 47.82 poles to a stone at an angle in said road; Thence with the center of said road N. 2° W. 88.24 poles to a stone in the center of said road and corner to William J. Rausch's land

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Final Record, Union County Probate Court

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(formerly Philip Rausch's); Thence with his line and the line of George Rausch's N. 63 1/2° E. 90 poles to a stone in said survey line; thence with said line S. 35° E. 54.78 poles to the beginning.

Containing One hundred forty six and 3/4 acres (146 3/4) more or less.

Bring the same premises conveyed by John M. Scheidner and wife to John P. Scheidner Nov. 10<sup>th</sup> 1871. See record of deeds Vol. 39 page 86 Union County, Ohio.

Also the following to wit the undivided 1/8 part

Tract 2. Situated in Darby Township Union County, Ohio. Part of Survey # 7218. Beginning at a stone westerly corner of a lot of land sold to John M. Scheidner by David Marquis and wife; thence with the North westerly line of said lot and the line of land formerly owned by Philip Rausch, (now William Rausch) S. 54° W. 40.24 poles to a stone in said line; thence S. 35° E. 31.8 poles to a stone; thence N. 54° E. 40.26 poles to a stone at the corner of said lot bought of Marquis; thence with one of the lines of said lot N. 35° W. 31.8 poles to the beginning.

Containing 8 acres more or less.

Bring the same premises conveyed by John M. Scheidner to John P. Scheidner, Nov. 10<sup>th</sup> 1871 Vol. 39 page 86 record of deeds, Union County, Ohio.

Said sale to be private and to be upon the following terms:

To wit, Cash, not less than appraised value, you will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 12<sup>th</sup> day of March, A.D. 1919.

*seal* Edward H. Porter, Probate Judge, Return.

9123 Return

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 12<sup>th</sup> day of March, 1919.

Philip Scheidner Guardian of Le Roy C. M. Scheidner, minor. Report of Sale

9123 Report

In obedience to the within order, I sold said premises on the 12<sup>th</sup> day of March, A.D. 1919

Tract #1. 146 3/4 acres to George J. Scheidner for \$2000

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Final Record, Union County Probate Court

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Tract #2 of 8 acres to William J. Rausch for \$87.50 said sum being more than the appraised value of the same.

Philip Scheidew - Guardian of LeRoy L. M. Scheidew, Minor

Dated the 12<sup>th</sup> day of March, A.D. 1919.

9123

The State of Wisconsin, Marathon County, ss.

The above named Philip Scheidew Guardian of LeRoy L. M. Scheidew, Minor, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Oath.

Philip Scheidew

Sworn to before me and signed in my presence this 12<sup>th</sup> day of March, A.D. 1919.

R. W. Wainwright, Notary Public

Witness

My Com. Ex. 1-12-19.

9123

Journal Entry

In The Probate Court of Union County, Wis.

Philip Scheidew, Guardian of LeRoy L. M. Scheidew Plaintiff

No. 9123 March 12<sup>th</sup> 1919 Journal Entry

Confirming Sale and

His Ward LeRoy L. M. Scheidew Defendant

Confirming Sale and Ordering Distribution

Ordering Distribution

This day this cause came on to be heard on the return of the order of sale heretofore issued herein to Philip Scheidew, Guardian LeRoy L. M. Scheidew and of this proceedings and sale thereunder.

Thereupon the court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this court, it is therefor considered and ordered by the court that said sale be and the same hereby is approved and confirmed; and said Philip Scheidew as such Guardian is hereby ordered to execute and deliver to George J. Scheidew the purchaser of Tract #1, of 146 3/4 acres, and to William J. Rausch, the purchaser of Tract #2, of 8 acres good and sufficient deeds for the premises respectively so sold to them.

And the Court coming now to distribute the proceeds of said sale in the hands of

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Final Record, Union County Probate Court

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said Guardian. Viz # ---  
 First - To the Treasurer the taxes, penalties, and interest thereon against said lands, amounting to the sum of \$-  
 Second. To the Clerk of this Court the costs of this action, herein taxed at \$-  
 Third: - Ordered recorded.

Edward W. Porter Probate Judge.

8969  
Filed  
June 4<sup>th</sup>  
1918.

Petition For Sale of Real Estate to Pay Debts,  
Probate Court Union County, Ohio.

Harrison Patch, Administrator  
 of the Estate of  
 Anna M. Patch, Deceased.  
 Plaintiff

No. 8969  
 Civil Action  
 Petition to  
 Sell Real Estate.

Clara Davis, Ollie Ackley,  
 May Ward, Clyde Durfee,  
 G. F. Long, Thomas Long,  
 and A. Gale. <sup>and</sup> Harrison Patch.  
 Defendants.

Petition

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the Estate of Anna M. Patch, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Two Hundred Dollars as near can be ascertained that the charges of Administration of said estate will amount to about One hundred and Twenty-five Dollars; and that the total value of the personal estate and effects of said deceased is but -- us-- dollars, being wholly insufficient to pay the debts and costs upon said. The plaintiff further represents that said Anna M. Patch died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to wit: Being all of Lot Number One (1) in the Village of New California, County of Union and State of Ohio.

For a more particular description of which reference is hereby made to the recorded plat of said Village in the office of the Recorder of Union County, Ohio.

Also the following tract situated in Jerome Township, Union County, Ohio, U.M. Survey No. 9736 part Lot No. 700, New California Ohio, commencing at a stake in the south westerly line of the Marysville and Columbus State Road, and northeasterly corner to Lot No. 1. of the Village of New

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Final Record, Union County Probate Court

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California, Union County, Ohio, as laid out by Wm. B. Irwin, August 27<sup>th</sup> 1853. (barrow tooth bears N. 49° W. 57<sup>3</sup>/<sub>4</sub> lineal feet) thence with the south-easterly line of said lot no. 1, south 37° 45' W. 132 lineal feet to a stake; thence south 49° E. 50<sup>3</sup>/<sub>4</sub> lineal feet to a stake it being the original southerly corner to Lot No. Two of said Village and in the line of the Sugar Run U.P. Church property; thence with three consecutive lines of the said church property north 37° 45' E. 47 lineal feet; thence north 49° W. 16<sup>1</sup>/<sub>2</sub> lineal feet; thence north 37° 45' East 85 lineal feet to a barrow tooth in the south westerly line of the said Mansville and Columbus State Road; thence with the line of the said State Road north 49° W. 34<sup>1</sup>/<sub>2</sub> lineal feet to the beginning, being a part of lot no. 2, of the Village of New California as originally laid out.

Also the following tract situated in Jerome Township, Union County, Ohio, and part of V.M. Surry no. 9736, bounded and described as follows: Commencing at a Barrow Tooth in the center of the Delaware and London State Road and northerly corner to Mary E. Cosgray's land; thence with the said Cosgray's north easterly line S. 49° 15' E. 137 feet to a stake corner to the said Cosgray land and in the line of land owned by the Sugar Run U.P. Church; thence with the line of said Church lands N. 37° 45' E. 57 feet to a stake the southerly corner to Lot No. 2, of the Village of New California as laid out by Wm. B. Irwin, August 27<sup>th</sup> 1853; thence with the south westerly lines of lots No. 1 and 2, of said Village and continuing to the center of the said Delaware and London State Road, N. 49° W. 137 lineal feet; thence with the center of the said State Road, S. 37° 45' N. 58 feet to the beginning,

containing 13/100 of an acre more or less. The said decedent died leaving the defendant Harmon Patch her widow, who is entitled to dower in said premises; that the defendants Clara Davis, Ollie Ackley, May Ward, Clyde Duffer, C. F. Lerry and Thomas Lerry, are the only children and heirs at law of said decedent, having the next estate of inheritance from said Anna M. Patch, deceased, in said premises; that the Defendants A. J. Lee has a mortgage on the premises described herein.

The Plaintiff therefore prays that the dower of said Harmon Patch in said premises may be assigned and set off to him; that the rights,

Petition

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Final Record, Union County Probate Court

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interests and liens of the said defendants may be fully determined, adjusted and protected according to equity and that your petition may be authorized and ordered to sell said real estate free of said down according to the statute in such cases made and provided, and for all other proper order and relief in the premises.

The State of Ohio, Union County ss.

Harmon Patch, the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Harmon Patch,

sworn to before me and signed in my presence this 4<sup>th</sup> day of June, 1918.

John H. Willis, Notary Public

8969

Journal Entry:

In the Probate Court of Union County, Ohio,

Harmon Patch, Administrator June 4<sup>th</sup> 1918

of the Estate of

Anna M. Patch, Deceased,  
Plaintiff.

no.  
Journal Entry.

Filing  
Petition to  
Sell

Real Estate

Clara Davis, et al.

Defendants.

Filing Petition to Sell  
Real Estate.

This day came the Plaintiff Harmon Patch, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Anna M. Patch, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Whereupon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency, and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Edward H. Porter, Probate Judge.

8969

Answer of Widow

Answer of  
Widow

Harmon Patch, Administrator  
of Estate of Anna M. Patch,  
deceased,  
Plaintiff.

In the Probate Court, Union County Ohio,  
no. 8969  
Proceedings to Sell Real Estate.

Answer of Widow

Clara Davis, et al.

Defendants.

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Final Record, Union County Probate Court

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Now comes Harmon Patch, one of the defendants in the above entitled cause and voluntarily enters his appearance herein and for answer to the petition in this case filed says that he is the widower of said Anna M. Patch, deceased, and, as such, is entitled to dower in the premises described in said petition; that his age is 73 years, and he fully consents to said sale as prayed for and waives the assignment of dower in said premises by metes and bounds or in rents and profits and asks the court that said premises may be sold free from his dower estate therein, and that the value of such vested dower estate may be allowed and paid him in lieu thereof out of the proceeds of the sale, such sum of money as the court may deem the just and reasonable value of his dower interest in said real estate.

Harmon Patch.

8969

State of Ohio, Union County, ss.

each

Harmon Patch, being duly sworn, says that the statements of the foregoing answer are true as he verily believes.

Harmon Patch.

Sworn to before me and signed in my presence this 4<sup>th</sup> day of June, 1918.

John H. Willis, Notary Public.

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Wainor

Wainor

In the Probate Court of Union County, Ohio, No. 8969  
Harmon Patch, Administrator of the Estate of Anna M. Patch, Deceased, Plaintiff.

Petition To Sell Real Estate

Clara Davis, May Ward, Clyde Durfee, Ollie Ackley, L. F. Levy, Thomas Levy, A. J. Lee, and Harmon Patch.

Wainor of Process, and consent To Sell.

Defendants.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Clyde Durfee

Final Record, Union County Probate Court

8969  
 Wainor  
 In the Probate Court of Union County, Ohio,  
 No. 8969  
 Harmon Patch, Administrator  
 of the Estate of  
 Anna M. Patch, Deceased,  
 Plaintiff,  
 v.  
 Clara Davis, May Ward,  
 Lelyde Duffie Olin Ackley,  
 J. F. Leroy, Thomas Leroy,  
 A. J. Lee and Harmon Patch,  
 Defendants,  
 Wainor of Process and  
 Consent To Sale.  
 Wainor  
 We, the undersigned, parties defendant in the above  
 entitled cause for the sale of Real Estate of the estate of  
 said Decedent to pay debts, hereby waive service of  
 process, and consent to the sale of the Real Estate  
 in said Petition mentioned, as herein prayed for, and  
 the statutory time for pleading is hereby waived and  
 we consent that said Petition may be heard at such  
 time as may be by the Court ordered,  
 May Ward.

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 Wainor  
 In the Probate Court of Union County, Ohio,  
 No. 8969  
 Harmon Patch, Administrator  
 of the Estate of  
 Anna M. Patch, Deceased,  
 Plaintiff,  
 v.  
 Clara Davis, May Ward  
 Lelyde Duffie Olin Ackley,  
 J. F. Leroy, Thomas Leroy,  
 A. J. Lee and Harmon Patch,  
 Defendants,  
 Wainor of Process and  
 Consent To Sale.  
 Wainor  
 We, the undersigned, parties defendant in the above  
 entitled cause for the sale of Real Estate of the estate  
 of said Decedent to pay debts, hereby waive service  
 of process, and consent to the sale of the Real Estate  
 in said Petition mentioned, as herein prayed for, and  
 the statutory time for pleading is hereby waived  
 and we consent that said Petition may be heard  
 at such time as may be by the Court ordered,  
 Clara Davis.

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 Wainor  
 In the Probate Court of Union County, Ohio,  
 No. 8969

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Final Record, Union County Probate Court

8969

Harmon Patch, Administrator  
of the Estate of Anna M. Patch,  
Deceased,  
Plaintiff.

Petition To Sell Real Estate

vs.

Helena Davis, May Ward,  
Lelyde Durfee, Ollie Arkley,  
C. F. Leroy, Thomas Leroy,  
A. J. Lee and Harmon Patch,  
Defendants.

Waiver of Process  
and

Consent To Sell.

Waiver

We, the undersigned, parties defendant in the  
above entitled cause for the sale of Real Estate of the  
estate of said Decedent to pay debts, hereby waive  
service of process, and consent to the sale of the  
Real Estate in said Petition mentioned, as herein  
prayed for, and the statutory time for pleading  
is hereby waived and we consent that said  
Petition may be heard at such time as may be  
by the Court ordered.

C. F. Leroy.

8969

Waiver

In The Probate Court Of Union County, Ohio,

Harmon Patch, Administrator  
of the Estate of  
Anna M. Patch,

No. 8969

Petition To Sell Real Estate,

Deceased,  
Plaintiff.

vs.

Helena Davis, May Ward,  
Lelyde Durfee, Ollie Arkley,  
C. E. Leroy, Thomas Leroy,  
A. J. Lee, and Harmon Patch,  
Defendants.

Waiver Of Process and  
Consent To Sell.

Waiver

We, the undersigned, parties defendant in the  
above entitled cause for the sale of Real Estate of the  
estate of said Decedent to pay debts, hereby waive  
service of process, and consent to the sale of the  
Real Estate in said Petition mentioned, as herein  
prayed for, and the statutory time for pleading  
is hereby waived and we consent that said  
Petition may be heard at such time as may be  
by the Court ordered.

Thomas Leroy.

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Waiver

In The Probate Court of Union County, Ohio,

No. 8969.

Final Record, Union County Probate Court

8969

Harmon Patch, Administrator  
Of the Estate of  
Anna M. Patch, Deceased.  
Plaintiff

Petition to Sell Real Estate

v.

Clara Davis, May Ward,  
Lely de Durfen, Ollis Ackley,  
L. F. Leroy, Thomas Leroy,  
A. J. Lee and Harmon Patch,  
Defendants.

Waiver of Process

and

Consent to Sell.

Waiver

We, the under signed, parties defendant in the above  
entitled cause for the sale of Real Estate of the estate of said  
Decedent to pay debts, hereby waive service of process, and  
consent to the sale of the Real Estate in said Petition  
mentioned, as herein prayed for, and the statutory time  
for pleading is hereby waived and we consent that  
said Petition may be heard at such time as may  
be by the Court ordered.

Harmon Patch,  
A. J. Lee.

Summons

8969

The State of Ohio, Union County, ss.

To John H. Willis:

Summons

You are commanded to notify Ollis Ackley that on the  
4<sup>th</sup> day of June, A.D. 1918, Harmon Patch, Administrator  
of the estate of Anna M. Patch, Deceased, filed his petition  
in the Probate Court of said Union County, Ohio, against  
them and others; the object and prayer of which  
petition is to obtain an order for the sale of  
certain Real Estate belonging to said decedent, in  
said petition described, for the purpose of paying  
debts and that unless they answer by the 6<sup>th</sup> day of  
July 1918 said petition will be taken as true, and  
an order granted accordingly.

You will make due return of this writ on the  
17<sup>th</sup> day of June, A.D. 1918.

Witness my hand and the seal of said Court,  
this 15<sup>th</sup> day of June, A.D. 1918.

Edward H. Porter,

Judge and Ex-Officio Clerk of the Probate Court of said County.

Return

8969

Return

The State of Ohio, Union County, ss.

Received this writ June 15<sup>th</sup> 1918 at 9 O'clock  
A.M., and pursuant to its command I served the  
same by delivery a copy thereof personally to Ollis  
Ackley on June 15<sup>th</sup> 1918.

John H. Willis.

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The State  
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Final Record, Union County Probate Court

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 Sheriffs Fees.  
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 Total 2.67

8969 The State of Ohio, Union County, ss.  
 I, John H. Willis, being duly sworn say, that on the 15<sup>th</sup> day of June, 1918, I served this writ by delivering a copy thereof personally, to the following named persons, to-wit: Ollie Ackley.  
 John H. Willis  
 Known to before me and signed in my presence, this 17<sup>th</sup> day of June 1918.

Test E. A. Mullen, Notary Public

8969 Answer.  
 In The Probate Court Union County, Ohio,  
 Harmon Patch, Administrator  
 of the Estate of  
 Anna M. Patch, Deceased,  
 Plaintiff.

vs.  
 Helara Davis, et al,  
 Defendants.  
 Now comes A. J. Lee and says that the said Anna M. Patch, deceased, and the said Harmon Patch husband and wife on the 7<sup>th</sup> day of April, 1916, conveyed the premises in the petition described to A. J. Lee by mortgage to secure to payment of \$150.00 with interest at the rate of 7% per annum payable semi-annually which deed of mortgage was on the 7<sup>th</sup> day of April 1916 left for record with the recorder of said County of Union and became and still is a valid and subsisting lien on said premises; there is now due the said A. J. Lee from the said Anna M. Patch, deceased, and the said Harmon Patch the sum of \$157.06.

Wherefore the said A. J. Lee asks that his said claim be first satisfied out of the proceeds of said real estate by said Administrator, to pay debts.

A. J. Lee.

8969 State of Ohio,  
 Union County, ss.  
 A. J. Lee, being first duly sworn, says that the allegations of the foregoing pleadings are true as he verily believes.  
 A. J. Lee.



Final Record, Union County Probate Court

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Known to before me and subscribed in my presence this 8<sup>th</sup> day of June, 1918.

John R. Willis, Notary Public,

8969

Journal Entry: Order On Hearing of Appraisement, etc.

Probate Court, Union County, Ohio,

Harmon Patch, Administrator of the Estate of Anna M. Patch, Deceased, Plaintiff.

July, 8<sup>th</sup> 1918. Petition to Sell Real Estate

v.

Clara Davis, et al.

Defendants.

Order of Appraisement.

Order of Appraisement

This day this cause came on to be heard upon the petition, evidence and testimony and answers of Harmon Patch and A. J. Lee, and the court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance herein, and are now properly before the court, and that the statements and allegations in said petition are true.

That said Harmon Patch widower, of said Anna M. Patch, is entitled to dower in said real estate; That said widower by his answer herein waives the assignment of dower in said premises by metes and bounds, or in rents and profits, and consents to the sale of said premises free from his dower estate therein.

And the court being satisfied that it is necessary to sell the real estate of said Anna M. Patch, described in the petition, to pay her debts,

It is ordered that W. T. Wood, J. W. Jones, and Joseph Orr, three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders; be and they hereby are appointed to appraise said lands at their true value in money, free from the dower estate of said Harmon Patch therein.

It is further ordered that said appraisers be sworn as required by law, and afterward, upon actual view perform the duties required of them, and make return of their proceedings in writing to this Court, on or before the 15<sup>th</sup> day of July 1918. and this cause is continued.

Edward H. Porter, Probate Judge.

Order Of Appraisement

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Order of Appraisement

The State Of Ohio,

Union County, ss,

To Harmon Patch, Administrator of the Estate of Anna M. Patch, deceased. Meeting:

Probate Court,

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Final Record, Union County Probate Court

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In obedience to an order and decree of the Probate Court, within and for said county, made this day in a certain cause, wherein you as Administrator are Plaintiff and Clara Davis, et al., are Defendants, you are commanded that by the votes of W. T. Wood, J. W. Jones, and Joseph Orr, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the county, in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises, free of the dower estate of Harmon Patch, therein, to wit:

Bring all of Lot Number One (1) in the Village of New California, County of Union and State of Ohio, for a more particular description of which reference is hereby made to the recorded plat of said Village in the office of the Recorder of Union County, Ohio.

Also the following tract situated in Jerome Township, Union County, Ohio, U. M. Survey No. 9736, part Lot No. Two, New California, Ohio, commencing at a stake in the south-westerly line of the Marysville and Columbus State Road, and north-easterly corner to Lot No. 1, of the Village of New California, Union County, Ohio, as laid out by Wm. B. Irwin, August 27<sup>th</sup> 1853 (harrow tooth bears N. 49° W. 57<sup>3</sup>/<sub>4</sub> lineal feet); thence with the south-easterly line of said lot No. 1 south 37° 45' N. 132 lineal feet to a stake; thence south 49° E. 50<sup>3</sup>/<sub>4</sub> lineal feet to a stake, it being the original southerly corner to Lot No. Two, of said Village and in the line of the Sugar Run U. P. Church property; thence with three consecutive lines of the said Church property north 37° 45' E. 47 lineal feet; thence north 49° N. 16<sup>1</sup>/<sub>2</sub> lineal feet; thence north 37° 45' East 85 lineal feet to a harrow tooth in the south westerly line of the said Marysville and Columbus State Road; thence with the line of the said State Road north 49° N. 37<sup>1</sup>/<sub>2</sub> lineal feet to the beginning, being a part of Lot No. 2, of the Village of New California as originally laid out.

Also the following tract situated in Jerome Township, Union County, Ohio, and part of U. M. Survey No. 9736, bounded and described as follows: commencing at a Harrow Tooth in the center of the Delaware and London State Road and northerly corner to Mary E. Cosgray's land; thence with the said Cosgray's north easterly line S. 49°

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Final Record, Union County Probate Court

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15' E. 137 feet to a stake, corners to the said Leosgray land and in the line of the land owned by the Sugar Run U.P. Church; thence with the line of said Church lands N. 37° 45' E. 57 feet to a stake the southerly corner to Lot No. 2 of the Village of New California as laid out by Mrs. B. Irwin, August 27<sup>th</sup> 1853; thence with the south-westerly lines of lots No. 1 and 2 of said village and continuing to the center of the said Delaware and London State Road N. 49° W. 137 lineal feet; thence with the center of the said State Road S. 37° 45' W. 58 feet to the beginning.

Containing 13/100 of an acre more or less.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order and bear you there and there this writ.

Witness my signature as Judge <sup>and</sup> Ex-Officio Clerk of our said Probate Court, and the Seal of said Court, at Waverlyville, Ohio, this 8<sup>th</sup> day of July, 1918.

Seal Edward W. Porter, Probate Judge

Return

8969

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 9<sup>th</sup> day of July, 1918.

Harmon Patch

Oath of Appraisers

8969

Oath of Appraisers

The State of Ohio,

Union County, ss.

We, the undersigned appraisers, do make oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

J. W. Jones, Joseph Orr, W. T. Wood, Appraisers.

Shown to before me, and signed in my presence, this 9<sup>th</sup> day of July, 1918.

John H. Hillis,

Seal Notary Public

Appraisers' Return.

8969

Appraisers' Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at Four hundred eighty-five (\$485.00) Dollars free of debt of Harmon Patch

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Final Record, Union County Probate Court

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Given under our hands, this 9<sup>th</sup> day of July, 1918

W. T. Wood.

J. W. Jones.

Joseph Orr.

Appraisers-

Fees of Appraisers \$1.00 per day each.

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Journal Entry: Order Approving Appraisement for Public Sale - Probate Court, Union County, Ohio.

Harrison Patch, Administrator of the Estate of

Anna M. Patch, Deceased.

Plaintiff,

v.

Clara Davis, et al.

Defendants.

Thurs day, July, 11<sup>th</sup> 1918.

Petition to Sell Real Estate

Order Approving Appraisement for Public Sale.

Order of Sale - etc

This day came the said Plaintiff, by his Attorney, and produced to the Court the report of an appraisement herein made by W. T. Wood, J. W. Jones and Joseph Orr in pursuance of a former order of this Court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

It is therefore further ordered that said Harrison Patch as such Administrator proceed according to law to sell the real estate, described in the petition free of down at public auction upon the premises for not less than two-thirds the appraised value thereof, on the following terms, to wit, one-third to cash in hand on day of sale, one-third in one year and One third in two years from the day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. It is further ordered that said petitioner give notice four weeks consecutively of the terms and time and place of sale, prior thereto, in some newspaper of general circulation in Union County, Ohio, where said real estate is situate.

And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Edmond H. Porter, Probate Judge.

Legal Notice.

8969

Legal Notice

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction on the 10<sup>th</sup> day of August, 1918, at

Final Record, Union County Probate Court

8969

One o'clock on the premises in the town of New California the following described real estate, situated in the County of Union, State of Ohio. Township of Jerome and Town of New California to wit, bring all of Lot No. 1, and bring 57 3/4 feet fronting on Main Street at the intersection of Cross Street; and the north westerly part of Lot No. 2, and bring 34 1/4 feet fronting on Main Street; also 13/100 of an acre, more or less, joining said Lots No. 1 and 2 on the southwest and bring 58 feet fronting on Cross Street and extending eastward 137 feet, as shown upon the recorded plat of said town and township. Appraised at \$485.

Terms of sale one-third cash in hand, one-third in one year and one-third in two years from the date of sale with interest. The deferred payments to be secured by mortgage on the premises.

Harmen Patch,

Administrator of Estate of Anna M. Patch, Deceased.

8969

State of Ohio Union County, ss.

Personally appeared before me L. Shields and made solemn oath that the notice, a copy of which is hereto attached was published for four consecutive weeks on and next after July 12<sup>th</sup> 1918, in The Union County Journal, a newspaper of general circulation in County aforesaid.

Oath.

Louise Shields.

Sworn to before me and signed in my presence this 18<sup>th</sup> day of August A.D. 1918.

Printed this 9<sup>th</sup> day of August 1918.

Wm. B. Gaumer

Order Of Sale. Free of Dower

8969

Order of Sale Free of Dower

The State of Ohio, Union County, ss.

Probate Court.

To Harmen Patch, Administrator of the Estate of Anna M. Patch, Deceased. Greeting:

In obedience to an order and decree of the Probate Court within and for said County made this day, in a certain cause, wherein you as Administrator are Plaintiff and Helora Davis et al., are Defendants, you are commanded to proceed according to law, to sell at Public Sale, for not less than two-thirds the appraised value thereof free of the dower of Harmen Patch widow of Anna M. Patch, deceased, the following described premises, to wit:

Bring all of Lot Number One (1) in the Village of New California, County of Union and State of Ohio.

For a more particular description of which reference is hereby made to the recorded

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Order of Sale

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Final Record, Union County Probate Court

1869

plat of said Village in the Office of the Recorder of Union County, Ohio.

Also the following tract situated in Jerome Township Union County, Ohio, V. M. Survey, No. 9736, part Lot, No. Two New California, Ohio,

Commencing at a stake in the south-westerly line of the Marysville and Columbus State Road and north-easterly corner to Lot No. 1 of the Village of New California, Union County, Ohio, as laid out by Wm. B. Irvine, August 27<sup>th</sup> 1853 (barrow tooth bears N. 49° W. 57<sup>3</sup>/<sub>4</sub> lineal feet); thence with the south-easterly line of said Lot No. 1 south 37° 45' W. 132 lineal feet to a stake; thence south 49° E. 50<sup>3</sup>/<sub>4</sub> lineal feet to a stone, it being the original southerly corner to Lot No. Two of said Village and in the line of the Sugar Run U. P. Church property; thence with three consecutive lines of the said Church property north 37° 45' E. 47 lineal feet; thence north 49° W. 16<sup>1</sup>/<sub>2</sub> lineal feet; thence north 37° 45' East 85 lineal feet to a barrow tooth in the south-westerly line of the said Marysville and Columbus State Road; thence with the line of the said State Road north 49° W. 34<sup>1</sup>/<sub>2</sub> lineal feet to the beginning; being a part of Lot No. 2, of the Village of New California as originally laid out.

Order

of

sale.

Also the following tract situate in Jerome Township, Union County, Ohio, and part of V. M. Survey, No. 9736, bounded and described as follows:

Commencing at a Barrow Tooth in the center of the Delaware and London State Road and northerly corner to Mary E. Cosgray's line; thence with the said Cosgray's north easterly line S. 49° 15' E. 137 feet to a stake, corner to the said Cosgray land and in the line of the land owned by the Sugar Run U. P. Church; thence with the line of said Church lands N. 37° 45' E. 57 feet to a stake the southerly corner to Lot No. 2 of the Village of New California as laid out by Wm. B. Irvine, August, 27<sup>th</sup> 1853; thence with the south-westerly lines of Lots No. 1 and 2, of said Village and continuing to the center of the said Delaware and London State Road N. 49° W. 137 lineal feet; thence with the center of the said State Road S. 37° 45' W. 58 feet to the beginning, containing 13/100 of an acre more or less.

Said sale to be upon the premises and to be upon the following terms: One-third cash on day of sale; One-third in one year; and One-third in two years.

The deferred payments to be secured by mortgage on the premises and to bear interest from the

1869



Final Record, Union County Probate Court

8969

day of sale, payable annually.

You will make return of your proceedings to this Court, forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 11<sup>th</sup> day of July, 1918.

Edward M. Porter, Probate Judge.

8969

Return

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 12<sup>th</sup> day of August, 1918.

Harmann Patch, Administrator

8969

Report of Sale.

Report of Sale.

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Union County Journal a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate, for at least 4 consecutive weeks prior to the 10<sup>th</sup> day of August 1918, the day of sale therein mentioned; stating in the notice the time, place, and terms of sale; and on said day at the hour of One O'clock P.M., I attended at the place of the sale on the premises and offered said real estate for sale free of the down estate of Harmann Patch, widow therein, when E.M. Cosgrove bid to pay for the same the sum of Three Hundred Twenty-three and <sup>34</sup>/<sub>100</sub> (\$323.<sup>34</sup>) Dollars, which being the highest and best bid that was offered, and being more than two-thirds the appraised value of said premises, I then and there sold the same to him for that sum.

Harmann Patch, Administrator

Dated the 12<sup>th</sup> day of August, 1918.

8969

The State of Ohio, Union County, ss.

Oath

The above named Harmann Patch, Administrator being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Harmann Patch, Administrator

Sworn to before me and signed in my presence, this 12<sup>th</sup> day of August 1918.

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John H. Willis

John H. Willis,

Notary Public

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Journal

Harmann Patch

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Order of Confirmation and Distribution

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Final Record, Union County Probate Court

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Journal Entry: Order of Confirmation, Distribution  
Probate Court, Union County, Ohio,

Harmon Patch, Administrator  
of Anna M. Patch, Deceased,  
Plaintiff

August 14<sup>th</sup> 1918  
Petition To Sell Real Estate

Delora Davis, et al.

Defendants,

Order of Confirmation,  
Distribution, etc.

Order  
of  
Confirmation  
and  
Distribution

This day this cause came on to be heard on the report of Harmon Patch Administrator of Anna M. Patch, deceased, of his proceedings under the former order of this Court and upon the motion of said petitioner to confirm the sale made in obedience to said order: and the Court having carefully examined said report and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made: it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Anna M. Patch in said real estate, to the purchaser May E. Cosgray, upon the said purchaser executing to said Administrator a mortgage upon the premises sold to secure the deferred payments of the purchase money. And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Three Hundred Twenty Three and  $\frac{37}{100}$  Dollars; and the said Harmon Patch widow not having by answer herein waived the assignment of dower in said premises by metes and bounds, or in rents and profits, and asked that the value of such dower be allowed and paid him out of the proceeds of the said sale; the Court finds the just and reasonable value of his dower interest in said real estate to be the sum of Thirty-three and  $\frac{40}{100}$  Dollars. The Court finds that there is due the said A. J. Du upon the note set forth in his answer and cross-petition, from the estate of said Anna M. Patch the sum of One Hundred Fifty eight and  $\frac{95}{100}$  Dollars, with interest thereon from the date of this entry; that the said Anna M. Patch and said Harmon Patch her husband, to secure the payment of said promissory note gave a mortgage upon the premises in the petition described, which was a valid and subsisting lien upon said premises, and now upon the fund in the

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Final Record, Union County Probate Court

8969

hands of said Administrator arising from the sale of said premises. It is ordered that an entry of release and satisfaction of said mortgage lien be entered of record in the office of the recorder of Union County, Ohio, according to law.

It is further ordered that said Administrator, out of the money in his hands, pay:

First - To the treasurer of this County, the sum of \$0.22, being the taxes, penalty and interest thereon, against said property.

Second - The cost and expenses incurred in the sale of said property, including an attorney fee of \$25.00 to John H. Willis and \$19.40 the percentage of said Administrator herein, amounting to the sum of \$69.57.

Third - To Harmon Patch widow, the sum of \$33.40, which the Court finds to be the value of his dower interest in said premises.

Fourth - To A. J. Lee on the note and mortgage set forth and described in his answer and cross-petition herein, the sum of \$158.95, which the Court finds to be the amount due him.

It is further ordered that the balance of said proceeds, amounting to the sum of \$ ---, be accounted for by said Administrator according to law.

And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at \$25.17 out of the proceeds of said sale, within ten days.

Edward W. Porter, Probate Judge

9122

Files  
Feb. 24 - 1919

Petition for Sale of Real Estate To Pay Debts

Probate Court, Union County, Ohio,

B. L. Ballinger, as Administrator

vs. 9122.

Of the Estate Of

Civil Action

Henry A. Wilgus, deceased.

Petition To Sell Real Estate,

Plaintiff.

vs.

Bornis Wilgus

Howard Wilgus

Lillis Watts, and

Paul Watts, a minor,

Defendants.

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the Estate of Henry A. Wilgus late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Five Hundred and Ninety-one Dollars,

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Final Record, Union County Probate Court

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As near as can be ascertained at this time; that the charges of Administration of said estate will amount to about Three Hundred Dollars; and that the total value of the personal estate and effects of said deceased is but Two Hundred and Forty Three, and  $\frac{29}{100}$  Dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said Henry A. Wilgus, died seized in fee simple, of the following described real estate, situate in the County of Union and State of Ohio, to-wit: Situated in the County of Union in the State of Ohio, and in the Township of York, and bounded and described as follows:

Being a part of Virginia Military Survey, No. 3235, and a part of Lot No. 3, of the Sub-division of said Survey No. 3235 and Survey, No. 3236.

Petition

Beginning at a stone in the center of a County Road and in the East line of said Lot, No. 3, and at the Southwest corner of a tract of land containing 50 acres conveyed by Solomon B. Marmou to William Middleworth January 24<sup>th</sup> 1898; thence with the South line of said land North 75° 45' West 121 poles to a stone at the Southwest corner of said tract of land and in the West line of said Lot, No. 3; thence with said line South 10° 30' West 66  $\frac{1}{100}$  poles to a stone in said line; thence South 75° 45' East 131 poles to a stone in the center of said Road and in the East line of said Lot, No. 3; thence with said Road and line North 10° 30' East 66  $\frac{1}{100}$  poles to the place of beginning, containing 50 acres, or the same more or less.

Being the South part of a tract of land conveyed by John W. Reines to the said Solomon B. Marmou, April, 14<sup>th</sup> 1897. Refer to Volume of Deeds No. 75, page 388, Union County, Ohio.

The said decedent: The Plaintiff further says: that the said decedent died a widower and unmarried; that the defendants, Bourn Wilgus, Howard Wilgus, and Lillie Watts are the only surviving children of the said Henry A. Wilgus, deceased; that the defendant, Pearl Watts, a minor, is the only child and sole heir at law of Mary Watts, a deceased daughter of the said Henry A. Wilgus; and that the said four defendants are the sole heirs at law of the said Henry A. Wilgus, deceased, having the next estate of inheritance from said decedent, last aforesaid named, in said premises; and that a sale of said premises is asked, for the purpose of paying

9127

Final Record, Union County Probate Court

9122 debts' thus far presented to said Administrator, or known to him, as follows, to-wit:

B. C. Ballinger and Son.	\$165.50
The Farmers State Bank.	60.00
Abbie M. Pence	100.00
Union County Tax.	37.52
G. L. Thompson, M.D.	53.00
L. K. Drake.	175.00
	<u>\$591.02</u>

The Plaintiff therefore prays that he may be authorized and ordered to sell said real estate free of doubt according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

James M<sup>c</sup> Campbell. attorney  
for the Plaintiff.

9122 The State of Ohio, Logan County, ss.  
B. C. Ballinger the within named Plaintiff, being  
Oath. duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

B. C. Ballinger

Sworn to before me and signed in my presence,  
this 22<sup>nd</sup> day of February, 1919.

H. B. Hager, Notary Public

9122	Probate Court	Union County, Ohio.
	B. C. Ballinger, as Administrator	no. 9122
	of the Estate of	Civil Action
	Henry A. Wilgus, deceased.	Petition to Sell Real Estate
	Plaintiff.	Præcipe.

Præcipe.

Against  
Bourne Wilgus, et al.,  
Defendants  
minor, defendant herein, directed to the Plaintiff returnable according to law.

To the Probate Judge:

Issue summons

for said Pearl Watts, a

James M<sup>c</sup> Campbell.  
Plaintiff's Attorney.

9122 Journal Entry:

Filing Petition  
To  
Sell Real Estate

In the Probate Court of Union County, Ohio,  
B. C. Ballinger, as Administrator  
of the Estate of  
Henry A. Wilgus, deceased,  
Plaintiff,

Tuesday, February, 25<sup>th</sup> 1919  
to case no. 9122,  
Journal Entry.

Bourne Wilgus, et al.,  
Defendants,

Filing Petition to Sell  
Real Estate.

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Final Record, Union County Probate Court

9122

This day came the Plaintiff, B. C. Ballinger, as administrator of the estate of Henry A. Wilgus, deceased, and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said Henry A. Wilgus, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Whereupon, it is considered and ordered by this court that the said petition be filed, and that due and legal notice of the filing, pendency and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants, and this cause is continued.

Edward H. Porter, Probate Judge.

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In the Probate Court of Union County, Ohio,  
B. C. Ballinger, as Administrator  
of the Estate of  
Henry A. Wilgus, deceased,  
Plaintiff

No. 9122  
Petition to  
sell Real Estate

Bourne Wilgus  
Howard Wilgus  
Lillie Watts, and Pearl Watts, Minors.  
Defendants.

Wains of Process and  
Consent to sell.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time, for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Bourne Wilgus  
Lillie Watts,  
Howard Wilgus.

9122

Summons

The State of Ohio, Union County, ss.  
To B. C. Ballinger -

You are commanded to notify Pearl Watts, a minor, that on the 24<sup>th</sup> day of February A. D. 1919, B. C. Ballinger, as Administrator of the Estate of Henry A. Wilgus, Deceased, filed his petition in the petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the

Summons

Ohio, 25<sup>th</sup> 1919



Final Record, Union County Probate Court

9122 sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts and that unless they answer by the 29<sup>th</sup> day of March, 1919, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 10<sup>th</sup> day of March A.D. 1919.

Witness my hand and the seal of said Court, this 24<sup>th</sup> day of February, A. D. 1919.

seal Edward M. Porter

Judge <sup>ex-officio</sup> Clerk of the Probate Court of said County

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Order On Hearing of the for Private Sale etc.

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Return

The State Of Ohio, Logan County, ss.

Return

I, B. C. Ballinger, being duly sworn say, that on the 8<sup>th</sup> day of March, 1919, I served this writ by delivering a copy thereof personally to the following named persons, to-wit:

Pearl Watts, (minor) and Emery Watts, as father of said minor, he having no legal Guardian.

B. C. Ballinger

Known to before me and signed in my presence, this 8<sup>th</sup> day of March, 1919.

seal H. B. Hager, Notary Public.

9122

We, the undersigned defendants named herein, do each of us acknowledge due and legal service of the within summons.

Pearl Watts, Emery Watts.

9122

Application To Sell Real Estate at Private Sale Probate Court, Union County, Ohio

Application To Sell Real Estate at Private Sale

B. C. Ballinger, As Administrator Of the Estate of Henry A. Wilgus, deceased. Plaintiff

no. 4122 Petition To Sell Real Estate.

B. Bours Wilgus, et al. Defendants.

Application

The said Plaintiff represents that it would be for the best interest of the said estate of Henry A. Wilgus dec'd, to sell the real estate described in the petition in this case at private sale as a whole, or in parcels, for the following reasons:

- 1. The appraisement returned in the Inventory is reasonable and fair.
2. Private sale of said real estate would result in a saving of a considerable amount of costs to said Decedent's Estate.

Order On Hearing of the for Private Sale etc.

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Final Record, Union County Probate Court

9122

The cropping season being well advanced, a private sale will save the time of public advertising to the advantage of said estate.

And he therefore asks for an order authorizing him to sell said real estate at private sale.

B. C. Ballinger, Administrator of the estate of Henry A. Wilgus, deceased.

9122

The State of Ohio, Logan County, ss.

B. C. Ballinger, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.

B. C. Ballinger

Sworn to before me, and signed in my presence, this 21- day of April, 1919.

H. B. Hager, Notary Public

9122

Affidavit Of Disinterested Persons

The State of Ohio, Logan County, ss.

J. T. Drake, and W. B. Ballinger being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate of Henry A. Wilgus, deceased, to sell said real estate at private sale than at public sale, for the reasons stated in said Application, as they verily believe.

J. T. Drake

W. B. Ballinger

Sworn to before me, and signed in my presence, this 21- day of April, 1919.

H. B. Hager, Notary Public

9122

Journal Entry: Order On Hearing, for Private Sale - etc Probate Court, May 15<sup>th</sup> 1919

Order On Hearing for Private Sale etc.

B. C. Ballinger, as Administrator of the Estate of Henry A. Wilgus, deceased, Plaintiff.

Petition to sell Real Estate

Bourne Wilgus, et al. Defendants.

Order Of Sale

This day this cause came on to be heard upon the petition, evidence and testimony, and motion to order a sale of the lands in the petition described in the appraisement thereof in the inventory contained; and the Court being fully advised in the premises finds: That all the defendants herein have been duly



Final Record, Union County Probate Court

9122. and legally served with process or have voluntarily  
 entered their appearance herein, and are now properly  
 before the court. That the statements and allegations  
 in said petition are true. That said Henry A. Wilgus  
 deceased, did not leave a widow, entitled to dower in  
 the estate to be sold, and an Appraisement of such  
 estate is contained in the Inventory. It is ordered  
 that another appraisement be and hereby is dispensed  
 with. And the court, being satisfied that it is  
 necessary to see the real estate of said Henry A. Wilgus  
 deceased, described in the petition, to pay his debts. And  
 it being made to appear to the court upon satisfactory  
 evidence, that it would be more for the interest of  
 said estate to see the real estate described in the  
 petition at private sale.

It is therefore further ordered that said B. C.  
 Ballinger as said Administrator proceed to sell  
 said real estate, free of dower, as a whole or in  
 parcels, at private sale for not less than the appraised  
 value thereof, on the following terms, to wit: One-third  
 cash in hand on day of sale, one-third in one  
 year and one-third in two years from the day  
 of sale; deferred payments to be secured by mortgage  
 on the premises sold and to bear interest from the  
 day of sale, payable annually. And said  
 petitioner is ordered to make return to this court  
 immediately after such sale is made, and  
 this cause is continued.

Eduard H. Porter, Probate Judge.

Order Of Sale. Free from Dower.

9122  
 Order  
 of  
 Sale  
 Free of Dower

The State Of Ohio, Union County, ss. Probate Court.  
 To B. C. Ballinger, as Administrator of the Estate of  
 Henry A. Wilgus, Deceased. Greeting:  
 In obedience to an order and decree of the  
 Probate court, within and for said County, made  
 this day, in a certain cause, wherein you as Adminis-  
 trator, of the estate of Henry A. Wilgus, Deceased, are  
 Plaintiff and Doro Wilgus et al. are Defendants, you  
 are commanded to proceed according to law, to sell  
 at private sale, as a whole or in parcels, for not  
 less than the appraised value thereof free from  
 dower, the following described premises, to wit:  
 Situated in the County of Union, in the State of  
 Ohio, and in the Township of York, and bounded  
 and described as follows:

Being a part of Virginia Military Survey No. 3235;  
 and a part of Lot No. 3 of the Sub-division of  
 said Survey No. 3235; and Survey No. 3236.

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Final Record, Union County Probate Court

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Beginning at a stone in the center of a County Road and in the East line of said Lot No. 3, and at the South West corner of a tract of land containing 50 acres conveyed by Solomon H. Marmion to William Middleworth January 24<sup>th</sup> 1898; thence with the South line of said land North 75° 45' West 121 poles to a stone at the South West corner of said tract of land and in the West line of said Lot. No. 3; thence with said line South 10° 30' West 66 <sup>17</sup>/<sub>100</sub> poles to a stone in said line; thence South 75° 45' East 121 poles to a stone in the center of said Road, and in the East line of said Lot. No. 3; thence with said Road and line North 10° 30' East 66 <sup>17</sup>/<sub>100</sub> poles to the place of beginning, containing 50 acres, be the same more or less.

Being the South part of a tract of land conveyed by John H. Hines to the said Solomon H. Marmion April 14, 1897. Refer to Volume of Deeds No. 75, page 388. Union County, Ohio.

Said Sale to be free from doubt, and to be upon the following terms: Cash in hand on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court, at Marysville, Ohio, this 15<sup>th</sup> day of May, 1919.

 Edward H. Porter, Probate Judge  
Return.

9122

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 16<sup>th</sup> day of May, 1919.

B. C. Ballinger.

Plaintiff - Administrator, &c.

Report of Sale

9122

Report

Of

Sale

In obedience to the within order, I sold said premises on the 15<sup>th</sup> day of May, 1919 to, Howard W. Skidmore and Howard Wilgus in equal parcels of 25 acres each, and each parcel specifically described by metes and bounds, for the sum of Forty two hundred and fifty (\$4250.00) Dollars said sum being the appraised value of the same.

B. C. Ballinger

Plaintiff - Administrator, &c.

Dated the 16<sup>th</sup> day of May, 1919.

Final Record, Union County Probate Court

9122

The State of Ohio, Union County, ss.

The above named B. C. Ballinger being duly sworn, says that the sales above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

B. C. Ballinger

Sworn to before me and signed in my presence, this 16<sup>th</sup> day of May 1919.

Edward H. Porter, Probate Judge

9123

Journal Entry:

Probate Court, Union County, Ohio.

B. C. Ballinger, as administrator

Friday, May 16<sup>th</sup> 1919.

of the estate of

Petition To

Henry A. Wilgus, deceased.

sell Real Estate.

Plaintiff.

v.

Born Wilgus, et al.

Order of Confirmation

Defendants.

Distribution, etc.

Order of Confirmation Distribution

This day this cause came on to be heard on the report of B. C. Ballinger as Administrator of the estate of Henry A. Wilgus, deceased, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sales made in obedience to said order; and the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sales were fairly and legally made; it is ordered that the same be and hereby are approved and confirmed.

It is further ordered that said petitioner execute deeds of all the right, title and interest of the said Henry A. Wilgus, deceased, in said real estate, to the purchasers, Howard H. Skidmore, and Howard Wilgus, for the respective parcels or tracts purchased by them.

And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of said sales amounting to the sum of Forty two hundred and fifty Dollars:

It is further ordered that said Administrator out of the money in his hands, pay: First - To the Treasurer of this County, the sum of \$--- being the taxes, penalty, and interest thereon, against said property. Second - The cost and expenses incurred in the sale of said property, including an attorney fee of \$--- to James Mc Campbell, and \$--- the

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Mar. 19<sup>th</sup>

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Petition

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Final Record, Union County Probate Court

9/22 the percentage of said B. C. Bullinger, Administrator  
 as aforesaid herein, amounting to the sum of \$---,  
 third: That he pay and distribute the balance of said  
 proceeds of sales according to law,  
 And it is further ordered that this proceeding be  
 recorded, and that said petitioner pay the costs herein  
 taxed at \$--- out of the proceeds of said sale,  
 within ten days.

Eduard H. Roster, Probate Judge.

9135-  
Mar. 19  
1919.

Petition For Sale of Real Estate To Pay Debts.

Probate Court, Union County, Ohio.

Hattie U. McKeen, Administratrix  
 of the estate of  
 Lewis N. McKeen, deceased,  
 Plaintiff.

No. 9135

Civil Action.

Petition To Sell  
Real Estate

v.

William McKeen,  
 Ollis McKeen,  
 Charley McKeen,  
 Keatie McKeen,  
 Elmerathan McKeen,  
 Lydia McKeen,  
 Cora E. Bercaw,  
 A. E. Bercaw  
 Clara Taylor  
 William Taylor,  
 Florence Barnes,  
 O. V. Barnes,  
 Hattie U. McKeen, and  
 U. L. Riddle.

Petition.

Defendants.

The Plaintiff represents that she is the duly  
 appointed and qualified Administrator of the  
 Estate of Lewis N. McKeen late of Union County, Ohio,  
 deceased; that the amount of debts due from  
 the deceased is over five hundred dollars, as  
 near as can be ascertained that the charges of  
 administration of said estate will amount  
 to about seventy-five dollars; and that the  
 total value of the personal estate and effects  
 of said deceased is but -- no -- Dollars, being  
 wholly insufficient to pay the debts and costs  
 aforesaid. The plaintiff further represents  
 that said Lewis N. McKeen died seized in fee  
 simple of the undivided one-half interest  
 of the following described real estate, situate  
 in the County of Union and State of Ohio, to-wit:



Final Record, Union County Probate Court

9135-

Part of Survey Number 9020.

Beginning at a point in the center of the  
Dwin and Milford Center Grant Road, seventy-five  
[75] feet from the North corner of Phorb Gordon's land;  
thence N. 37 1/4° E. 75 feet to a stone in said Road; thence  
S. 43 1/4° E. 170 feet to a stake; thence S. 37 1/4° W. 75 feet  
and parallel with said Road; thence N. 43 1/4° W. 170 feet  
to the place of beginning, and being 29/100 of an acre,  
more or less.

The said decedent died leaving the defendant  
Hattie U. McKeen his widow, who is entitled to dower  
in said premises; that the defendants William McKeen,  
Charles McKeen, Erastus McKeen, Cora E. Bercaw, Clara  
Taylor, and Florence Barnes are the only children and  
heirs at law of said decedent, having the next estate  
of inheritance from said Lewis K. McKeen, deceased,  
in said premises; that the Defendants

Ollie McKeen is the wife of said defendant  
William McKeen,

Hattie McKeen is the wife of said defendant  
Charles McKeen,

Lydia McKeen is the wife of said defendant  
Erastus McKeen,

A. E. Bercaw is the husband of said defendant  
Cora E. Bercaw,

William Taylor is the husband of said Clara Taylor,

O. V. Barnes is the husband of said defendant  
Florence Barnes, and V. G. Riddle,

The Plaintiff therefore prays that the dower  
of said Hattie U. McKeen in said premises may  
be assigned and set off to her; that the rights,  
interests and claims of the said defendants  
above named, may be fully determined, adjusted  
and protected according to equity, and that  
your petitioner may be authorized and ordered to  
sell said real estate free from said dower,  
according to the statute in such cases made  
and provided, and for all other proper orders and  
relief in the premises.

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Cash

The State of Ohio, Clark County, ss.

Hattie U. McKeen the within named Plaintiff,  
being duly sworn, says that the various matters and  
things set forth in said petition are true to the  
best of his knowledge and belief.

Hattie U. McKeen  
Sworn to before me and signed in my presence

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Final Record, Union County Probate Court

9135- This 26 day of February, 1919. <sup>seal</sup>  
W. G. Campbell, Notary Public, Clark County, Ohio.

9135- Probate Court, Union County, Ohio.  
Hattie U. M<sup>c</sup> Keenr, Administratrix  
Of The Estate of  
Louis U. M<sup>c</sup> Keenr.  
Plaintiff

Praripis  
William M<sup>c</sup> Keenr, et al.  
Defendants.  
Praripis To the Probate Judge:  
Issues summons for said  
Defendants, Charley M<sup>c</sup> Keenr, and Hattie U M<sup>c</sup> Keenr, and  
U. G. Riddle, who reside at Mechanicsburg, Ohio, directed  
to the Sheriff of Champaign Co., and for Elnathan  
M. M<sup>c</sup> Keenr and Lydia U M<sup>c</sup> Keenr, who reside at  
Loudon Ohio, directed to the Sheriff of Madison County  
returnable according to law.  
Intru action for sale of real estate.  
Milo L. Myers.  
Plaintiff's Attorney.

9135- Journal Entry:  
In the Probate Court of Union County, Ohio  
Filing  
Petition To  
Sell Real  
Estate.  
Hattie U. M<sup>c</sup> Keenr, Administratrix  
of the estate of Louis U. M<sup>c</sup> Keenr,  
Plaintiff  
v.  
William M<sup>c</sup> Keenr, et al.  
Defendants.  
March, 19<sup>th</sup> 1919  
Case no. 9135:  
Journal Entry.

Filing Petition To  
Sell Real Estate.  
This day came the Plaintiff Hattie U. M<sup>c</sup> Keenr  
as Administratrix of the estate of Louis U. M<sup>c</sup> Keenr  
deceased, and presented to this court her petition, duly verified,  
praying an order for the sale of real estate of the  
said Louis U. M<sup>c</sup> Keenr, deceased, to pay the debts, and  
the costs of administering the estate, of the said decedent.  
Whereupon, it is considered and ordered by this Court  
that the said petition be filed, and that due and  
legal notice of the filing, pendency, and prayer, of the  
said petition, and of the time in which they are  
required by law to answer the same, be given to each  
of the said defendants; and this cause is continued,  
Edward H. Porter, Probate Judge.

9135- Wainr.  
In the Probate Court of Union County, Ohio,  
Hattie U. M<sup>c</sup> Keenr, Administratrix  
of The Estate of  
Louis U. M<sup>c</sup> Keenr, deceased.  
Plaintiff  
v.



Final Record, Union County Probate Court

9135- William M<sup>c</sup>Keenr. Ollie M<sup>c</sup>Keenr.  
 Charley M<sup>c</sup>Keenr. Hattie M<sup>c</sup>Keenr.  
 Eluathan M<sup>c</sup>Keenr. Lydia M<sup>c</sup>Keenr.  
 Cora E. Bercaw. A. E. Bercaw.  
 Lelara Taylor. William Taylor  
 Florence Barnes. O. V. Barnes  
 Hattie U M<sup>c</sup>Keenr. Aug V. B. Riddle.  
 Defendants.

No. 9135-  
 Petition To Sell  
 Real Estate  
 Wains of Process and  
 Consent To Sell.

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Wains  
 We, the undersigned, parties defendant in the above  
 entitled cause for the sale of Real Estate of the estate of  
 said Decedent to pay debts, hereby wain service of  
 process and consent to the sale of the Real Estate in said  
 Petition mentioned, as herein prayed for, and the statutory  
 time for pleading is hereby waind and we consent  
 that said Petition may be heard at such time as may  
 be by the Court ordered.

Hattie U M<sup>c</sup>Keenr. W. M. M<sup>c</sup>Keenr  
 Ollie M<sup>c</sup>Keenr. Lelara Taylor  
 William Taylor. Cora E. Bercaw  
 A. E. Bercaw Florence Barnes.

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Summons

The State of Ohio, Union County, ss.

To the Sheriff of Madison County:

You are commanded to notify Eluathan M<sup>c</sup>Keenr,  
 and Lydia M<sup>c</sup>Keenr who reside at London, Ohio,  
 that on the 19<sup>th</sup> day of March, A. D. 1919, Hattie U M<sup>c</sup>Keenr  
 as Administratrix of the estate of Lewis M<sup>c</sup>Keenr,  
 deceased, filed her petition in the Probate Court of  
 said Union County, Ohio, against them and others;  
 the object and prayer of which petition is to obtain  
 an order for the sale of certain Real Estate belonging  
 to said decedent, in said petition described, for  
 the purpose of paying debts and that unless they  
 answer by the 19<sup>th</sup> day of April 1919, said petition  
 will be taken as true, and an order granted  
 accordingly.

You will make due return of this writ on the  
 31<sup>st</sup> day of March A. D. 1919.

Witness my hand and the seal of said  
 Court, this 20<sup>th</sup> day of March, A. D. 1919.

Edmund H. Porter

Judge <sup>and Ex-Officio</sup> Clerk of the Probate Court of said County  
 Sheriff's Return

9135- Judge  
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Sheriff's Return

The State of Ohio, Madison County, ss.

Recind this writ March, 21- 1919 at 20<sup>th</sup> clock P. M.,  
 and pursuant to its command and on March  
 22- 1919 I served the within named Eluathan  
 M<sup>c</sup>Keenr and Lydia M<sup>c</sup>Keenr by handing to

9135- The S  
 Summons To



Final Record, Union County Probate Court

9135- each of them a true copy of this writ with all the endorsements thereon.

L. E. Robison, Sheriff

Sheriff's Fees	
Service and Return	.75
Additional Names	.25
Mileage	.08
Total	\$ 1.08

9135-

Summons

The State of Ohio, Union County ss.

To the Sheriff of Champaign County:

Summons

You are commanded to notify Charles M. Keen and Hattie M. Keen and V. G. Riddle, who reside at Mechanicsburg, Ohio, that on the 19<sup>th</sup> day of March A.D. 1919, Hattie U. M. Keen, as Administratrix of the estate of Lewis U. M. Keen, Deceased, filed her petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts and that unless they answer by the 19<sup>th</sup> day of April, 1919, said petition will be taken as true, and order granted accordingly.

You will make due return of this writ on the 31<sup>st</sup> day of March A.D. 1919.

Witness my hand and the seal of said Court, this 20<sup>th</sup> day of March, A.D. 1919.

~~Edw~~ Edward W. Porter,

Judge <sup>and</sup> Ex-Officio Clerk of the Probate Court of said County.

Sheriff's Return

9135-

Sheriff's Return

The State of Ohio, Champaign County ss.

Received this writ March 21- 1919, at 9 o'clock A.M., and pursuant to its command on the 24<sup>th</sup> day of March, 1919 I served the same by handing personally a true copy thereof to the within named V. G. Riddle after diligent search the within named Charles M. Keen, and Hattie M. Keen could not be found in my bailiwick, John C. Single, Sheriff

Sheriff's Fees	
Service and Return	.75
Mileage	2.40
Total	\$ 3.15

9135-

Summons

The State of Ohio, Union County ss.

To the Sheriff of Madison County:

Summons

You are commanded to notify Charles M. Keen

Final Record, Union County Probate Court

9135-

and Hattie M. Keen, residing near Straitsville, Madison County, Ohio, that on the 19<sup>th</sup> day of March, A.D. 1919 Hattie M. Keen, as Administrator of the estate of Lewis M. Keen, Deceased, filed her petition in the Probate Court of said Union County, Ohio against them and others: The object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts, and that unless they answer by the 19<sup>th</sup> day of April 1919 said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 7<sup>th</sup> day of April A.D. 1919.

Witness my hand and the seal of said Court this 26<sup>th</sup> day of March A.D. 1919.

Eduard N. Porter Judge

An Ex-Officio Clerk of the Probate Court of said County Sheriff's Return.

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The State Of Ohio, Madison County, ss.

Received the writ March 27<sup>th</sup> 1919 at 30 clock P.M.

Return

and pursuant to its command and on the 28<sup>th</sup> day of March 1919 I served the within named Hattie M. Keen by handing to her a true copy of this writ with all of the endorsements thereon, and on the same day I served the within named Charles M. Keen by leaving for him at his residence a true copy of this writ with all of the endorsements thereon.

L.E. Robison, Sheriff

Sheriff's Fees	
Sub. and Ret.	75
Additional Names	75
Mileage	11.00
Total	2.60

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Answer Of V. G. Riddle.

In the Probate Court of Union County, Ohio.

Answer

of V. G. Riddle.

Hattie M. Keen  
As Adm. Sec.

Union County, Ohio.

No. 9135-

Plaintiff

v.

William M. Keen et al.

Answer of V. G. Riddle.

Defendants.

Now comes V. G. Riddle, one of the defendants in the above entitled action and admits that the defendant is the duly appointed and qualified Administrator of the estate of Lewis M. Keen deceased; but he knows nothing of the other matters and things set forth in the petition and

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Final Record, Union County Probate Court

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Answer

therefore denies them.

Gross Petition

For a cross petition this answering defendant says for a first cause of action, that there is due him from Lewis N. M<sup>c</sup>Keen, deceased, and from Beattie U. M<sup>c</sup>Keen in her individual capacity the sum of \$663. and 20 cents with interest from the 4<sup>th</sup> day of April, 1919, on their promissory note of which the following is a copy with all credits thereon. There are no indorsements. To wit:

"Mechanicsburg, Ohio, February 2- 1912.  
Three years after date, for value received, we promise to pay to the order of U. G. Riddle at the office of B. S. Magruder, Mechanicsburg, Ohio, Six Hundred Dollars, with interest at 6 (six) per centum per annum, from date, interest payable Annually."

(Power of attorney to confess judgment).  
Signed "Beattie U. M<sup>c</sup>Keen."  
"Lewis N. M<sup>c</sup>Keen"

Feb. 1- 1913	received interest	\$ 36.00
Jan. 20- 1914	"	36.00
Jan. 5- 1915	"	36.00
Jan. 28- 1916	"	36.00
Jan. 24- 1917	"	36.00
June. 8- 1918	"	6.00
Aug. 3- 1918	"	3.00
Aug. 3- 1918	"	3.00
Oct. 28- 1918	"	3.00

The defendant says that he is the legal holder and owner of said note and that there are no payments thereon except such payments of interest as herein shown.

Said Lewis N. M<sup>c</sup>Keen, deceased, and Beattie U. M<sup>c</sup>Keen as owners of the premises described in the petition failed to pay the taxes assessed against said property and this defendant in order to protect his security was compelled to buy in the tax title to said premises and to pay the taxes against the same on the 21<sup>st</sup> day of February, 1919, amounting to the sum of Eleven Dollars and Ninety four cents (\$11.94) no part of which has been repaid him.

Second Cause of Action.

For a second cause of action against said Lewis N. M<sup>c</sup>Keen, deceased and Beattie U. M<sup>c</sup>Keen individually, answering defendant adopts all of the first cause of action the same as if fully rewritten herein, and says that to secure the payment of said promissory note the

9135-



Final Record, Union County Probate Court

9135- said Lewis W. McKeen, deceased, and said Battie U. McKeen made, executed and delivered to this defendant a mortgage deed for the premises described in the petition dated February 2<sup>d</sup> 1912, and conditioned, in substance, that if the said mortgagors should pay or cause to be paid their said promissory note according to the tenor thereof their said mortgage should become void, otherwise to remain in full force and effect. Said note has become due and has not been paid and said mortgage has become absolute.

Said mortgage was left with the Recorder of Union County, Ohio, for record on the 3<sup>d</sup> day of February 1912 at 9:40 O'clock a.m. and was recorded in volume 66 at Page 454 of the Records of Mortgages of said County.

Wherefore this answering defendant prays that he may have judgment against the plaintiff for the sum of Six Hundred and seventy five Dollars and fourteen cents and interest from the 4<sup>th</sup> day of April, 1919, and for his costs and that said premises as described in the petition may be sold and that it may be ordered that out of the proceeds he be paid the amount of his judgment and costs and that he have such equitable relief to which the Court shall find him entitled.

V. G. Riddle

By Oren Ware and Oren, His Attys.

9135- The State of Ohio, Champaign County, ss.

Oath V. G. Riddle, first being duly sworn, says that the facts and allegations contained in this his answer in this cause are true as he verily believes.

V. G. Riddle

Subscribed and sworn to before me this 4<sup>th</sup> day of April, 1919.

~~State~~ 7. B. Ware, Notary Public

Answer of Widow

9135- Answer of Widow

Katie U. McKeen, Administratrix of the Estate of Lewis W. McKeen, deceased, Plaintiff.

v.

William McKeen et al. Defendants

In the Probate Court of Union County, Ohio. No. 9135- Answer of Widow Proceeding to Sell Real Estate

Answer of Widow

And now comes Battie U. McKeen one of the

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Final Record, Union County Probate Court

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defendants in the above entitled cause and voluntarily  
enters her appearance herein, and for her answer to the  
petition in this case filed, says: that she is the widow  
of said Lewis H. Mc Keen, deceased, and as such is  
entitled to dower in the premises described in said  
petition; that her age is sixty-five years; that she  
consents to the sale of the real estate of said decedent,  
as prayed for, and that she waives the assignment of  
her dower in said premises by metes and bounds, or in-  
rents and profits; and asks the court that said pre-  
mises may be sold free from her dower estate therein  
and that the value of such dower estate may be  
allowed and paid her in money out of the proceeds of  
such sale, as the court may deem reasonable.

Hattie U. Mc Keen.

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The State of Ohio

Union County, ss.

Oath

Hattie U. Mc Keen, being duly sworn, makes oath  
that the facts stated in the foregoing answer are  
as she believes, true.

Hattie U. Mc Keen.

Sworn to by said Hattie U. Mc Keen before me, and  
signed by her in my presence, this 19<sup>th</sup> day of March,  
A.D. 1919.

~~Wm~~ Miles L. Myers, Notary Public.

Attys.

9135-

Order Of Appraisement

Order  
of  
Appraisement

In The Probate Court, Union County, Ohio,

Hattie U. Mc Keen, Administratrix  
Of the Estate of  
Lewis H. Mc Keen, deceased,  
Plaintiff.

No. 9135-  
Journal Entry.

that the  
answer

" day of

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Ohio.

Widow  
Real Estate

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of the

9135-

William Mc Keen, et. al.

Defendants.

Order Of Appraisement.

This day this cause came on to be heard upon  
the petition of the plaintiff; the cross-petition of the  
defendant Hattie U. Mc Keen and the answer and  
cross petition of the defendant, V. G. Riddle and the  
court being fully advised in the premises finds; that  
all the defendants named in said petition have been  
duly and legally notified of the pendency and  
prayer of the petition or have entered their appearance  
herein, and are properly before the court, with the  
exception of the defendant, O. V. Barnes, whom the court  
finds not to be a necessary party hereto. That the  
statements and allegations of said petition are true.

That the said Hattie U. Mc Keen is the widow of



Final Record, Union County Probate Court

9135-

Lewis N. Mc Keen deceased, and is entitled to dower in said real estate; that the said widow by her answer herein waives the assignment of dower in said premises by metes and bounds, or in rents and profits, and consents to the sale of said premises free from her dower estate therein. And the Court being satisfied that the real estate described in the petition ought to be sold as prayed for.

Therefore, it is ordered by the Court that J.W. Kennedy, A.J. Williams, and David Boston Judicious freeholders of the County, and not of kin to the petitioner, be and they are appointed to appraise the undivided one-half interest in the lands described in said plaintiff's petition free from the dower estate of the said Hattie U. Mc Keen therein at their fair cash value.

It is further ordered that said appraisers be sworn, as required by law, and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, on or before the 10<sup>th</sup> day of May, 1919, and this cause be continued,

Eduard W. Porter, Probate Judge.

Order Of Appraisement

9135-  
Order  
of  
Appraisement

The State of Ohio,  
Union County, ss.

Probate Court

To Hattie U. Mc Keen, Greeting:

In obedience to an order (and decree) of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Administratrix of the estate of Lewis N. Mc Keen deceased, are Plaintiff and William Mc Keen et al. are Defendants, you are commanded that by the oaths of J.W. Kennedy, A.J. Williams, and David Boston judicious, disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the undivided one-half interest of the following described premises, free from the dower estate of Hattie U. Mc Keen therein to-wit:

Situate in the County of Union, in the Township of Union and the State of Ohio; Part of Survey No. 90201-

Beginning at a point in the center of the Iron and Miford Center Gravel Road, seventy five (75) feet from the North Corner of Phoebe Gordon's land; Thence N. 37 $\frac{1}{2}$ ° E. 75 feet to a stone in said road; thence S. 43 $\frac{1}{4}$ ° E. 170 feet to a stake;

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Final Record, Union County Probate Court

9135- thence S. 37 1/4° W. 75 feet and parallel with said road; thence N. 43 1/4° W. 17.0 feet to the place of beginning, and being 29/100 of an acre, more or less.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you then and there this writ

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the seal of said Court, at Mansfield, Ohio, this 9<sup>th</sup> day of May, 1919.

Edward W. Porter, Probate Judge

9135-

Return,

Return To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 9<sup>th</sup> day of May, 1919.

Kattie U. McKeen.

9135-

Oath Of Appraisers

The State of Ohio, Union County, ss.

Oath

Of

Appraisers

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

J. W. Kennedy, A. B. Williams, David Gorton, Appraisers.

Brought to before me, and signed in my presence, this 9<sup>th</sup> day of May, 1919.

Wm. L. Myers, Notary Public

9135-

Appraisers' Return

Appraisers'

Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at Four Hundred and Ninety-five Dollars free from said dower estate of Kattie U. McKeen.

Given under our hands, this 9<sup>th</sup> day of May, 1919.

J. W. Kennedy, David Gorton, A. B. Williams, Appraisers

Fees of Appraisers \$ 2.00 per day each.

9135-

Application To Sell Real Estate at Private Sale, Probate Court, Union County, Ohio.

Final Record, Union County Probate Court

9135-

Hattie U. McKeen, Adminr  
of the Estate of  
Lewis W. McKeen, deceased,  
Plaintiff

No. 9135-

Petition To Sell Real Estate

v.

William M. Keen, et al,  
Defendants

Application.

The said Plaintiff represents that it would be for the best interest of the said estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

First: That it can be sold at once for cash in hand at the appraised value thereof.

Second: That if sold at private sale will save expenses of advertising same for sale at public sale.

Third: Said premises being an undivided interest in a small tract will sell for more at private sale than at public sale.

Application

And she therefore asks for an order authorizing her to sell said real estate at private sale.

Hattie U. McKeen

Administratrix of the estate of Lewis W. McKeen, deceased.

The State of Ohio, Union County, ss

Hattie U. McKeen, being duly sworn, says that the various matters set forth in the foregoing Application are true as she verily believes.

Hattie U. McKeen.

Known to before me, and signed in my presence, this 9<sup>th</sup> day of May 1919.

Miles L. Myers, Notary Public.

9135-

Affidavit

of

Disinterested  
Persons

Affidavit Of Disinterested Persons.

The State of Ohio, Union County, ss

E. M. McCallough and A. L. Purson, being duly sworn, say that they know the facts set forth in the Application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate to sell said real estate at private sale than at public sale, as they verily believe.

E. M. McCallough

A. L. Purson

Known to before me, and signed in my presence, this 9<sup>th</sup> day of May 1919.

Miles L. Myers,

Notary Public

9135-

Journal

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Final Record, Union County Probate Court

9135- Journal Entry: Decree Confirming Appraisement and Ordering Sale,  
 In the Probate Court of Union County, Ohio.  
 Hattie U. McKeen,  
 Administration  
 of the Estate of  
 Lewis U. McKeen, Deceased,  
 Plaintiff.

May 9<sup>th</sup> 1919  
 No. 9135

Journal Entry,

Decree  
 Confirming  
 Appraisement  
 and  
 Ordering  
 Sale.

William McKeen, et al.  
 Defendants.

Decree Confirming App-  
 raisement and Ordering Sale.

This day this cause came on further to be heard on the return of the plaintiff, of the appraisement herein, and it appearing to the Court that said appraisement heretofore ordered, has been made and reported to this Court; and the Court having carefully examined the same, finds that said appraisement has been made, in all respects in conformity to law, and the former order of this Court the same is now here by the Court, approved and confirmed.

The Court further find that the said plaintiff as such Administrator has given bond in sufficient amount with approved sureties, conditioned according to law.

And this cause coming on further to be heard on the application of the plaintiff for an order to sell said real estate at private sale, and the same being submitted to the Court on the said application and the evidence adduced in support thereof; on consideration whereof, the Court finds that it would be for the best interests of said estate and all parties interested therein that said real estate be sold at private sale.

It is thereupon by the Court ordered, that said Hattie U. McKeen, Administrator as aforesaid, proceed to sell the real estate aforesaid, free of down, at private sale, at not less than the appraised value thereof, on the following terms, to-wit: Cash in full in hand on day of sale.

And further it is by the Court ordered that said plaintiff make due return of his proceedings herein forthwith upon compliance with the terms thereof.

Edward H. Porter, Probate Judge.

Order of Sale - Free from Down.

The State of Ohio, Union County, ss. Probate Court.  
 To Hattie U. McKeen, Greeting:

In obedience to an order and decree of the Probate Court within and for said County made



Final Record, Union County Probate Court

9135- This day in a certain cause, wherein you as Administrator of the Estate of Lewis N. M<sup>c</sup> Keenr, deceased, are Plaintiff and William M<sup>c</sup> Keenr et al. are Defendants, you are commanded to proceed according to law, to sell at Private sale, for not less than \$425.00 the appraised value thereof free from the dower of Hattie U. M<sup>c</sup> Keenr, widow of said Lewis N. M<sup>c</sup> Keenr, deceased, the following described premises, to-wit:

Being the undivided one-half interest in the following described real estate, situate in the County of Union in the Township of Union and the State of Ohio, and a part of Survey Number 9020, and,

Beginning at a point in the center of the Drinn and Milford Centre Grand Road, seventy-five (75) feet from the North Corner of Phob's Gorton's land; thence N. 37<sup>1</sup>/<sub>4</sub>° E. 75 feet to a stone in said Road; thence S. 43<sup>1</sup>/<sub>4</sub>° E. 170 feet to a stake; thence S. 37<sup>1</sup>/<sub>4</sub>° W. 75 feet and parallel with said Road; thence N. 43<sup>1</sup>/<sub>4</sub>° W. 170 feet to the place of beginning, and being 29/100 of an acre, more or less.

Said sale to be Private and to be upon the following terms: to-wit:- Cash in full on hand on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 9<sup>th</sup> day of May 1919.

*Edward W. Porter* Probate Judge.  
Return.

9135- Return to the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 9<sup>th</sup> day of May, 1919.

Hattie U. M<sup>c</sup> Keenr.

9135- Report of Sale Report of Sale.

In obedience to the within order, I sold said premises on the 9<sup>th</sup> day of May 1919, to Fred Sparks for the sum of Five Hundred (\$500.00) Dollars, said sum being more than the appraised value of the same.

Hattie U. M<sup>c</sup> Keenr.

Dated the 9<sup>th</sup> day of May, 1919.

9135- The State of Ohio, Union County, ss.

Wash The above named Hattie U. M<sup>c</sup> Keenr being duly sworn, says that the sale above reported has

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Final Record, Union County Probate Court

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 been made after diligent endeavor to obtain the best price for said property and that said sale is for the highest price she could get for said property.  
 Hattie U. McKeen  
 known to before me and signed in my presence, this 9<sup>th</sup> day of May, 1919.  
 Edward M. Porter, Probate Judge

9135-  
 Order of Confirmation and Distribution, etc.  
 Probate Court, Union County, Ohio.  
 No. 9135-  
 Journal Entry  
 Hattie U. McKeen Administratrix,  
 of the Estate of,  
 Lewis K. McKeen Deceased,  
 Plaintiff.  
 vs.  
 William McKeen et al. Defendants.  
 Order of Confirmation and Distribution, etc.  
 This day this cause came on to be heard on the report of Hattie U. McKeen Administratrix of the estate of Lewis K. McKeen, deceased, of her proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order, and the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made, it is ordered that the same be and hereby is approved and confirmed. It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Lewis K. McKeen in said real estate, to the purchaser Fred Sparks upon the purchaser paying the purchase price therefor in full.  
 And this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Five Hundred Dollars; and the said Hattie U. McKeen widow having by her answer herein waived, the assignment of dower in said premises by metes and bounds, or in rents and profits, asked that such dower be allowed and paid to her out of the proceeds of the sale; the Court finds the just and reasonable value of her dower interest in said real estate to be the sum of Seventy Five and 95/100 Dollars.  
 The Court finds that there is due the said U. G. Riddle upon the note set forth in his answer and Cross petition, from the estate of said

Administratrix  
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Final Record, Union County Probate Court

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Journal Entry

Lewis U. McKerr the sum of \$ 333.<sup>38</sup> with interest from the day of this entry. The Court finds however from the evidence introduced that the said note is the joint and several note of the said Lewis U. McKerr, deceased, and his wife the said Beatrice U. McKerr, and that said Beatrice U. McKerr has paid the One-half thereof in the sum of \$ 333.<sup>37</sup>; that the said Lewis U. McKerr and Beatrice U. McKerr to secure the payment of said note gave a mortgage upon the premises in the petition described and the whole thereof, they being joint owners thereof, which mortgage was a valid and subsisting lien upon the whole of said premises, and now upon the funds in the hands of said Administratrix arising from the sale thereof or any part thereof.

It is ordered that an entry of release and satisfaction of said mortgage lien be entered of record in the office of the County recorder of said Union County, Ohio, according to law.

The Court finds that there is due the said U. G. Riddle as set forth in his answer and cross-petition for taxes paid on the whole of the premises described in the plaintiffs petition the sum of \$ 11.<sup>97</sup>. The Court finds however from the evidence that the said Beatrice U. McKerr has paid the One-half thereof, in the sum of \$ 5.<sup>97</sup>.

It is further ordered that the said Administratrix, out of the money in her hands, pay: First: To U. G. Riddle, the sum of \$ 5.<sup>97</sup> being the taxes, penalties and interest thereon, against the undivided one-half interest against said property. Second: The cost and expenses incurred in the sale of said property, including an attorney fee of \$ 40.<sup>00</sup> to Milo D. Myers, and \$ 30.<sup>00</sup> the percentage of said Administratrix herein, and 50 cts. revenue to United States Government for deed, and including premium on Administratrix bond of \$ 5.<sup>00</sup> to F. M. Silgrest, in all amounting to the sum of \$ 131.<sup>00</sup>.

Third: To U. G. Riddle on the note and mortgage set forth and described in his answer and cross-petition herein the sum of \$ 333.<sup>38</sup>, which the Court finds to be the amount due him.

Fourth: To Beatrice U. McKerr the balance remaining in said Administratrix hands from the proceeds of said sale, amounting to the sum of \$ 29.<sup>57</sup> to be applied on her down interest in said premises which the Court finds to be in the value of \$ 72.<sup>95</sup>.

It is further ordered that the said Administratrix pay the costs herein taxed at \$ 5.<sup>58</sup> out of the proceeds of said sale, within ten days, and that this proceeding be recorded.

Edward H. Porter, Probate Judge

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Final Record, Union County Probate Court

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Petition for Sale of Real Estate to Pay Debts.  
 Probate Court, Union County, Ohio.  
 No. 9140.

Howard R. Tallman,  
 Adm. with Will annexed,  
 of the Estate of  
 Margaret Tallman,  
 Deceased,  
 Plaintiff.

Frank Tallman,  
 Charles Tallman,  
 Edna Fry,  
 Kate O'Brien,  
 Jessie Wilkins,  
 Defendants.

Petition to Sell Real Estate  
 Petition.

The Plaintiff represents that he is the duly appointed and qualified Administrator with Will annexed, of the estate of Margaret Tallman, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Three Hundred Dollars, as near as can be ascertained that the charges of Administration of said estate will amount to about Two Hundred Dollars; and that the total value of the personal estate and effects of said deceased is but -- no -- Dollars being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Margaret Tallman died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to wit: in the village of Marysville, described as follows:

First Tract:

Beginning at a stake in the center of Orchard Street at a point 165 feet west from the North West corner of lands conveyed to Marcus Newton by Alice A. Houston Thence south parallel with the west line of said Newtons land and 165 feet therefrom passing over an iron pin on the South line of said street 116.50 feet to an iron pin in the Northerly line of another tract of land belonging to Ernest G. McLean and Wm. M. Kennedy; Thence with the westerly line of said tract N. 73° 15' W. 84 feet to a post, easterly corner to lands of J. E. and M. Brown, Smith; Thence with the easterly line of said Brown Smith land N. 93.50 feet to a stake in the center of said street East 81 feet to the beginning, containing  $\frac{2}{100}$  of an acre more or less, subject to the rights and uses of all public highways, and also the following described lands in said

9140.

Final Record, Union County Probate Court

9140

Village and County  
Second tract:

Beginning at an iron pipe in the center of North  
Main street in said village and South East corner to  
J. L. Huber lot: thence southerly with the center of said  
street 50 feet to a stake: thence in a westerly direction  
60 feet to a stake: thence in a North-west direction  
38 feet to a stake in the east line of J. L. Huber's lot:  
thence in a North-westerly direction with the said line  
of said J. L. Huber lot 35 1/2 feet to a stake south-west  
corner to said J. L. Huber lot thence easterly along the  
south line of said lot 63 1/2 feet to the place of  
beginning. Containing 15 3/4 square rods more or less,  
and being a strip of land off the north side of the  
land purchased by Katherine E. O'Brien from Anna  
L. Huber by deed dated Oct. 19 - 1911,

Petition

The said decedent died leaving no widow and  
the defendants: that the defendants Frank Tallman,  
Charles Tallman, Edna Fry, Kate E. O'Brien, Jessie Wilkins  
and Leonard H. Tallman are the only heirs and next of  
kin of said decedent having the next estate of in-  
heritance from said Margaret Tallman, deceased, in  
said premises:

The Plaintiff therefore pray that your petition may  
be authorized and ordered to sell said real estate  
free of debt, according to the statute in such cases  
made and provided, and for all other proper orders  
and relief in the premises.

The State of Ohio, Union County, ss.

Howard H. Tallman the within named Plaintiff,  
being duly sworn, says that the various matters  
and things set forth in said petition are true, to  
the best of his knowledge and belief.

Howard H. Tallman,

Administrator &c.

Sworn to before me and signed in my presence,  
this 14<sup>th</sup> day of March, 1919,

*(Signature)* A. C. Kellebrath, Notary Public

9140

Journal Entry:

Filing  
Petition To  
Sell Real

In the Probate Court of Union County, Ohio,  
Howard H. Tallman, Admin. with will annexed,  
Plaintiff,

March, 27 - 1919,  
Case No. 9140.

vs  
Estate of Frank Tallman,  
Charles Tallman,  
Edna Fry,  
Kate E. O'Brien,  
Jessie Wilkins,  
Defendants

Journal Entry  
Filing Petition To  
Sell Real Estate,

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Final Record, Union County Probate Court

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This day came the Plaintiff Howard H. Tallman and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Margaret Tallman, deceased, to pay the debts, and the costs of administering the estate of the said decedent.

Whereupon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency, and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants, and this cause is continued.

Eduard W. Porter, Probate Judge.

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Waint.

In The Probate Court of Union County Ohio

Howard H. Tallman, Admin. with will annexed,

No. 9140

of the Estate of Margaret Tallman, deceased, Plaintiff

Petition to sell Real Estate

Waint.

Frank Tallman,

Charles Tallman,

Edna Fry,

Kate E. O. Breim,

Jessie Wilkins,

Defendants.

Waint. of Process and Consent to Sell.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Jessie Wilkins

Edna Fry,

Howard H. Tallman

Kate E. O. Breim

Charles L. Tallman.

Answer and Cross-Petition of Frank Tallman

In The Probate Court of Union County Ohio.

Howard H. Tallman, Admin. with will annexed,

of the Estate of Margaret Tallman, deceased, Cross-Petition of

Frank Tallman

Frank Tallman et al.

Now comes the defendant Frank Tallman and voluntarily enters his appearance herein and consents to the sale of the real estate described in plaintiff's petition, and the

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Answer

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Cross-Petition

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Final Record, Union County Probate Court

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hearing at statutory time for pleading, is hereby waived, and he consents to the hearing at any time.

For his cross-petition he says that on dates and at times unknown to said Frank Tallman, Margaret Tallman deceased, made advancements to the following persons: Charles Tallman, \$1,000.00; Edwin Hays, \$1,000.00; Kate E. O'Brien \$1,000.00; and to Jesse Wilkins, \$1,000.00.

Said Frank Tallman says that these amounts together with advancements set out and fully described in the will of Margaret Tallman, deceased, are a charge against the share of defendants and of petitioner's daughter, Maud Clark

wherefor Frank Tallman prays that the real estate described be sold as prayed for in the petition, that from the proceeds the debts of Margaret Tallman be first paid and that in the distribution of the balance the advancements herein set out be taken into account by this court and the recipients of said advancements be charged therefor in such distribution.

Frank Tallman  
By J. W. Jacoby, His attorney

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State of Ohio, Union County, ss.

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Frank Tallman being sworn says that the facts stated in his foregoing cross-petition are as he believes true.

Frank Tallman,

known to before me by Frank Tallman and by him subscribed in my presence this 1<sup>st</sup> day of April, 1919,

J. W. Jacoby, Notary Public,

9140

Journal Entry: Order For Appraisement  
Probate Court, Union County, Ohio.  
April 7<sup>th</sup> 1919. No. 9140  
Howard B. Tallman Administrator  
& C. of The Estate of  
Margaret E. Tallman Dec'd.  
Plaintiff.

Frank Tallman et al.  
Defendants.

Order For Appraisement

This day this cause came on to be heard upon the petition, proofs and exhibits the court find that all the defendants have been duly served with process or have voluntarily entered their appearance in the case and that as set forth in the petition, it is necessary to sell the

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Final Record, Union County Probate Court

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real estate, therein described, to pay the debts of the said Margaret E. Tallman, deceased.

It is therefore ordered and adjudged by the Court that the said premises be appraised free of down, by the oaths of Geo. Moder, A. V. Pears, and Joseph Beer, judicious and disinterested freeholds of the vicinity whom the Court hereby appoint for that purpose, and that they return their proceedings to this Court for confirmation.

Edward W. Porter, Probate Judge.

G. H.

J. W. Jacoby, atty. for Frank Tallman

9140

Order Of Appraisement.

The State Of Ohio.

Probate Court.

Union County, ss

Order of appraisement

To Howard H. Tallman, Administrator of the estate of Margaret E. Tallman, Deceased. Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Administrator of the estate of Margaret E. Tallman, deceased, are Plaintiff and Frank Tallman, et al. are Defendants, you are commanded that by the oaths of George Moder, Silas Mathew, and Joseph Beer, three judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises free from down therein to wit: Situate in the County of Union and State of Ohio, to wit:

In the Village of Marysville, described as follows:

Beginning at a stake in the center of Orchard Street at a point 165 feet west from the North west corner of lands conveyed to Marcus Newlon by Alice A. Houstain; Thence south parallel with the west line of said Newlon's land; and 165 feet therefrom passing over an iron pin on the south line of said street 116.50 feet to an iron pin in the northerly line of another tract of land belonging to Ernest G. Mc Cann and Wm. M. Kennedy; Thence with the westerly line of said tract N. 73° 15' W. 84.60 feet to a post easterly corner to lands of J. E. and M. Bourneick; Thence with the easterly line of said Bourneick land, N. 93.50 feet to a stake in the center of said street east 81 feet

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Final Record, Union County Probate Court

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to the beginning. Containing 2/100 of an acre more or less, subject to the rights and uses of all public highways. And also the following described lands in said Village and County.

Beginning at an iron pipe in the center of North Main Street in said Village and south east corner to J. L. Huber lot; thence southerly with the center of said street 50 feet to a stake; thence in a westerly direction 60 feet to a stake; thence in a North west direction 38 feet to a stake in the east line of J. L. Huber's lot; thence in a North westerly direction with the said line of said J. L. Huber lot 35 1/2 feet to a stake south west corner to said J. L. Huber's lot; thence easterly along the south line of said lot 63 1/2 feet to the place of beginning, containing 15 3/100 square rods more or less, and being a strip of land off the north side of the land purchased by Katherine E. O'Brien from Anna L. Huber by deed dated Oct. 19<sup>th</sup> 1911.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you then and there this writ.

Witness my signature as Judge and Ex-officio Clerk of our said Probate Court and the Seal of said Court, at Marysville, Ohio, this 12<sup>th</sup> day of April, 1919.  
Edward W. Porter, Probate Judge

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appraisers Return

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Orders Approving appraisement for Public Sale.

Journal Hours of the Public Sale.

9140 Return

To the Probate Court of Union County, Ohio: In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 12<sup>th</sup> day of April, 1919.  
Howard H. Tallman, Admin. of Estate of Margaret E. Tallman, Deceased.

9140 Oath of Appraisers

The State of Ohio, Union County ss. We the undersigned appraisers do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

Silas Mathers, George Modes, Joseph Neri, Appraisers.

Known to before me, and signed in my presence, this 12<sup>th</sup> day of April, 1919.  
A. H. Kellefath, Notary Public

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Final Record, Union County Probate Court

9140

Appraisers' Return

Appraisers' Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at the 1<sup>st</sup> Tract at Fifteen Hundred and Seventeen Dollars, 2<sup>d</sup> Tract at One hundred seventy-five dollars

Given under our hands, this 12<sup>th</sup> day of April, 1919.

Silas Mathers, Appraisers,  
George Modes,  
Joseph Neer.

Fees of appraisers \$1.00 per day each.

9140

Journal Entry: Order Approving Appraisement, for Public Sale Probate Court, Union County, Ohio,

Order Approving Appraisement for Public Sale

Howard C. Tallman, Adm'r, of the Estate of Margaret E. Tallman, Deceased. Plaintiff.

April, 12<sup>th</sup> 1919. Petition To Sell Real Estate.

v.

Frank Tallman et al. Defendants.

Order Of Sale

This day came the said Plaintiff, by his attorney, and produced to the court, the report of an appraisement herein made by Joseph Neer, George Modes and Cyrus Mathers in pursuance of a former order of this court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

It is therefore further ordered that said Howard C. Tallman as such Administrator proceed according to law to sell the real estate, described in the petition free from down at public auction for not less than two-thirds the appraised value thereof, on the following terms, to-wit: Cash in hand on day of sale.

It is further ordered that said petitioner give notice four (4) weeks consecutively of the terms and time and place of sale, prior thereto, in some newspaper of general circulation in Union County, Ohio, where said real estate is situate

and said petitioner is ordered to make return to this court immediately after such sale is made, and this cause is continued.

Eduard H. Postler,

Probate Judge.

Final Record, Union County Probate Court

9140

Administrators Sale

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction on the 10<sup>th</sup> Day of May 1919 at (1) one O'clock p.m. at the North door of the Court House in the Village of Marysville, the following described real estate situate in the County of Union State of Ohio, to-wit: In the Village of Marysville, Beginning at a stake in the center of Orchard street at a point 165 feet west from the north west corner of lands conveyed to Marcus Newlon by Alice A. Houston; thence south parallel with the west line of said Newlon's land and 165 feet therefrom, passing over an iron pin on the south line of said street 116.50 feet to an iron pin in the northerly line of another tract of land belonging to Earnest G. McCarroll and William M. Kennedy thence with the westerly line of said tract 4.73° 15' W. 54.60 feet to a post easterly corner to lands of J. E. and M. Brown Smith; thence with the easterly line of said Brown Smith's land N. 93.50 feet to a stake in the center of said street, east 81 feet to the beginning, containing 2<sup>1</sup>/<sub>100</sub> of an acre more or less, subject to the rights and uses of all public highways

Appraised at fifteen hundred and seventy five dollars.

Terms of sale: cash.  
and also the following described lands and lot in said Village of Marysville and County of Union, State of Ohio. Beginning at an iron pipe in the center of North main street in said Village and south east corner to J. L. Huber lot; thence southerly with the center of said street 50 feet to a stake; thence in a westerly direction 60 feet to a stake; thence in a north west direction 38 feet to a stake in the east line of J. L. Huber's lot; thence in a north westerly direction with the said line of the said J. L. Huber's lot 35 1/2 feet to a stake southeast corner to said J. L. Huber's lot; thence easterly along the south line of said lot 63 1/2 feet to the place of beginning, containing 15 3/100 square rods more or less, and being a strip of land off the north side of the land purchased by Katherine E. O'Brien from Anna L. Huber by deed, dated October 19<sup>th</sup> 1914.

Appraised at One Hundred Seventy five Dollars (\$175.00).

Terms of sale: cash. Howard C. Tallman Administrator of the Estate of Margaret E. Tallman, deceased. A. H. Hallefirth, Attorney.  
Apr. 16 - 1919 - 4<sup>th</sup> wk.

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Order of Sale

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Final Record, Union County Probate Court

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The State of Ohio,  
Union County, ss.

Personally appeared before me John H. Shearer and made solemn oath, that the notice a copy of which is hereto attached was published for four consecutive weeks on and next after April 16- 1919 in the Marysville Tribune a newspaper of general circulation in the county aforesaid.

John H. Shearer

Known to before me and signed in my presence, this 9<sup>th</sup> day of May, A. D. 1919.

J. M. Butler, Notary Public.

Printer's Fee \$18.75

9140

Order Of Sale - Free from Down.

The State of Ohio,  
Union County, ss.

Probate Court.

Order of Sale.

To Howard H. Tallman,  
Administrator of the Estate of  
Margaret E. Tallman, Deceased: Greeting:

In obedience to an order and decree of the Probate Court, within and for said county, made this day, in a certain cause, wherein you as Administrator of the estate of Margaret E. Tallman, deceased are Plaintiff and Frank Tallman et al. are Defendants, you are commanded to proceed according to law, to sell at Public Sale, for not less than two thirds the appraised value thereof free from down, the following described premises, to-wit:

Situate in the County of Union and State of Ohio, to-wit:

In the Village of Marysville, described as follows:  
Beginning at a stake in the center of Orchard Street at a point 165 feet west from the north west corner of lands conveyed to Marcus Newborn by Alice A. Houston; Thence south parallel with the west line of said Newborns land, and 165 feet therefrom, passing over an iron pin on the south line of said street 116.50 feet to an iron pin in the northerly line of another tract of land belonging to Earnest G. McCann and William M. Kennedy; thence with the westerly line of said tract N 73° 15' W. 84.60 feet to a post easterly corner to lands of J. E. and M. Boursmith; Thence with the easterly line of said Boursmith land N. 93.50 feet to a stake in the center of said street east 81 feet to the beginning containing <sup>2</sup>/<sub>100</sub> of an acre more or less subject to the rights and uses of all public highways and also the following described

9140



Final Record, Union County Probate Court

9140 lands in said Village of Marysville and County of Union State of Ohio.

Beginning at an iron pipe in the center of North Main street in said Village and South east corner to J. T. Huber lot; thence southerly with the center of said street 50 feet to a stake; thence in a westerly direction 60 feet to a stake; thence in a North west direction 38 feet to a stake in the east line of J. L. Huber lot; thence in a North westerly direction with the said line of said J. L. Huber lot 35 1/2 feet to a stake south west corner to said J. L. Huber lot; thence easterly along the south line of said lot 63 1/2 feet to the place of beginning containing 15 3/100 square rods more or less and bring a strip of land off the North side of the land purchased by Katherine E. O'Brien from Anna L. Huber by deed dated Oct. 19 1911.

Said sale to be free from down and to be upon the following terms: Cash on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court at Marysville, Ohio, this 15th day of April 1919. Seal Edward H. Porter, Probate Judge.

9140 Return

To the Probate Court of Union County, Ohio: In obedience to the foregoing order, I have caused the same to be duly executed as will fully appear by the proceedings hereto attached. Dated the 10th day of May, 1919.

Howard H. Tallman Adm'r. of The Estate of Margaret E. Tallman, Report of Sale.

9140 Report of Sale

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Marysville Tribune a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate, for at least 4 consecutive weeks prior to the 10th day of May 1919, the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour of 1 P. M. I attended at the Court House as advertised and offered said real estate for sale free of down, when J. A. Fry bid to pay for the same the sum of Eleven Hundred Dollars, for said first tract as described in the petition herein; and when Charles W. and Mary O. Orabrood, his wife, bid to pay the sum of one hundred and thirty dollars, for the

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Final Record, Union County Probate Court

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second tract as described in the petition, which bring the highest and best bid that was offered for each of said tracts, and bring more than two-thirds the appraised value of said premises, I then and there sold the same to them for that sum, \$1000.00 for said 1<sup>st</sup> tract, and \$1300.00 for said 2<sup>d</sup> tract.

Howard H. Tallman,  
Administrator of Estate of Margaret E. Tallman, Deceased,  
Dated the 12<sup>th</sup> day of May, 1919.

9140

The State of Ohio, Union County, ss  
The above named Howard H. Tallman, Administrator of the Estate of Margaret Tallman Deceased, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Howard H. Tallman, Admin.  
of the estate of Margaret E. Tallman, Deceased  
known to before me and signed in my presence  
this 12<sup>th</sup> day of May, 1919.  
Edward W. Potter, Probate Judge

9140

Journal Entry:  
In the Probate Court of Union County, Ohio.  
Howard H. Tallman May 12<sup>th</sup> 1919  
Admin etc. of No. 9140  
Margaret E. Tallman, Deceased. Journal Entry.  
Plaintiff.

Confirming  
Date.

and  
Ordering  
Distribution

Frank Tallman, et al. Confirming Sale and  
Defendants Ordering Distribution.  
This day this cause came on to be heard on the return of the Order of Sale heretofore issued herein to Howard H. Tallman and of this proceedings and sale thereunder.

Thereupon the Court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this Court, it is therefor considered and ordered by the Court that said sale be and the same hereby is approved and confirmed; and said Howard H. Tallman as such Administrator is hereby ordered to execute and deliver to J. A. Fry, and Charles W. Crahood, and Mary O. Crahood the purchasers, a good and sufficient deed for the premises so sold, the first tract as described in the petition herein, to said J. A. Fry, the

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Final Record, Union County Probate Court

9140

purchaser thereof and the second tract as described in the petition herein, to said Charles W. Orahood and Mary O. Orahood, his wife.

And the Court coming now to distribute the proceeds of said sale in the hands of said Administrator, viz: \$1230.<sup>00</sup> orders that he pay:

First:- To the Treasurer, the taxes, penalties, and interest thereon against said lands amounting to the sum of \$...

Second:- To the Clerk of this Court, the costs of this action (including \$69.<sup>00</sup> as the allowance to the said Administrator) herein taxed at \$118.<sup>75</sup>

Third:- A. K. Kollupath, attorney fees. \$30.<sup>00</sup>

Fourth: Ordered recorded.

Edward W. Porter, Probate Judge.

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March 2-1914 Of 7

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Final Record, Union County Probate Court

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 March 2-1914

Petition To Sell Real Estate.  
 A. Boylan Executor  
 Of The Will of  
 Martha J. Winget, deceased.  
 Plaintiff.

v.  
 French Reynolds, Henry Reynolds,  
 Lou Reynolds, B. O. French,  
 Louis G. Reynolds, Ed. S. Reynolds,  
 Mrs John Parrott, Mrs Anna Hughes,  
 Roy Reynolds, Harry E. Reynolds,  
 Grace Reynolds, Mrs Rumble,  
 Mrs Mary Fields, Carrie Thrift Jewell,  
 Don Garwood, Venetia Howard,  
 Denton Garwood, Nellie Garwood,  
 Jasper Woodworth, Charles Woodworth,  
 Ben Woodworth, William Woodworth,  
 Louis Woodworth, Reuben Woodworth,  
 Allie Woodworth, Fremont Woodworth,  
 Orytha Bates, Sarah Morse,  
 Inogen Moraw, George Brandell,  
 Clara Kennedy, Emma Bales,  
 Asa Lee, Josephine Wentworth,  
 Adelaide Van Auker, Emma Clemmons,  
 John Winget, William Winget,  
 Getner Winget, Ernest Winget,  
 George Burnham, Adelia Granger,  
 Olin Davis, Libbie M. Watson,  
 Richard M<sup>c</sup>Clond, George M<sup>c</sup>Clond,  
 M<sup>c</sup>Cabr M<sup>c</sup>Clond, Luther M<sup>c</sup>Clond,  
 James M<sup>c</sup>Campbell, Luther M<sup>c</sup>Campbell,  
 William N. M<sup>c</sup>Campbell, John M<sup>c</sup>Campbell,  
 William Van Shoyck, Ida Van Shoyck,  
 Mary Van Shoyck, Mrs Martha Brown,  
 Mary Ramsey, Pearl M<sup>c</sup>Campbell,  
 T. R. Smith, Albert Smith,  
 Lucius D. Smith, Ernest Smith,  
 Edward Smith, Donald Smith,  
 Mrs Ed. Wolfe, Mrs Martin Hoefl,  
 Adah Williamson, Mrs Walter Thomas,  
 J. W. Burnham, Novalis La Croix,  
 Helen Bitzer, Mrs May Kealey,  
 Gertrude La Croix Moore, Flora Poston,  
 Willis Irwin, Mrs Emma Lee,  
 Emma J. Littlejohn, Louisa G. Irwin,  
 Claire Irwin, Dora Rosilla Smith Avery,  
 Albert Stroud, Maud Hedderly,  
 Defendants.

Petition  
 To  
 Sell  
 Real Estate.

Petitioner

Final Record, Union County Probate Court

7931

The Plaintiff, A. Boylan represents that he is the duly appointed and qualified executor of the last will and Testament of Martha J. Winget, late of Union County, deceased.

That the following named persons, to-wit:-

French Reynolds, Benny Reynolds, Lou Reynolds, B. O. French, Louis H. Reynolds, Ed. L. Reynolds, Mrs John Parrott, Mrs Anna Hughes, Roy Reynolds, Harry E Reynolds, Charles L. Reynolds, Grace Reynolds, Mrs Runkle, Mrs Mary Fields, Carrie Thrift Jewell, Don Garwood, Venetia Howard, Denton Garwood, Nellie Garwood, Jasper Woodworth, Charles Woodworth, Ben Woodworth, William Woodworth, Louis Woodworth, Reuben Woodworth, Allie Woodworth, Fremont Woodworth, Oryucha Bates, Sarah Morse, Imogen Moran, George Brandell, Clara Kennedy, Emma Bates, Asa Lee, Josephine Wentworth, Adelaide Van Aiken, Emma Clemmons, John Winget, William Winget, Getner Winget, Ernest Winget, George Burnham, Adelia Hoanger, Olin Davis, Libbin M. Watson, Richard M<sup>c</sup>Cloud, George M<sup>c</sup>Cloud, M<sup>c</sup>Leah M<sup>c</sup>Cloud, Luther M<sup>c</sup>Cloud, James M<sup>c</sup>Campbell, Luther M<sup>c</sup>Campbell, William M. M<sup>c</sup>Campbell, John M<sup>c</sup>Campbell, William Van Shoyck, Ida Van Shoyck, Mary Van Shoyck, Mrs Martha Brown, Mary Ramsey, Pearl M<sup>c</sup>Campbell, T. R. Smith, Albert Smith, Lucius D. Smith, Ernest Smith, Edward Smith, Donald Smith, Mrs Ed. Wolf, Mrs Martin Wolf, Adah Williamson, Mrs Walter Thomas, J. H. Burnham, Novalis La Croix, Helen Bitzer, Mrs May Kelsey, Gertrude La Croix Moon, Flora Poston, Willis Irwin, Mrs Emma Irwin Lee, Emma D. Littlejohn, Louis G. Irwin, Clair Irwin, Dora Rosilee Smith Avery, Abbot Stroud, Mand Hedderly, Rose Shoualter, guardian.

are all distributive heirs under the will, and are made defendants herein.

That there is in round numbers about 900 acres of land.

That the same is not capable of being partitioned among the heirs in a satisfactory manner because of the large number of the heirs and for the reason that most of the heirs would have to receive long narrow strips of land of undesirable shape and unmarketable.

That by the terms of the said will he is authorized to sell the real estate of the decedent and distribute the proceeds among the heirs without the intervention of any

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Final Record, Union County Probate Court

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Mrs  
Charles L.  
Mary Fields  
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The executor represents to the court that in his opinion it is necessary and to the best interests of the estate that the real estate should be so sold and the proceeds thereof distributed to the heirs, and such is his intention.

That there would be a great loss in value to the estate as a whole, to sell it as it is now.

That there are about 83 distribution heirs and for this reason there would necessarily be a large variety of opinions and plans as to the best method of sub-dividing the real estate to place it upon the market to the best advantage.

To sell the real estate to the best advantage it is in the judgment of the executor and was that of the decedent, as evidenced by his will and it is also the consensus of opinion of all the heirs, as far as known, to have the real estate sub-divided into tracts that will sell to the best advantage.

Petition

The major portion of the land has no substantial improvement and is divided by a low sluggish creek; part of the land extends back a long distance from the road and cannot be divided into small farms fronting on the Homer Road excepting by being made into long narrow strips of un-desirable shape.

It has been suggested that the present crooked line between this land and adjacent farms be straightened by an exchange of land or otherwise and that a road be made from the Homer Road to the Axe Handle Pike along the new line thus created, thereby making it possible to farm part of the land on the new road in small farms of desirable shape.

The executor is informed that such road is contemplated, and will undoubtedly be laid off and constructed in the near future, this if done upon the present lines would make part of this estate un-desirable and un-salable because of running down to a narrow neck of land, but would be satisfactory and all right if the line was straightened as suggested.

That it would be more satisfactory to the heirs and more desirable for the executor to have all of the real estate appraised.

The Plaintiff therefore prays the Court to

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Final Record, Union County Probate Court

7931 appoint a commission of three appraisers to view the whole of the real estate and have the same surveyed and platted by a competent Engineer, considering the suggestion as to straightening the lines and the laying off of the new road and sub-divide the real estate into small farms of a suitable shape for marketing and selling; appraising the various tracts and that the executor be authorized to sell the same as so sub-divided, platted laid off and appraised.

That until said lands are sold the executor be and he is hereby authorized and directed to farm or rent said lands to the best advantage to said estate.

John K. Kunkade and  
F. G. Fullington  
Attorneys for Plaintiff.

7931 State of Ohio, Union County, ss  
Personally appeared A. Boylan who being duly sworn says that the facts stated in the foregoing pleading are true as he verily believes.  
A. Boylan

Sworn to and subscribed before me this 21<sup>st</sup> day of February 1914

John A. Kemmington, Notary Public

7931 Filer March 2-1914	Journal Entry: Filing Petition To Sell Real Estate In The Probate Court of Union County, Ohio Aaron Boylan, Executor Of the Estate of Martha J. Winget, deceased, Plaintiff.	March 2 <sup>nd</sup> 1914. Case No. 7931. Journal Entry.
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See Real Estate.	French Reynolds, et al. Defendants.	Filing Petition To Sell Real Estate.
------------------	--	--------------------------------------

This day came Aaron Boylan, executor of the estate of Martha J. Winget, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Martha J. Winget, deceased, for the following reasons:

That there is in round numbers about 900 acres of land.

That the same is not capable of being partitioned among the heirs in a satisfactory manner because of the large number of heirs and for the reason that most of the heirs would have to receive long narrow strips of land of undesirable shape and unmarketable,

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Final Record, Union County Probate Court

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That by the terms of the said Will he is authorized to sell the real estate of the decedent and distribute the proceeds among the heirs without the intervention of any court whatever.

The Executor represents to this court that in his opinion it is necessary and to the best interest of the estate, that the real estate should be so sold and the proceeds thereof distributed to the heirs, and such is his intention.

That there would be a great loss in value to the estate as a whole, to sell it as it is now.

That there are about 53 distributive heirs and for this reason there would necessarily be a large variety of opinions and plans as to the best method of sub-dividing the real estate to place it upon the market to the best advantage.

To sell the real estate to the best advantage it is in the judgment of the executor and was that of the decedent, as evidenced by her Will and it is also the consensus of opinion of all the heirs, as far as known, to have the real estate sub-divided into tracts that will sell to the best advantage.

Whereupon, it is considered and ordered by this court that the said petition be filed, and that due and legal notice of the filing, pendency and prayer of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Eduard H. Porter, Probate Judge.

Waiver

7931

First

In Union County Probate Court.

Mar. 23-1914

A. Boylan, Executor.

No. 7931.

Waiver

Martha J. Hinget, deceased.  
Plaintiff

Application to surmount, plat, appraise and sell Real Estate

vs

French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case

Thomas R. Smith.

7931

Waiver

Waiver

In Union County Probate Court.



Final Record, Union County Probate Court

7931  
Filed  
Mar. 23-1914

A. Boylan, Executor.  
Marcha J. Winget, deceased,  
Plaintiff

No. 7931  
Application to survy. plat  
appraise and sell Real Estate

Wainor

vs  
French G. Reynolds et al.  
Defendants.

We the undersigned defendants wain the service  
of process and voluntarily enter our appearance in the  
above entitled case.

Wm Van Schoyck.  
Ida Van Schoyck  
Mary Van Schoyck.

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7931  
Filed  
Mar. 23-1914  
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A. Boylan, Executor.  
Marcha J. Winget, deceased,  
Plaintiff

In Union County, Probate Court,  
No. 7931

Application to survy. plat  
appraise and sell Real Estate.

vs  
French G. Reynolds et al.  
Defendants.

We the undersigned defendants wain the service  
of process and voluntarily enter our appearance  
in the above entitled case.

John B. Kingst, Kenton, Ohio.

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In Union County, Probate Court,  
No. 7931

A. Boylan, Executor.  
Marcha J. Winget, deceased,  
Plaintiff

Application to survy. plat,  
appraise and sell Real Estate.

vs  
French G. Reynolds et al.  
Defendants.

We the undersigned defendants wain the  
service of process and voluntarily enter our appear-  
ance in the above entitled case.

Emily J. Clemmons,

Wainor

7931  
Filed  
Mar. 23-1914  
Wainor

A. Boylan, Executor,  
Marcha J. Winget, deceased,  
Plaintiff

In Union County, Probate Court,  
No. 7931

Application to survy. Plat  
Appraise and sell Real Estate

vs  
French G. Reynolds, et al.  
Defendants.

We the undersigned defendants wain the  
service of process and voluntarily enter our ap-  
pearance in the above entitled case.

Mary R. Field.

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7931  
Filed  
Mar. 25-1914  
Wainor

A. Boylan  
Marcha J. Winget

French G. Reynolds  
vs  
Wm Van Schoyck  
Ida Van Schoyck  
Mary Van Schoyck

7931  
Filed  
Mar. 25-1914  
Wainor

A. Boylan  
Marcha J. Winget

French G. Reynolds  
vs  
John B. Kingst  
Kenton, Ohio.

7931  
Filed  
Mar. 25-1914  
Wainor

A. Boylan  
Marcha J. Winget

French G. Reynolds  
vs  
Emily J. Clemmons

7931  
Filed  
Mar. 25-1914  
Wainor

A. Boylan  
Marcha J. Winget

French G. Reynolds  
vs  
Mary R. Field

7931



Final Record, Union County Probate Court

7931  
 Files  
 Mar. 25-1914  
 Wainor  
 A. Boylan, Executor,  
 Martha J. Winget, deceased,  
 Plaintiff.  
 vs.  
 Frank G. Reynolds et al.  
 Defendants.

In Union County, Probate Court,  
 No. 7931  
 Application to surrog. plat  
 appraise and sell Real Estate

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.  
 Gertrude La Croix Moore.

7931  
 Files  
 Mar. 25-1914  
 Wainor  
 A. Boylan, Executor,  
 Martha J. Winget, deceased,  
 Plaintiff.  
 vs.  
 Frank G. Reynolds et al.  
 Defendants.

In Union County, Probate Court,  
 No. 7931  
 Application to surrog. plat  
 appraise and sell Real Estate.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.  
 Lewis G. Reynolds  
 Richmond, Ind. March 25-1914

7931  
 Files  
 March 25-1914  
 Wainor  
 A. Boylan, Executor,  
 Martha J. Winget, deceased,  
 Plaintiff.  
 vs.  
 Frank G. Reynolds et al.  
 Defendants.

In Union County, Probate Court,  
 No. 7931  
 Application to surrog. plat  
 appraise and sell Real Estate.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.  
 William B. Winget.

7931  
 Files  
 March 25-1914  
 Wainor  
 A. Boylan, Executor,  
 Martha J. Winget, deceased,  
 Plaintiff.  
 vs.  
 Frank G. Reynolds et al.  
 Defendants.

In Union County, Probate Court,  
 No. 7931  
 Application to surrog. plat  
 appraise and sell Real Estate

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.  
 Martha J. Brown.

Final Record, Union County Probate Court

7931  
Files  
Mar. 25-1914

A. Boylan, Executor  
Martha J. Winget, deceased.  
Plaintiff.

Wainor  
In Union County Probate Court,  
No. 7931

Application to survy. plat,  
appraise and sell Real Estate.

French G. Reynolds et al.  
Defendants

We the undersigned defendants waive the service of  
process and voluntarily enter our appearance in the  
above entitled case.

George W. Burnham.

Dated Mar. 23-1914.

7931  
Files  
Mar. 25-1914

A. Boylan, Executor  
Martha J. Winget, deceased.  
Plaintiff.

Wainor  
In Union County Probate Court,  
No. 7931

Application to survy. plat,  
appraise and sell Real Estate.

French G. Reynolds et al.  
Defendants.

We the undersigned defendants waive the service  
of process and voluntarily enter our appearance in  
the above entitled case.

J. G. Winget

7931  
Files  
Mar. 25-1914

A. Boylan, Executor  
Martha J. Winget, deceased.  
Plaintiff

Wainor  
In Union County Probate Court  
No. 7931

Application to survy. plat, appraise  
and sell Real Estate.

French G. Reynolds et al.  
Defendants

We the undersigned defendants waive the service  
of process and voluntarily enter our appearance  
in the above entitled case.

Ernest E. Winget

7931  
Files  
Apr. 4-1914

A. Boylan, Executor  
Martha J. Winget, deceased.  
Plaintiff.

Wainor  
In Union County Probate Court  
No. 7931

Application to survy. plat,  
appraise and sell Real Estate.

French G. Reynolds et al.  
Defendants.

We the undersigned defendants waive the service of  
process and voluntarily enter our appearance in the above  
entitled case.

Lillie M. Watson. 4842 Grandview av.,  
Chicago, Ill.

7931  
Files  
Apr. 4-1914

A. Boylan  
Martha J. Winget, deceased.

Wainor

French G. Reynolds et al.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

7931  
Files  
Apr. 4-1914

A. Boylan  
Martha J. Winget, deceased.

Wainor

French G. Reynolds et al.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

7931  
Files  
Apr. 4-1914

A. Boylan  
Martha J. Winget, deceased.

Wainor

French G. Reynolds et al.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

7931  
Files  
Apr. 4-1914

A. Boylan  
Martha J. Winget, deceased.

Wainor

French G. Reynolds et al.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Final Record, Union County Probate Court

7931  
 Files  
 Apr. 4-1914 A. Boylan, Executor,  
 Martha J. Winget, deceased,  
 Plaintiff,  
 vs.  
 French G. Reynolds, et al.  
 Defendants.

Waiver  
 In Probate County Probate Court,  
 No. 7931

Application to survey, plat, appraise  
 and sell Real Estate.

We the undersigned defendants waive the service  
 of process and voluntarily enter our appearance in  
 the above entitled case.  
 R. G. Woodworth.

7931  
 Files  
 Apr. 4-1914 A. Boylan, Executor,  
 Martha J. Winget, deceased,  
 Plaintiff,  
 vs.  
 French G. Reynolds, et al.  
 Defendants.

Waiver  
 In Union County Probate Court,  
 No. 7931

Application to survey, plat,  
 appraise and sell Real Estate.

We the undersigned defendants waive the service  
 of process and voluntarily enter our appearance  
 in the above entitled case.  
 Jasper C. Woodworth.

7931  
 Files  
 Apr. 4-1914 A. Boylan, Executor,  
 Martha J. Winget, deceased,  
 Plaintiff,  
 vs.  
 French G. Reynolds, et al.  
 Defendants.

Waiver  
 In Union County Probate Court,  
 No. 7931

Application to survey, plat  
 appraise and sell Real Estate.

We the undersigned defendants waive the service of  
 process and voluntarily enter our appearance  
 in the above entitled case.  
 Adam Williamson.

7931  
 Files  
 Apr. 4-1914 A. Boylan, Executor,  
 Martha J. Winget, deceased,  
 Plaintiff,  
 vs.  
 French G. Reynolds, et al.  
 Defendants.

Waiver  
 In Union County Probate Court,  
 No. 7931

Application to survey, plat  
 appraise and sell Real Estate.

We the undersigned defendants waive the service  
 of process and voluntarily enter our appearance  
 in the above entitled case.  
 D. W. Garwood.



Final Record, Union County Probate Court

7931  
Filed  
Apr. 4 - 1914

Wainor  
A. Boylan, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

Wainor  
In Union County Probate Court,  
No. 7931

Application to survey, plat, appraise  
and sell Real Estate.

Wainor

vs.  
French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service  
of process and voluntarily enter our appearance in the  
above entitled case.

Grace Reynolds Metz.

7931  
Filed  
Apr. 4 - 1914

Wainor  
A. Boylan, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

Wainor  
In Union County Probate Court,  
No. 7931

Application to survey, plat  
Appraise and sell Real Estate.

Wainor

vs.  
French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service  
of process and voluntarily enter our appearance  
in the above entitled case.

James R. Reynolds.

7931  
Filed  
Apr. 4 - 1914

Wainor  
A. Boylan, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

Wainor  
In Union County Probate Court  
No. 7931.

Application to Survey, plat appraise  
and sell Real Estate.

Wainor

vs.  
French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of  
process and voluntarily enter our appearance in the above  
entitled case.

Mrs Carrie Shift June. 1212 N. 64 St. Chicago, Ills.

7931  
Filed  
Apr. 4 - 1914

Wainor  
A. Boylan, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

Wainor  
In Union County Probate Court,  
No. 7931.

Application to survey, plat,  
appraise and sell Real Estate

Wainor

vs.  
French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service  
of process and voluntarily enter our appearance  
in the above entitled case.

Mary Ramsey.

7931  
Filed  
Apr. 4 - 1914

Wainor

A. Boylan  
Martha J. Winget

French G. Reynolds

We the undersigned

7931  
Filed  
Apr. 4 - 1914

Wainor

A. Boylan  
Martha J. Winget

French G. Reynolds

We the undersigned

7931  
Filed  
Apr. 4 - 1914

Wainor

A. Boylan  
Martha J. Winget

French G. Reynolds

We the undersigned

7931  
Filed  
Apr. 4 - 1914

Wainor

A. Boylan  
Martha J. Winget

French G. Reynolds

We the undersigned

Final Record, Union County Probate Court

7931  
 Files  
 Apr. 4 - 1914  
 A. Boyleau, Executor,  
 Plaintiff  
 Marcha J. Winget, deceased,  
 Plaintiff  
 vs  
 French G. Reynolds, et al.  
 Defendants.

In Union County Probate Court,  
 no. 7931  
 Application to survey, plat  
 appraise and sell Real Estate.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Louis G. Irwin.

7931  
 Files  
 Apr. 4 - 1914  
 A. Boyleau, Executor,  
 Plaintiff  
 Margant J. Winget, deceased,  
 Plaintiff  
 vs  
 French G. Reynolds, et al.  
 Defendants.

In Union County Probate Court,  
 no. 7931  
 Application to survey, plat  
 appraise and sell Real Estate.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Mrs Flora L. Poston.

7931  
 Files  
 Apr. 4 - 1914  
 A. Boyleau, Executor,  
 Plaintiff  
 Martha J. Winget, deceased,  
 Plaintiff  
 vs  
 French G. Reynolds, et al.  
 Defendants.

In Union County Probate Court,  
 no. 7931  
 Application to survey, plat  
 appraise and sell Real Estate.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Mrs Martin Wolfe.

7931  
 Files  
 Apr. 4 - 1914  
 A. Boyleau, Executor,  
 Plaintiff  
 Marcha J. Winget, deceased,  
 Plaintiff  
 vs  
 French G. Reynolds et al.  
 Defendants

In Union County Probate Court,  
 no. 7931  
 Application to survey, plat, appraise  
 and sell Real Estate.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Novalis Lacroix.

Final Record, Union County Probate Court

7931  
 Files  
 Apr. 4 - 1914  
 Wainor

Wainor  
 In Union County Probate Court,  
 No. 7931

A. Boylan, Executor  
 Martha J. Winget, deceased  
 Plaintiff

vs.

French G. Reynolds et al.  
 Defendants.

Application to survy. plat.  
 Appraise and sell Real Estate

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Mrs Ed. Wolfr.

7931  
 Files  
 Apr. 4 - 1914  
 Wainor

Wainor  
 In Union County Probate Court,  
 No. 7931

A. Boylan, Executor  
 Martha J. Winget, deceased  
 Plaintiff

vs.

French G. Reynolds et al.  
 Defendants.

Application to survy. plat.  
 Appraise and sell Real Estate.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Edward H. Smith,

7931  
 Files  
 Apr. 4 - 1914  
 Wainor

Wainor  
 In Union County Probate Court,  
 No. 7931

A. Boylan, Executor  
 Martha J. Winget, deceased  
 Plaintiff

vs.

French G. Reynolds et al.  
 Defendants.

Application to survy. plat.  
 Appraise and sell Real Estate.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Emma A. Bates.

7931  
 Files  
 Apr. 4 - 1914  
 Wainor

Wainor  
 In Union County Probate Court,  
 No. 7931

A. Boylan, Executor  
 Martha J. Winget, deceased  
 Plaintiff

vs.

French G. Reynolds et al.  
 Defendants.

Application to survy. plat.  
 Appraise and sell Real Estate

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Ernest L. Smith

7931  
 Filed  
 Apr. 4 - 1914  
 Wainor

A. Boylan  
 Martha J. Winget

French G. Reynolds et al.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

7931  
 Files  
 Apr. 4 - 1914  
 Wainor

A. Boylan  
 Martha J. Winget

French G. Reynolds et al.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

7931  
 Files  
 Apr. 4 - 1914  
 Wainor

A. Boylan  
 Martha J. Winget

French G. Reynolds et al.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

7931  
 Filed  
 Apr. 4 - 1914  
 Wainor

A. Boylan  
 Martha J. Winget

French G. Reynolds et al.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.



Final Record, Union County Probate Court

7931

Wainor

Filed

In Union County Probate Court,

Apr. 4 - 1914

A. Boylan, Executor,  
Martha J. Winget, deceased,  
Plaintiff

No. 7931

Application to survy. plat.  
appraise and sell Real Estate.

Wainor

v.

French G. Reynolds et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Charles Lee Reynolds, Lexington, Ky.

7931

Wainor

Filed

In Union County Probate Court,

Apr. 4 - 1914

A. Boylan, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

No. 7931

Application to survy. plat.  
appraise and sell Real Estate.

Wainor

v.

French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Lucius D. Smith

7931

Wainor

Filed

In Union County Probate Court,

Apr. 4 - 1914

A. Boylan, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

No. 7931

Application to survy. plat.  
appraise and sell Real Estate.

Wainor

v.

French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Olive Davis.

7931

Wainor

Filed

In Union County Probate Court,

Apr. 4 - 1914

A. Boylan, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

No. 7931

Application to survy. plat.  
appraise and sell Real Estate.

Wainor

v.

French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Adelia Granger.

7931

Final Record, Union County Probate Court

7931  
 Filed  
 Apr. 18-1914  
 Wainor

Wainor  
 In Union County Probate Court  
 No. 7931

A. Boylan, Executor,  
 Plaintiff.  
 v.  
 Martha J. Winget, deceased.

Application to surrog. plat.  
 appraise and sell Real Estate.

French G. Reynolds, et al.  
 Defendants.

In the undersigned defendants wain the service of process and voluntarily enter our appearance in the above entitled case.

Lucas M<sup>c</sup> Campbell.

7931  
 Filed  
 Apr. 18-1914  
 Wainor

Wainor  
 In Union County Probate Court  
 No. 7931

A. Boylan, Executor,  
 Plaintiff.  
 v.  
 Martha J. Winget, deceased.

Application to surrog. plat.  
 appraise and sell Real Estate.

French G. Reynolds et al.  
 Defendants.

In the undersigned defendants wain the service of process and voluntarily enter our appearance in the above entitled case.

J. S. M<sup>c</sup> Campbell  
 Pearl M<sup>c</sup> Campbell.  
 W. H. M<sup>c</sup> Campbell  
 John M<sup>c</sup> Campbell

7931  
 Filed  
 Apr. 14-1914  
 Wainor

Wainor  
 In Union County Probate Court  
 No. 7931

A. Boylan, Executor,  
 Plaintiff.  
 v.  
 Martha J. Winget, deceased.

Application to surrog. plat  
 appraise and sell Real Estate

French G. Reynolds et al.  
 Defendants.

In the undersigned defendants wain the service of process and voluntarily enter our appearance in the above entitled case.

Ben Woodworth  
 Winifred, Montana

7931  
 Filed  
 Apr. 18-1914  
 Wainor

Wainor  
 In Union County Probate Court  
 No. 7931

A. Boylan, Executor,  
 Plaintiff  
 v.  
 Martha J. Winget, deceased.

Application to surrog. plat.  
 appraise and sell Real Estate.

French G. Reynolds, et al.  
 Defendants.

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 Apr. 18<sup>th</sup> 1914  
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 April. 18<sup>th</sup>  
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 May 7<sup>th</sup>  
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 Filed  
 Apr-18<sup>th</sup> 1914  
 Wainor

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French

Final Record, Union County Probate Court

7931 We the undersigned defendants, waive the service of process and voluntarily enter our appearance in the above entitled case.

Veretia R. Runkle,

7931  
Filed  
Apr. 18<sup>th</sup> 1914  
Waiver

Waiver  
In Union County Probate Court  
No. 7931.

A. Boyleau, Executor,  
Martha J. Winget, deceased,  
Plaintiff

Application to surrog. plat.  
Appraise and sell Real Estate

v.

French G. Reynolds, et al.  
Defendants

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

J. W. Burnham,

7931  
Filed  
April 18<sup>th</sup>  
1914  
Waiver

Waiver  
In Union County Probate Court  
No. 7931.

A. Boyleau, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

Application to surrog. plat.  
Appraise and sell Real Estate.

v.

French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Mrs Rena Thomas.

7931  
Filed  
May 7<sup>th</sup>  
1914  
Waiver

Waiver  
In Union County Probate Court  
No. 7931.

A. Boyleau, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

Application to surrog. plat.  
Appraise and sell Real Estate

v.

French G. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Henry C. Reynolds.

7931  
Filed  
Apr-18<sup>th</sup> 1914  
Waiver

Waiver  
In Union County Probate Court.

A. Boyleau, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

v.

French G. Reynolds, et al.  
Defendants.



Final Record, Union County Probate Court

7931  
Waino  
Filed  
May 7<sup>th</sup> 1914  
A. Boylan, Executor.  
Martha J. Winget, deceased.  
Plaintiff.  
vs.  
French G. Reynolds, et al.  
Defendants.

In Union County Probate Court.  
No. 7931.  
Application to survey plat.  
Appraise and sell Real Estate.

We the undersigned defendants wain the service of process and voluntarily enter our appearance in the above entitled case.

H. A. Shroud.

7931  
Waino  
Filed  
May 7-1914  
A. Boylan, Executor.  
Martha J. Winget, deceased.  
Plaintiff.  
vs.  
French G. Reynolds et al.  
Defendants.

In Union County, Probate Court.  
No. 7931.  
Application to survey plat.  
Appraise and sell Real Estate.

We the undersigned defendants wain the service of process and voluntarily enter our appearance in the above entitled case.

William Woodworth.

7931  
Waino  
Filed  
May 7-1914  
A. Boylan, Executor.  
Martha J. Winget, deceased.  
Plaintiff.  
vs.  
French G. Reynolds et al.  
Defendants.

In Union County Probate Court.  
No. 7931.  
Application to survey plat.  
Appraise and sell Real Estate.

We the undersigned defendants wain the service of process and voluntarily enter our appearance in the above entitled case.

Dora Rosella Smith Avery.

7931  
Waino  
Filed  
June 9-1914  
A. Boylan, Executor.  
Martha J. Winget, deceased.  
Plaintiff.  
vs.  
French G. Reynolds, et al.  
Defendants.

In Union County Probate Court.  
No. 7931.  
Application to survey plat.  
Appraise and sell Real Estate.

We the undersigned defendants wain the service of process and voluntarily enter our appearance in the above entitled case.

Mrs Maud Hedderly,  
204 W. 32<sup>nd</sup> St. Los Angeles Calif.

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Mr  
proce  
abov

7931  
Filed  
June 3-1914  
A. Boylan  
Martha

Waino  
French

7931  
Filed  
June 3-1914  
A. B.  
Martha

Waino  
French

7931  
Filed  
June 3-1914  
A. B.  
Martha

Waino  
French

Final Record, Union County Probate Court

7931

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Clinton Stroud,  
Mrs Edna Gray,

Wainor

In Union County Probate Court

No. 7931

Filed

June 3-

1914

A. Boyleau, Executor,  
Martha J. Winget, deceased,  
Plaintiff

Application to survey, plat,  
appraise and sell Real Estate,

Wainor

v.

French M. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

J.W. Thurston, Edm.

of Albert R. Smith.

7931

Wainor

In Union County Probate Court

No. 7931

Filed

June 3-1914

A. Boyleau, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

Application to survey, plat,  
appraise and sell Real Estate.

Wainor

v.

French M. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Mrs Grace M. Shaw.

7931

Wainor

In Union County Probate Court

No. 7931

Filed

June 3-1914

A. Boyleau, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

Application to survey, plat,  
appraise and sell Real Estate.

Wainor

v.

French M. Reynolds, et al.  
Defendants.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Mrs Lora Kibble.

7931

Wainor

In Union County Probate Court

No. 7931

Filed

June 3-1914

A. Boyleau, Executor,  
Martha J. Winget, deceased,  
Plaintiff.

Application to survey, plat, appraise and  
sell Real Estate

Wainor

v.

Final Record, Union County Probate Court

7931	French G. Reynolds et al. Defendants		7931	June 3-1914	A. Boylston Martha J. Winget
Wainor	In the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.		Wainor		
	Mrs Mary Kealey, 705 Fulton Ave.	In Union County Probate Court. No. 7931			
7931	A. Boylston Executor, Martha J. Winget, deceased. Plaintiff.	Application to survey, plat appraise and sell Real Estate.			
Files					
June 3-1914					
Wainor					
	French G. Reynolds et al. Defendants.		7931	Files	French
	In the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.		June 4	1914	A. Boylston Martha J. Winget
		Harry E. Reynolds.	Wainor		
7931		In Union County Probate Court. No. 7931.			
Files	A. Boylston, Executor Martha J. Winget, deceased. Plaintiff	Application to survey, plat. appraise and sell Real Estate.			
June 3-1914					
Wainor					
	French G. Reynolds et al. Defendants.				
	In the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.				
		E. S. Reynolds, Adele R. Carruth.	7931	Files	French
7931		In Union County Probate Court. No. 7931.	June 22	1914	A. Boylston Martha J. Winget
Files	A. Boylston, Executor Martha J. Winget, deceased. Plaintiff	Application to survey, plat. appraise and sell Real Estate.	Wainor		
June 3-1914					
Wainor					
	French G. Reynolds et al. Defendants				
	In the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.				
		Denton R. Garwood, Rose Garwood, Guardian of Denton Garwood.	7931.		



Final Record, Union County Probate Court

7931  
June 3-1914

Wainor  
In Union County Probate Court.

Wainor

A. Boylan, Executor  
Martha J. Winget, deceased,  
Plaintiff  
vs.  
French G. Reynolds, et al.  
Defendants.

no. 7931  
Application to survey, plat,  
appraise and sell Real Estate.

We the undersigned defendants, wainor the service of  
process and voluntarily enter our appearance in  
the above entitled case.

Asa C. Lee,

7931  
Filed  
June 4<sup>th</sup>  
1914

Wainor  
In The Union County Probate Court.  
no. 7931

Wainor

A. Boylan, Executor  
Martha J. Winget, deceased,  
Plaintiff  
vs.  
French G. Reynolds, et al.  
Defendants.

Application to survey, plat,  
appraise and sell real estate.

We the undersigned defendants wainor the service  
of process and voluntarily enter our appearance in  
the above entitled case. Reserving the right to  
receive notice of all proceedings affecting our  
rights in the above entitled cause.

Harrist Reynolds,  
Frances Reynolds  
Louise Reynolds.

7931  
Filed  
June 22  
1914

Wainor  
In Union County Probate Court.  
no. 7931

Wainor

A. Boylan, Executor.  
Martha J. Winget, deceased,  
Plaintiff.  
vs.  
French G. Reynolds, et. al.  
Defendants.

Application to survey, plat,  
appraise and sell Real Estate.

We the undersigned defendants wainor the service of  
process and voluntarily enter our appearance in the  
above entitled case.

John W. Woodworth,  
G. W. Bradell  
Josephine A. Wentworth,  
Helen L. Ritzen  
Blair A. Irwin,  
A. A. Woodworth  
V. G. Howard  
Orynthia A. Bates

J. G. Reynolds,  
Clara E. Kennedy,  
Nelle Harwood,  
Emma C. Hildyjohn  
Sarah E. Morse,  
M. Lou Reynolds,  
Imogene Moran,

7931

Final Record, Union County Probate Court

7931  
Filed  
June 27-1914

A. Boylan, Executor,  
Martha J. Winget, deceased,  
Plaintiff  
v.  
French G. Reynolds, et al.  
Defendants,

Waiver.  
In Union County Probate Court,  
No. 7931

Application to survey, plat,  
appraise and sell Real Estate.

We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Amnis R. Hughes.

7931  
Filed June 27-1914

A. Boylan, Executor  
of the Will of  
Martha J. Winget, Decd.  
Plaintiff  
v.  
French G. Reynolds, et al.  
Defendants

Motion.  
In Probate Court, Union County, Ohio,  
No. 7931

Motion for Survey, Platting and  
appraisement.

Motion  
for Survey,  
Challenging  
and  
Appraisement

Now comes A. Boylan, Executor of the Will of Martha J. Winget, deceased, the Plaintiff herein; and represents to the Court that practically all the heirs have entered their appearance herein.

That the said Executor has authority under the will of decedent to sell and convey the Real Estate belonging to said estate of Martha J. Winget and that therefore this proceeding is not necessary to perfect the title in the purchase of said lands but that said title will be good because of the powers granted Executor in the Will.

This Plaintiff further represents to the Court that he is desirous of having said lands surveyed, platted and appraised as prayed for in said Petition.

That therefore he now moves the Court for an Order for having said lands surveyed, and platted by a competent Engineer, and that a Commission of three appraisers be appointed by the Court to sub-divide the Real Estate into small farms suitable for selling and appraise the same as a whole and as sub-divided and platted so that the record may show such appraisement, survey, sub-division and plat of all the Real Estate of said decedent, for the protection of said Executor and for the information of the heirs and parties interested.

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7931  
Filed  
June 27-1914

Order to  
Survey  
Plat  
and  
Appraisement

Entry  
A. Boylan  
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Final Record, Union County Probate Court

7931  
Filed  
June 27-1914

Entry:

In Probate Court, Union County, Ohio,  
No. 7931

A. Boyleau, Executor  
Of The Will of  
Martha J. Winget, Dec'd.  
Plaintiff

Entry.  
Order to Survey, Plat,  
and Appraise.

Order to  
Survey,  
Plat  
and  
Appraisers

French G. Reynolds, et al.  
Defendants.

This cause came on for hearing upon the motion of the Executor for an order to have said lands surveyed, platted and appraised and the Court upon due consideration finds that practically all the heirs have entered their appearance herein, and that it is not necessary to have full and complete service upon all the heirs for the reason that the Executor has power under the will to sell and convey title to all or any part of said lands at his own discretion, but as the Executor asks for an order of the Court to survey, plat and appraise said lands for the purpose of selling the same, and desires a record thereof for his own convenience and protection and for the convenience of purchasers and information of the heirs,

Therefore the Court hereby orders that the Executor proceed to have said lands surveyed, platted and sub-divided and also appraised as a whole and report to the Court said survey, plat and appraisement for confirmation and for record herein.

Eduard H. Porter, Probate Judge.

7931  
July 3-1914

Affidavit for service by publication  
Probate Court, Union County, Ohio,  
No. 7931.

A. Boyleau, Executor,  
Martha J. Winget, Deceased.  
Plaintiff.

Affidavit to obtain  
Publication.

affidavit  
for  
service  
by  
Publication

French G. Reynolds, et al.  
Defendants.

A. Boyleau the said Plaintiff being sworn says; that the Defendant Willis Irwin is a non-resident of the State of Ohio, and that service cannot be made on him in this state. His last known residence being 846 Broadway, New York.

That the Defendant Lornis Woodworth is a non-resident of the State of Ohio, and that

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Final Record, Union County Probate Court

7931

service cannot be made on him in this State. His last known residence being Tokio, Japan.

That the case is one of those mentioned in Section 11292 of "The General Code of Ohio."

A. Boylan.

Executor estate of Martha J. Winget.

Shown to and subscribed before me this 2<sup>nd</sup> day of July, 1914.

Edward H. Roster, Probate Judge

7931

Filer

July 8<sup>th</sup> 1914

Wainor

In Union County Probate Court.

No. 7931

A. Boylan, Executor

Martha J. Winget, Deceased.  
Plaintiff.

Application to survey, plat,  
appraise and sell Real Estate.

French G. Reynolds, et al.  
Defendants.

In the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

A. D. Woodward.

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Wainor

In Union County Probate Court.

No. 7931

Filer

July 8<sup>th</sup> 1914

A. Boylan, Executor.

Martha J. Winget, Deceased.  
Plaintiff.

Application to Survey, plat,  
appraise and sell Real Estate.

French G. Reynolds, et al.  
Defendants.

In the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Mary Adeline Van Arken

Wainor

In Union County Probate Court.

No. 7931

Filer

July 8<sup>th</sup> 1914

A. Boylan, Executor.

Martha J. Winget, Deceased.  
Plaintiff.

Application to survey, plat,  
appraise and sell real estate.

French G. Reynolds, et al.  
Defendants.

In the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.

Donald Rodney Smith.

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Filer July 15<sup>th</sup>

1914

Summons

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Final Record, Union County Probate Court

7931  
 Files July 15<sup>th</sup> 1914  
 Summons  
 Summons on Petition to Sell Real Estate.  
 The State of Ohio, Union County, ss.  
 To F. G. Fullington.  
 You are commanded to notify Emma Lee, that on the 2<sup>nd</sup> day of March, A. D. 1914, Aaron Boylan, Executor of the Estate of Martha J. Winget, deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts, and that unless they answer by the 8<sup>th</sup> day of August 1914 said petition will be taken as true, and an order granted accordingly.  
 You will make due return of this writ on the 20<sup>th</sup> day of July, A. D. 1914.  
 Witness my hand and the seal of said Court this 8<sup>th</sup> day of July, A. D. 1914.  
 Edward H. Porter,  
 Judge <sup>Ex-Officio</sup> Clerk of the Probate Court of said County.  
 By Rita H. Porter, Deputy Clerk.

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 Dch.  
 The State of Ohio, Union County, ss.  
 D. F. G. Fullington, being duly sworn, say that on the 15<sup>th</sup> day of July, 1914, I served this writ by delivering a copy thereof personally to the following named persons, to wit:  
 Emma Lee, and Chas. F. Gilliam, Supt. Ohio State Asylum, at Columbus O.  
 F. G. Fullington,  
 Sworn to before me and signed in my presence, this 15<sup>th</sup> day of July, 1914.  
 Edward H. Porter, Probate Judge

7931  
 Files  
 July 18<sup>th</sup> 1914  
 Warrant  
 In Union County Probate Court.  
 No. 7931.  
 Application to Survey, plat appraise and sell Real Estate  
 A. Boylan, Executor.  
 Martha J. Winget, dec'd.  
 Plaintiff,  
 vs.  
 French M. Reynolds, et al.  
 Defendants  
 We the undersigned defendants waive the service of process and voluntarily enter our appearance in the above entitled case.  
 Free-mont Woodworth.

Final Record, Union County Probate Court

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 Filed  
 July 15<sup>th</sup> 1914  
 Wainor  
 A. Boylan, Executor,  
 Martha J. Winget, Deceased,  
 Plaintiff,  
 vs.  
 French G. Reynolds, et al.  
 Defendants.

Wainor  
 In Union County Probate Court,  
 No 7931  
 Application to surry. plat.  
 Appraiser <sup>and</sup> sell Real Estate.

We the under signed defendants wainor the service of process and voluntarily enter our appearance in the above entitled case, with leave to plead herein on or before Aug. 15<sup>th</sup> 1914.

R. H. McCloud  
 L. W. McCloud  
 George B. McCloud  
 Wm. Mc Cabe McCloud.

By McCloud and Lincoln, their attorneys.

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 A. Boylan, Executor  
 Martha J. Winget, Deceased,  
 Plaintiff,  
 vs.  
 French G. Reynolds,  
 Defendants.

Wainor  
 In Union County Probate Court,  
 No. 7931  
 Application to surry. plat  
 Appraiser <sup>and</sup> sell Real Estate.

We the under signed defendants wainor the service of process and voluntarily enter our appearance in the above entitled case.

B. O. French

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 Filed  
 Aug. 17<sup>th</sup> 1914  
 Legal Notice  
 Will  
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 Aug. 12<sup>th</sup> 1914  
 Motion to  
 make  
 Additional  
 parties  
 defendant  
 A. Boylan, Executor,  
 Martha J. Winget, Deceased,  
 Plaintiff,  
 vs.  
 French G. Reynolds, et al.  
 Defendants.

Motion.  
 Probate Court, Union County, Ohio,  
 No. 7931.  
 Motion to make additional  
 parties defendant.

The Plaintiff, by his Attorneys, John H. Kinkade and F. G. Fullington represent to the Court that they are informed that the defendant, Adelbert Stroud is deceased leaving as his heirs, H. A. Stroud, Lillian J. Stroud, Edna Grey, Grace M. Shaw, and Cora E. Kibler. that these parties have signed wainors and entered their appearance as parties defendant. Also that Harriet Reynolds, Frances Reynolds and Louise Reynolds are necessary parties defendant and have signed wainors and

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 Execu



Final Record, Union County Probate Court

7931 entered this appearance as parties defendant.  
 The Plaintiff therefor moves the court to make the said H. A. Stroud, Clinton D. Stroud, Edna Gray, Grace M. Shaw, Cora E. Kettle, Harriett Reynolds, Frances Reynolds, and Louise Reynolds additional parties defendant, that their rights herein may be determined and adjusted.

John H. Kinkade  
 J. H. K.  
 F. G. Fullington, Attorney for Plaintiff.

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 Files  
 Aug. 12-1914  
 Entry  
 In the Probate Court, Union County, Ohio.

Aug. 12-1914 Entry	A. Boyleau, Executor of Martha J. Winget, Deceased. Plaintiff	Entry No. 7931 August 12 <sup>th</sup> 1914.
	vs. French M. Reynolds, et al. Defendants.	

This day came the plaintiff herein, by his attorneys John H. Kinkade, and F. G. Fullington, and moved the court to make H. A. Stroud, Clinton D. Stroud, Edna Gray, Grace M. Shaw, Cora E. Kettle, Harriett Reynolds, Frances Reynolds, and Louise Reynolds additional parties defendant.

On consideration whereof, the court sustains the same, and orders accordingly.  
 Edward H. Porter, Probate Judge.

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 Files  
 Aug. 17<sup>th</sup> 1914  
 Legal Notice.  
 Legal Notice.

Legal Notice.  
 Willis Irwin, who resides at 846 Broadway, New York, will take notice that A. Boyleau, Executor of the last Will and Testament of Martha J. Winget, deceased, has filed his petition in the Probate Court, within and for the County of Union, State of Ohio, for the sale of the real estate of the decedent Martha J. Winget in said County of Union to wit: About 900 acres of land.

The prayer of said petition is as follows:  
 The Plaintiff therefor pray the court to appoint a Commission of three appraisers, to view the whole of the real estate and have the same surveyed and platted by a competent Engineer considering the suggestion as to straightening the lines and the laying off of the new road and sub-divide the real estate into small farms of a suitable shape for marketing and selling; appraising the various tracts, and that the Executor be authorized to sell the same as so

7931.

Final Record, Union County Probate Court

7931

sub-divided, platted, laid off and appraised.

That until said lands are sold the Executor be and is hereby authorized and directed to farm or rent said lands to the best advantage to said estate.

The above person mentioned will take notice that he has been made party. Defendant to said petition and he is required to answer the same on or before the 15<sup>th</sup> day of August 1914.

A. Boylan

Executor of the last Will of Marcha J. Winget, Deceased,

J. H. Kirkade, F. G. Fullington - Attorneys

July 1 - 1914 - b.t.

7931

Proof of Publication

State of Ohio, Union County

The undersigned, being duly sworn, says that a copy of the annexed notice was published for 6 consecutive weeks in the Milford Centur Ohioan, a newspaper of general circulation in the County of Union, said publication beginning with issue of July 12 1914

H. L. Agner

Sworn to and subscribed before me this 17<sup>th</sup> day of Aug. 1914.

Printed for \$15.00

John A. Kennington, Notary Public

7931

Motion To Take Depositions

In Probate Court Union County, Ohio

No. 7931

Files  
Aug. 22 - 1914  
Motion to  
Take  
Depositions

A. Boylan, Executor  
Of the Will of  
Marcha J. Winget Deceased.  
Plaintiff.

Motion To Take Depositions.

vs.  
French G. Reynolds, et al.  
Defendants.

Now comes the Plaintiff A. Boylan Executor of the Will of Marcha J. Winget Dec'd. by his Attorneys John H. Kirkade and Frank G. Fullington and moves the Court for an order to take depositions ex-parte to ascertain exactly who are the heirs of the decedent Marcha J. Winget, and entitled to participate in the distribution of said estate.

John H. Kirkade, Attorney  
F. G. Fullington, Attorney

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Entry.

In the Probate Court, Union County, Ohio.

Files  
Aug. 22 - 1914  
Entry

A. Boylan, Executor.  
vs.  
French G. Reynolds, et al.

This day came the plaintiff herein and moved

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Aug. 31 - 1914

Order for A. Boylan  
Summary Of The  
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Dec. 24<sup>th</sup> 1914

Motion To  
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Final Record, Union County Probate Court

7931 the Court for an order to take depositions ex parte, to ascertain who are heirs to said estate, whereupon the Court being duly advised in the premises, it is considered, ordered, and adjudged that said motion is sustained.

Eduard H. Porter, Probate Judge.

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Filed  
Aug. 31-1914  
Order for A. Boyeau, Executor  
Sundry  
Plat and Appraisement  
Of The Estate of  
Martha J. Winget, Dec'd.  
Plaintiff

Entry Order for Sundry Plat and Appraisement.  
In Probate Court, Union County, Ohio  
No. 7931.

Entry Order to Sundry Plat and Appraisement.

vs  
Frank G. Reynolds, et al.  
Defendants.

This day this cause coming on for hearing, the Court upon consideration of its former order of June 27<sup>th</sup> 1914, hereby re-affirms the same.

The Court now finds that all of the defendants are properly in Court by waivers and by service by publication.

The Court therefore orders the said Executor to proceed to have said lands surveyed, platted and sub-divided into tracts convenient for selling according to his judgment.

To have said lands appraised by the oaths of Emanuel Bishop, Haman Ingram, and Philip Bishop, three disinterested freeholders of the County.

That said appraisers shall appraise said lands as sub-divided each tract by itself and also appraise said lands as a whole.

Said Executor shall then report to the Court said survey, sub-division plat and appraisement for confirmation.

Record and farther order.

Eduard H. Porter, Probate Judge

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Filed  
Dec. 24<sup>th</sup> 1914  
Motion to Complete  
Real Contract.  
A. Boyeau, Executor,  
of the Estate of  
Martha J. Winget, Dec'd.  
Plaintiff.

Motion to complete Real Contract.

vs  
Frank G. Reynolds, et al. Def'd.



Final Record, Union County Probate Court

7931

Now comes A. Boylan, Executor of the estate of Martha J. Winget, deceased, the Plaintiff, and represents to the Court that before he can file herein his report showing Survey, Sub-division, Plat and Appraisement of the Real Estate of the Decedent, it is necessary that he be authorized to complete a real estate contract made by the decedent and her deceased husband Luther Winget with one Warren M. Keen, whereby an exchange of lands was effected to a fractional part of an acre as herein described and fully set forth, as follows:

M<sup>c</sup>Keen to Winget.

Situated in Union Township, Union County, Ohio, and being part of Survey No. 7789.

Bounded and described as follows:

Beginning at a stake in the center of the Homer Grant Road and in the north line of 90 acres purchased by Luther Winget of Albert R. Smith,

Thence with the center of said Grant Road, N. 25° 30' W. 10.70 poles to a stake in the south line of 96 acres sold by G. R. Hopkins to Luther Winget,

Thence with two consecutive lines of said Hopkins land N. 81° W. 4.50 poles to a stone and S. 9° W. 10.25 poles to a stake, in the north line of the said Albert R. Smith's land.

Thence with the north line of the said Smith land, S. 68° E. 8 poles to the beginning.

Containing 4/100 acres more or less.

Winget to M<sup>c</sup>Keen.

Situated in Union Township, Union County, Ohio, and being a part of Survey No. 7789.

Commencing at an iron pipe in the east line of said Survey at a point where the present fence line intersects said Survey line. Thence with said Survey line S. 17° 15' W. 21.32 poles to an iron pipe in an angle of the Homer Grant Road.

Thence with the center of the Homer Grant Road N. 25° 30' W. 22.56 poles to an iron pipe at the intersection of the center line of said Road and the present fence line produced.

Thence with the present fence line S. 71° E. 17.08 poles to the beginning.

Conveying all the right, title, and interest of the said Luther and Martha J. Winget and their heirs to said lands.

The land hereby intended to be directly

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Court of the Homer A. from 2.8 Mow D excha of the is no necess Th to iss Wing leim of the execu him Com Surv will of ma

7931 Filed Dec. 24-1914. Order of Court For Exchange of Deeds

Order A. Boylan of the estate of Martha J. Winget, deceased, Plaintiff, vs. Warren M. Keen, Defendant. The Court has reviewed the Real Estate evidence and fully the p that are M is On

Final Record, Union County Probate Court

7931

Couraged being a strip of land off the north side of the above described track, fronting 6 poles on the Homer Gravel Road, and 2.76 poles on the rear.

Also a triangular tract off the south end, fronting 3 poles on the Homer Gravel Road, and 2.8 poles on the rear.

The Land Being Couraged Being 7/100 acres, more or less.

That the foregoing two descriptions show the tracts exchanged by the said parties during the life-time of the said Luther and Martha J. Winget, that there is no dispute regarding the same but that it is necessary to pass deeds to complete the title properly.

The Plaintiff therefore moves the court for an order to issue to the Executor, of the estate of Martha J. Winget, deceased, A. Boylan, authorizing and directing him to proceed as Executor and effect a change of title to said 7/100 acres, as described and to execute a deed to said M<sup>r</sup> Keenr and receive from him a deed for a like amount for the purpose of completing the title to the Winget land as surveyed, Platted and appraised. And for this he will ever pray.

A. Boylan, Executor of the estate of Martha J. Winget, deceased, Plaintiff. By John W. Kinkade.

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Filer

Dec. 24-1914.

Order of Court for Exchange of Deeds

Order of Court for Exchange of Deeds, to Complete Title with Warren M<sup>r</sup> Keenr.

In Probate Court Union County, Ohio.

December 24-1914

No. 7931.

A. Boylan, Executor, of the Estate of Martha J. Winget, deceased, Plaintiff

Order of Court for Exchange of Deeds to Complete Title with

v.

French G. Reynolds et al Defendants

Warren M<sup>r</sup> Keenr

This day this cause came on to be heard upon the motion of the Plaintiff the Executor to complete Real Contract and to perfect the title, and upon evidence submitted to the court.

Upon consideration whereof the court, being fully advised in the premises, do find that all the parties in interest are properly in court and that the statements set forth in said motion are true.

Wherefore said motion is sustained and it is Ordered by the court that the said Plaintiff



Final Record, Union County Probate Court

7931

said Executor A. Boylan as said Executor of the estate of Martha J. Winget deceased, be and he is hereby authorized to complete said real contract and to execute and deliver and also to have and receive proper deeds for and on behalf of the heirs of said decedent to and with and from the said Warren McKern for the exchange of said two tracts of real estate, as follows:-

Receive a deed from McKern for the following:-

"Situated in Union Township, Union County, Ohio, Part of Survey No. 7759. Beginning at a stake in the center of the Homer Grant Road, and in the north line of 90 acres purchased by Luther Winget of Albert R. Smith, thence with the center of said Grant Road N. 25° 30' W. 10.70 poles to a stake in the south line of 96 acres sold by M. R. Hopkins to Luther Winget. Thence with two consecutive lines of said Hopkins land N. 87° W. 4.50 poles to a stone, and S. 9° W. 10.75 poles to a stake in the north line of the said Albert R. Smith land, thence with the north line of the said Smith land, S. 68° E. 8 poles to the beginning, containing 4 1/100 acres, more or less.

And convey by deed to said McKern the following:-

"Situated in Union Township, Union County, Ohio, Part of Survey No. 7759. Commencing at an iron pipe in the east line of said Survey at a point where the present fence line intersects said Survey line. Thence with said Survey line S. 12° 15' W. 21.32 poles to an iron pipe in an angle of the Homer Grant Road. Thence with the center of the Homer Grant Road, N. 25° 30' W. 22.56 poles to an iron pipe at the intersection of the center line of said Road and the present fence line produced. Thence with the present fence line S. 71° E. 17.05 poles to the beginning.

Conveying all the right title and interest of the said Luther and Martha J. Winget and their heirs to said lands.

The land hereby intended to be directly conveyed being a strip of land off the north side of the above described tract, fronting 6 poles on the Homer Grant Road and 2.76 poles on the rear.

Also a triangular tract off the south end fronting 3 poles on the Homer Grant Road and 2.8 poles on the rear.

The land hereby conveyed being 4 1/100 acres, more or less.

Edward H. Prober

Probate Judge

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Filed  
Dec. 24-1914

Executors  
Report

A. Boylan  
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Martha J. Winget

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J. Winget  
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Final Record, Union County Probate Court

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Dec. 24-1914  
Executors  
Report

Executors Report:  
In Probate Court, Union County, Ohio.  
A. Boyleau, Executor  
of the estate of  
Martha J. Winget, Deceased.  
Plaintiff  
v.  
French G. Reynolds, et al.  
Defendants.

No. 7931.  
Executor Report  
Survey Plat and  
Appraisement

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Now comes A. Boyleau, Executor of the estate of Martha J. Winget, deceased, and in accordance with the order of the Probate Court of date of August 31<sup>st</sup> 1914. Here with and hereby reports to the said Court that he has complied with the order of said Court and had all the lands of said estate surveyed, sub-divided and platted by J. C. Kennedy, Civil Engineer, and appraised as a whole and as sub-divided each tract by itself by the oaths of the appraisers appointed by the said Court, and here with presents the same for confirmation.

The report of the Civil Engineer, J. C. Kennedy of survey and sub-division of said land into tracts together with the Plat thereof and the order of Appraisement issued by said Court are all submitted herewith, for confirmation and record.

Respectfully,  
A. Boyleau, Executor  
of the estate of Martha J. Winget, Deceased,  
By John H. Kinkade, atty.

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Filed  
Dec. 24-1914  
Order  
of  
Appraisement

Order Of Appraisement  
The State of Ohio | Probate Court  
Union County, ss.  
To A. Boyleau, Executor of Martha J. Winget, deceased.  
In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Executor of Martha J. Winget, deceased is Plaintiff and French M. Reynolds et al. are Defendants, you are commanded that by the oaths of Emmanuel Bishop, Harman Ingram and Philip Bishop judicious disinterested men of the vicinity, not of kin to the petitioner, who are free holders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be

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Final Record, Union County Probate Court

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made according to law, of the following described premises.  
To wit all the lots and lands in the name of Martha J. Winget, deceased, or in the name of her deceased husband Luther Winget, in Union County, Ohio, especially in Union Township, about 900 acrs. more or less.

You will make return of your proceedings here in to our said Probate Court forth with upon execution of said order, and have you then and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the Seal of said Court, at Mansfield, Ohio, this 31<sup>st</sup> day of August, 1914.

Edward H. Porter, Probate Judge

- 1 Tract
  - 2 Tract
  - 3 Tract
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Return

To the Probate Court of Union County, Ohio:  
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 24<sup>th</sup> day of Dec- 1914.

A. Boylan, Executor

7931

Survey

Filed

Dec. 24<sup>th</sup>

1914.

Dr. A.  
Exec  
Dece

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Oath of Appraisers

The State of Ohio.

Union County, ss.

We the undersigned Appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

H. Ingram.

Philip Bishop

E. M. Bishop

Appraisers.

Sworn to before me, and signed in my presence, this 17<sup>th</sup> day of September 1914.

John A. Kennington, Notary Public

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Appraisers' Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we the undersigned Appraisers, estimate the value of said real estate at \$70 per acre appraised as a whole.

$921.05 \times \$70 = \$64,473.50$

We also appraise said lands as sub-divided each tract, by itself as follows:

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plots

Final Record, Union County Probate Court

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1	Tract "A"	\$ 45. per acre.	120.65- acres-	\$ 5429.25
2	Tract "B"	\$ 50. " "	103.25- acres-	\$ 5162.50
3	Tract "C"	\$ 45. " "	109.75- acres	\$ 4938.75
4	Tract "D"	\$ 80. " "	131.00 acres	\$ 10480.00
5	Tract "E"	\$ 55. " "	53.00 acres	\$ 2915.00
6	Tract "F"	\$ 100. " "	187.85- acres	\$ 18785.00
7	Tract "G"	\$ 80. " "	126.25- acres.	\$ 10100.00
8	Tract "H"	\$ 75. " "	88 acres.	\$ 6600.00

Given under our hands, this 14<sup>th</sup> day of December, 1914

Emanuel Bishop	Appraisers.
H. Ingram.	
Phillip Bishop.	

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Survey

December, 1914.

Survey.

Filed

Dr. A. Boylan,

Dec. 24<sup>th</sup>

Executor of the estate of Martha J. Winget, heir by descent of Luther Winget, deceased.

1914.

Dear Sir:

I beg to submit to you for your consideration the Survey of the Luther Winget Estate, and the sub-division of the same, according to your former orders.

Respectfully submitted,

J. L. Kennedy, Surveyor.

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Tract A.

Situated in Union Township, Union County, Ohio, being part of Survey No. 5265.

Tract A.

Bounded and described as follows:

Beginning at a stone at the south-easterly corner of said Survey No. 5265.

Thence with said Survey line N. 6° 30' E. 168 poles to a stone, a corner to said Survey No. 5265.

Thence with another line of said Survey N. 35° 30' W. 7.80 poles to a stone, a corner to lands formerly owned by N. R. Burnham.

Thence with the south line of said Burnham land N. 77° 15' W. 106.64 poles to an iron pipe, a corner to another tract of land formed by the sub-division of the Luther Winget estate.

Thence with the east line of said last named tract of land S. 6° 30' W. 174.08 poles to an iron pipe at another corner of said Survey No. 5256.

Thence with said Survey line S. 78° E. 112.12 poles to the beginning.

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Containing 120.65 acres. More or less.



Final Record, Union County Probate Court

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Tract B.

Tract B.

Situated in Union Township, Union County, Ohio, being part of Survey No. 5265.

Bounded and described as follows:

Beginning at an iron pipe south-east corner to Survey No. 5265 and north-west corner to Survey No. 4807.

Thence with the west side line of said Survey No. 4807 S. 12° N. 29.12 poles to an iron pipe in the center of an unimproved County Road.

Thence with the center of said County Road N. 79° W. 80.00 poles to an iron pipe south-east corner to another tract of land formed by the sub-division of the Luther Winget estate.

Thence with the east line of said last named tract of land N. 7° E. 205.00 poles to an iron pipe in the south line of lands formerly owned by N. K. Burnham.

Thence with the south line of said N. K. Burnham land S. 77° 15' E. 80.00 poles to the beginning.

Containing 103.25 acres, more or less.

Line of said tract S. 6° 30' W. 174.00 poles

7931

Tract C.

Tract C.

Situated in Union Township, Union County, Ohio, being a part of Survey No. 5265.

Bounded and described as follows:

Beginning at an iron pipe in the south line of lands formerly owned by N. K. Burnham and on the west bank of Meades Creek.

Thence with the south line of said N. K. Burnham land S. 77° 15' E. 50.16 poles to an iron pipe at the north-west corner of another tract of land formed by the sub-division of the Luther Winget estate.

Thence with the West line of said last named tract of land S. 7° N. 205.00 poles to an iron pipe in the center of an unimproved County Road.

Thence with the center of said County Road N. 79° W. 98.00 poles to an iron pipe south-east corner to another tract of land formed by the said sub-division of the said Luther Winget estate.

Thence with two consecutive lines of said last named tract and the east line of another tract of said estate as follows:

N. 42° E. 61.48 poles to an iron pipe, N. 26° 15' E. 53.76 poles to an iron pipe, and N. 30° 30' E. 98.72 poles to the place of beginning.

Containing 109.75 acres more or less.

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Tract E.

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Final Record, Union County Probate Court

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Tract D.

Tract D.

Situated in Union Township, Union County, Ohio, being part of Surveys No. 5265, 7790, 7789, 7492 and 9461.

Bounded and described as follows:

Beginning at an iron pipe in the west line of said Survey No. 5265 and a corner to the lands formerly owned by H. R. Burnham.

Thence with said Survey line S. 12° 30' N. 76.88 poles to an iron pipe another corner of said H. R. Burnham land.

Thence with the southerly line of said H. R. Burnham land N. 49° W. 53.08 poles to an iron pipe a corner to another tract of land formed by the sub-division of the Luther Winget estate.

Thence with the southerly line of said last named tract of land S. 64° 30' W. 107.28 poles to an iron pipe in the center of the Homer Grant Road.

Thence with the center of said Grant Road, S. 25° 30' E. 116.46 poles to the center of an unimproved County Road.

Thence with the center of said County Road S. 79° E. 91.54 poles to an iron pipe at the southwest corner of another tract of land of the sub-division of the Winget estate.

Thence with three consecutive lines of said last named tract N. 1/2° E. 61.48 poles to an iron pipe, N. 26° 15' E. 53.76 poles to an iron pipe, and N. 30° 30' E. 98.72 poles to an iron pipe in a line of said H. R. Burnham land.

Thence with said H. R. Burnham land N. 78° 30' W. 61.08 poles to the place of beginning, containing 131.00 acres, more or less.

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Tract E.

Tract E.

Situated in Union Township, Union County, Ohio, being part of Surveys No. 7789, 5265, and 4946.

Bounded and described as follows:

Beginning at an iron pipe at the junction of the center line of an unimproved road with the center line of the Homer Grant Road.

Thence with the center of the said Homer Grant Road S. 25° 30' E. 77.84 poles to an iron pipe a corner to land in the name of H. A. McKerr,

Thence with the north line of said McKerr's land as now located S. 70° 50' E. 16.40 poles to an iron pipe in the east line of Survey No. 7789.

Thence with said Survey line S. 12° 15' N. to an iron pipe at 21.32 poles a corner to said McKerr's

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Final Record, Union County Probate Court

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 land. Thence with said Grant Road S. 12° 15' W. 68.04 poles to an iron pipe a corner to lands formerly in the name of Walter C. Fullington.  
 E. 26.50 poles the center of Treacles Creek.  
 Thence up said Creek N. 37° 30' E. 24.00 poles, N. 24° E. 58.00 poles, thence N. 4° E. 72.50 poles to an iron pipe in the center of an unimproved County Road.  
 Thence with the center of said County Road N. 79° W. 101.54 poles to the beginning containing 53.00 acres more or less.

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 Tract F.  
 Situated in Union Township, Union County, Ohio, being part of Survey No. 7789.  
 Bounded and described as follows:  
 Beginning at an iron pipe in the center of the Homer Grant Road and a corner to the lands formerly owned by Albert Burnham.

Thence with two consecutive lines of said Albert Burnham's land and the line of Sarah Moss's land N. 50° W. 9.40 poles to an iron pipe, and N. 68° W. 25.50 poles to an iron pipe a corner to the Charles Woodworth land.

Thence with the east line of said Charles Woodworth's land N. 35° 45' E. 69.88 poles to an iron pipe and said point being the southerly corner to a tract of land formed by the sub-division of the Luther Kinget estate.

Thence with the southerly line of said tract of land last above mentioned N. 64° 30' E. 153.76 poles to an iron pipe in the center of the Homer Grant Road.

Thence with two consecutive lines of said Grant Road and in the center thereof S. 25° 30' E. 182.68 poles to an iron pin and S. 12° 15' W. 58.04 poles to the place of beginning.

Containing 187.85 acres more or less.

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 Tract G.  
 Situated in Union Township, Union County, Ohio, and being part of Surveys No. 7492, 9461, and 7789.

Bounded and described as follows:  
 Beginning at an iron pipe at the intersection of the Homer Grant Road with the Mieford Center and Irwin Grant Road.

Thence with the center of the said Mieford Center and Irwin Grant Road S. 55° 45' W. 74.24 poles to an iron pipe in the south line of the C. C. C. & St. L. Railway Company's land.

Thence with the southerly line of said

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Final Record, Union County Probate Court

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Railway Company's land S. 36° 45' W. 104.40 poles to an iron pipe, a corner to the lands of Charles Woodworth. Thence with two consecutive lines of said Woodworth's land S. 40° 30' E. 71.56 poles to an iron pipe and S. 3° 15' E. 24 poles to an iron pipe, a corner to another tract of land formed by the sub-division of the Luther Winget estate. Thence with the northerly line of said last named tract of land N. 64° 30' E. 153.76 poles to an iron pipe in the center of the Homer Grant Road. Thence with the center of said Homer Grant Road N. 25° 30' W. 151.16 poles to the beginning, containing 126.25 acres, more or less.

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Tract No. 7931  
 Situated in Union Township, Union County, Ohio, and being part of Surveys No. 7492, 9461, and 7789.

Bounded and described as follows:

Beginning at an iron pipe at the junction of the Homer Grant Road with the Milford Center and Iron Grant Road.

Thence with the center of the Homer Grant Road S. 25° 30' E. 112.00 poles to an iron pipe in the center of said Grant Road and at a corner to a tract of land formed by the sub-division of the Winget estate.

Thence with the north line of the last named tract N. 64° 30' E. 107.28 poles to an iron pipe in the southerly line of lands formerly in the name of W. H. Bumbaw.

Thence with said line N. 49° W. 137.70 poles to an iron pipe in the center of said Milford Center and Iron Grant Road.

Thence with the center of said Grant Road S. 42° W. 5.00 poles to an iron pipe, a corner to H. P. Hopkins' land.

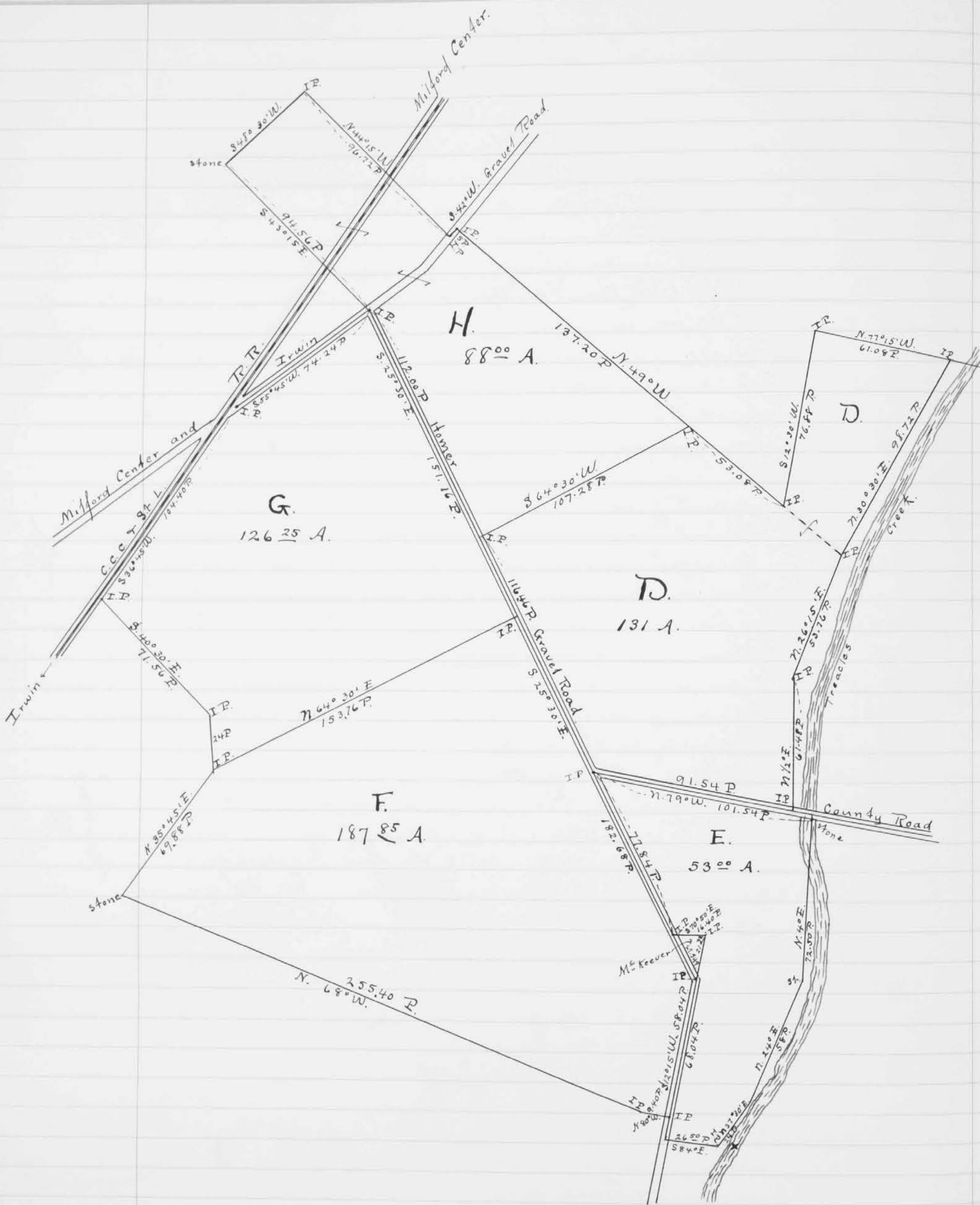
Thence with the southerly line of said Hopkins' land N. 44° 15' W. 96.72 poles to an iron pipe in the westerly line of Surveys No. 7492 and 9461.

Thence with said Survey Line S. 48° 30' W. 48.00 poles to a stone, a corner to F. C. Stillings' land.

Thence with said Stillings' land and E. Bidwell land S. 43° 15' E. 94.56 poles to the beginning.

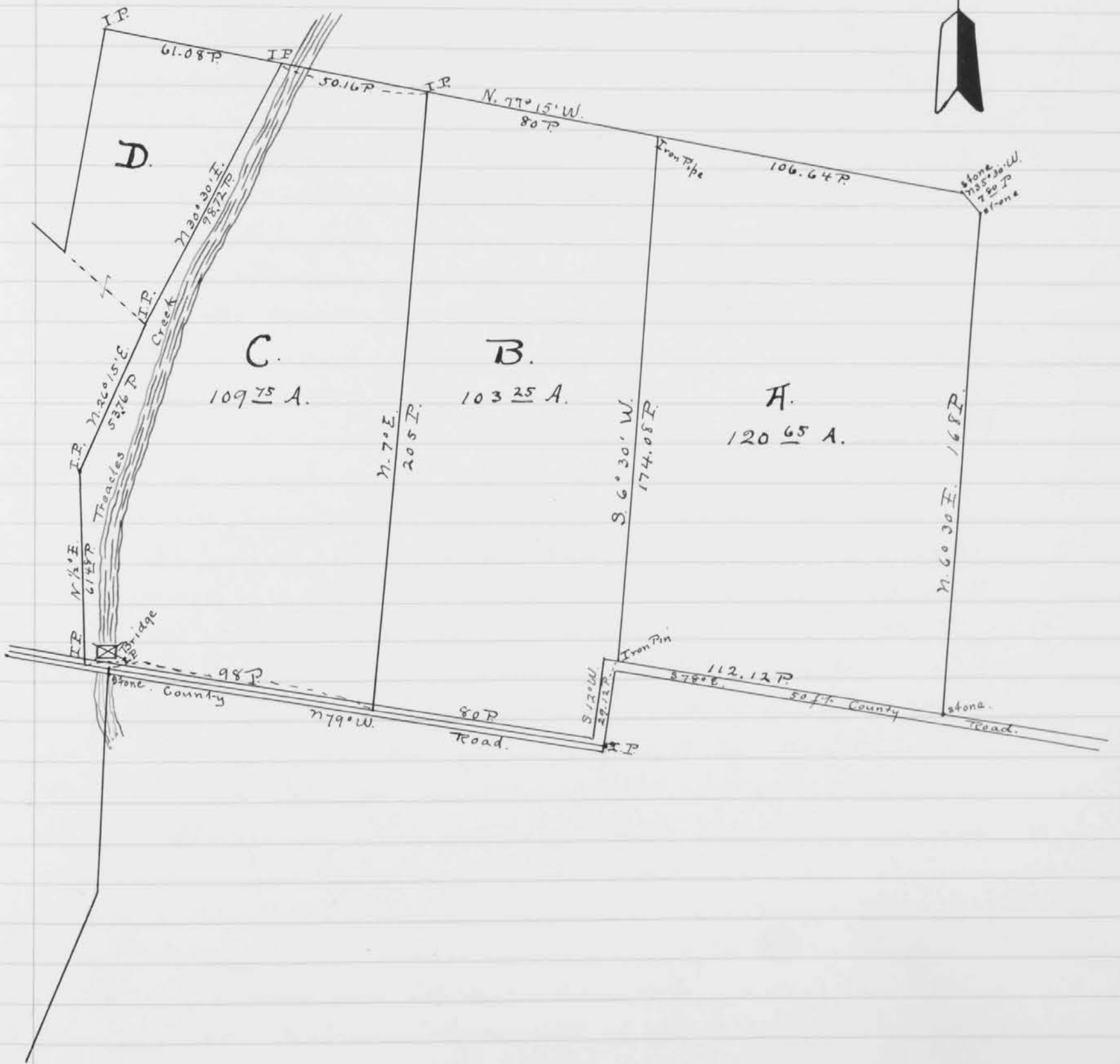
Containing 88.00 acres, more or less, after deducting the amount of land in the C. C. & S. R. Railway Company's Right of Way.

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# LUTHER WINGET ESTATE.



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Final Record, Union County Probate Court

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Filed  
December 24-1914  
Confirmation  
of  
Surrey Plat  
Sub-Division  
and  
Appraisement

Entry:  
Confirmation of Surrey Plat Sub-division and Appraisement  
In Probate Court, Union County, Ohio.  
No. 7931  
A. Boyleau Executor  
of the estate of  
Martha J. Winget, deceased.  
Plaintiff  
v.  
French G. Reynolds et al.  
Defendants.

Final Entry, Confirmation of  
Surrey Plat, Sub-division and  
Appraisement.

Order Of Sale.

This cause coming on now to be heard and the Court having been fully advised in the premises and having given full and careful consideration to all of the facts and the best interests of said estate:

Findings:- That all necessary parties have been made defendants herein and that all are now properly in Court by due process of law, and that all are in default for answer or pleading of any kind.

That owing to the power given the Executor in the Will, it is not necessary to appoint Guardians Ad Litem herein, neither is it necessary that the husbands or wives of any of the defendants to be made parties herein.

The Court finds that the order of the Court herein of date of August 31-1914, directing said Executor to have all the lands of the estate of Martha J. Winget, surveyed and subdivided and platted and appraised as a whole and appraised as subdivided has been complied with as shown by the Executor's report herein and the descriptions and Plats of J. C. Kennedy, Civil Engineer, filed therewith and the return of the Order of Appraisement showing the said lands appraised as a whole and also each tract as sub-divided by the oaths of the appraisers appointed by this Court, Emmanuel Bishop, H. Ingram, and Philip Bishop, which is also filed herein with said Executor's Report.

The Court also finds:- That the said Executor A. Boyleau, under the provisions of the Will of Martha J. Winget, deceased, in Item Four, is authorized and has full power to sell and convey said Real Estate as a whole or in separate tracts as sub-divided and reported herein, for such price and upon such terms as he said Executor may deem best.

The Court therefore Orders and Adjudges:

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Final Record, Union County Probate Court

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That the Reports of the Executor and of the Civil Engineer in the Surveying Platting and Descriptions of all of said lands as a whole and as sub-divided and Platted and reported herein be and the same are each hereby confirmed and ordered made a part of the record herein.

That the Appraisement made by the said Appraisers appointed by the Court of said lands as a whole and as sub-divided into tracts, be and the same is hereby confirmed and approved.

It Is Ordered By The Court:-

That said Executor A. Boylaw, proceed under the powers given him in said Will and sell said lands as a whole or in separate tracts as platted, sub-divided and appraised as he may deem best, But at not less than the appraised value thereof as reported and confirmed herein; and upon the following terms, to-wit:

One-third cash. One-third in one year, and One-third in two years from date of sale, deferred payments to be secured by mortgages on the land sold, or he may sell for cash as may suit the purchaser and he shall report his sales herein for further order and confirmation of this Court.

Edward H. Porter, Probate Judge.  
Union County, Ohio.

December 24-1914.

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Executor's Bond.

In Proceedings To Sell Real-Estate.

Filer

Dec 24-1914

Executor's Bond.

Know all men by these Presents: That Mr. A. Boylaw as Principal and T. B. Smith, John Richter as sureties are held and firmly bound unto the State of Ohio, in the sum of One Hundred and Thirty Thousand Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and Administrators.

Signed by us and dated at Mansville, Ohio, this 24<sup>th</sup> day of December, 1914.

The condition of the above obligation is such, that whereas the above bound A. Boylaw, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Executor of the estate of Martha J. Winger, deceased.

And whereas the said A. Boylaw as such Executor has filed a petition in said Court asking an order for the sale of certain real-estate of said decedent described in said petition. And whereas said Probate Court on the 24<sup>th</sup> day December, 1914, made an order requiring said A. Boylaw to

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Final Record, Union County Probate Court

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execute a bond according to the statute in such cases made and provided.

Now if the said A. Boylan as aforesaid shall account for all the further assets arising from the sale of said Real Estate and that shall remain after payments of the debts and charges for which the land shall be sold, and to dispose of the same according to law: then this obligation to be void, otherwise to remain in full force.

Executed in Presence of F. G. Fullington

A. Boylan  
L. H. Osborne  
John Richter  
T. R. Smith  
J. L. Boylan

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7931 Files

Jan. 30<sup>th</sup> 1915

Entry: A. Boylan of the Mar

Ruling on "Torrens Land Title Act"

Free

7931 Filed

Journal Entry: Order Approving Bond for Private Sale - etc Probate Court Union County, Ohio.

December 24<sup>th</sup> 1914

A. Boylan, Executor of the Estate of Martha Jane Winget, Deceased. Plaintiff

December 24<sup>th</sup> 1914, Petition To Sell Real Estate

Order Approving Bond for Private Sale

vs French G. Reynolds et al. Defendants.

Order of Sale etc.

This day this cause came on further to be heard, and it appearing to the Court that the said A. Boylan as Executor of the estate of Martha J. Winget, dec'd, the plaintiff above named has given bond as heretofore ordered, in the sum of One Hundred and Thirty Thousand (\$130,000<sup>00</sup>) Dollars, with L. H. Osborne, John Richter, T. R. Smith and J. L. Boylan, freeholders as sureties, it is ordered that said bond be and hereby is approved, and this cause is continued.

Eduard H. Porter, Probate Judge

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Files

Jan. 30<sup>th</sup> 1915

A. Boylan of the Mar

Entry as to heirs.

Free

7931 Files

Motion for Ruling on "Torrens Land Title Act." Probate Court, Union County, Ohio, No. 7931

Jan. 6<sup>th</sup> 1915: Motion for Ruling on "Torrens Land Title Act."

A. Boylan, Executor of the Estate of Martha J. Winget, Dec'd. Plaintiff vs French G. Reynolds, et al. Defendants.

Motion for Ruling on "Torrens Land Title Act."

Now comes A. Boylan, Executor of the Estate of Martha J. Winget, deceased, and moves the Court for a Ruling upon the question of the Application of the "Torrens Land Title Act."

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Final Record, Union County Probate Court

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7931 Sections 85-71-1 to 85-72-118 of the General Code of Ohio in the Sales of decedent's lands herein, Vol. 103, Page 914 Session Laws.

John L. Kirkade.  
H. G. Luceington  
Attorney for Plaintiff. J. H. K.

7931 Entry: Ruling of court on "Torrens Land Title Act"  
Probate Court, Union County, Ohio,  
No. 7931.

Jan. 30<sup>th</sup> 1915: A. Boylan, Executor  
of the estate of  
Martha J. Winget, Deceased,  
Plaintiff.  
vs.  
French G. Reynolds, et al.  
Defendants.

Ruling on "Torrens Land Title Act"

The Court coming now to pass on the motion for a ruling on the "Torrens Land Title Act" Sections 85-72-1 to 85-72-118. of the General Code of Ohio Vol. 103 page 914 Session Laws.

The Court finds that this action was filed and commenced March. 3-1914. That the "act" in question did not go into effect until Aug. 1-1914, and therefore the ruling of the Court is that in the sales of the Decedent's lands herein that said "Torrens Land Title Act" does not apply in the sale of these lands and need not be considered.

January 28-1914  
Edward H. Porter, Probate Judge

7931 Entry as to heirs  
Probate Court, Union County, Ohio,  
No. 7931

Files A. Boylan, Executor  
of the Will of  
Martha J. Winget, Deceased,  
Plaintiff  
vs.  
French G. Reynolds et al.  
Def'ts.

Jan. 30<sup>th</sup> 1915: Entry as to heirs etc.

Entry as to heirs.

This day this cause came on to be heard upon the testimony given in Depositions filed herein, as to the heirs under the Will of Martha J. Winget, deceased, upon reading and consideration of which the Court is of the opinion that the status of the legal heirs and those entitled to participate in the distribution of said estate, the degree of relationship is well established; except in two particulars: to wit: As to whether Aovaline Lacroix married and

Final Record, Union County Probate Court

7931

left him: and as to whether Chauncy Smith had a legally adopted son entitled to inherit.

For the purpose of settling these two points the Court directs the taking of further depositions of Gertrude Lacroix Mason of Portsmouth, Ohio, and of T. R. Smith, of Delaware, Ohio.

The Court also directs the Attorney to prepare for the Court, "A True", or statement in accordance with the depositions filed herein showing exactly who are the heirs of the decedent and of her husband Luther Winget deceased, their degree of relationship and the fractional part they are entitled to have and receive on distribution in accordance with the certified decision of the Court of Common Pleas of Union County, Ohio, filed herein construing the Will of decedent.

January, 28<sup>th</sup> 1915.

Edward H. Porter, Probate Judge.

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Trust

Report of Sale.

In the Probate Court of Union County, Ohio,

No. 7931.

April, 5<sup>th</sup> 1915.

Apr 5<sup>th</sup> 1915.

A. Boylan, Executor  
of the Will of  
Martha J. Winget Deceased.  
Plaintiff

Report of Sale  
of Real Estate.

Report  
of  
Sale.

French, G. Reynolds et al.  
Defendants.

Now comes A. Boylan, Executor of the Estate of Martha J. Winget, deceased, and reports the sale of lands under the provision of Item 4 of the Will and in obedience to the Order of the Court as follows:-

Tract A. 120.65 acres, Appraised at \$45. per acre - (\$5,420.25)  
and also Tract B. 103.25 acres appraised at \$50. per acre - (\$5,162.50)  
Total A. and B. \$10,582.75. were both sold and

conveyed to Charles Porter at \$70.00 an acre (\$10,673)

One third cash March, 1<sup>st</sup> 1915-

Balance in One and Two Year.

Secured by notes and mortgages on the premises sold as per order of the Court.

Tract C:

Appraised at \$45. per acre. 109.75 acres (\$4,938.75) not yet sold.

Tract D:

Appraised at \$80. per acre. 131 acres (\$10,480) Sold under contract to M. D. Manscourt as appraised, \$80 - per acre (\$10,480) payable lease, March, 1- 1916.

Tract E:

Appraised at \$55. per acre. 53 acres.

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Apr 5<sup>th</sup> 1915.

Confirming A. Boylan  
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Final Record, Union County Probate Court

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(# 2915) Sold and conveyed to E. L. Fullington, and others at \$65- an acre. (# 3445) Cash March 1<sup>st</sup>. 1915.

Tract F:

Appraised at \$100 per acre, 187.85 acres (\$18785) 170 acres of which is not yet sold. 17.85 acres was cut off and added to Tract G. and included in report of sale of that tract.

Tract G:

Appraised at \$80- an acre 126.25 acres (\$10100) To this was added 17.85 acres struck off from Tract - F and the Total 144.10 acres was sold and conveyed to Charles Woodworth, for \$12,346.75 Cash March 1<sup>st</sup>. 1915.

Tract H:

Appraised at \$75- an acre. 88 acres (\$6600.) was sold and conveyed to David Remington Johnson, for \$7,040. Cash March. 1- 1915.

Thus making a sale of all of said lands except Tract C- 109.75 Acres off of the East side of which he has agreed to convey to Andrew Bates a strip of land fifty (50) feet wide along the East line. Also 170 acres of Tract F. being unsold.

All of said sales being far more than the appraised value.

A. Boylan, Executor.

7931

The State of Ohio.

Union County, ss.

Cash.

The above named A. Boylan, Executor being duly sworn says that the sales above reported have been made after diligent endeavor to obtain the best price for said property. And that said sales are for the highest price he could get for said property.

A. Boylan, Executor.

Sworn to before me and signed in my presence this 5<sup>th</sup> day of April, 1915.

Eduard H. Porter, Probate Judge

7931

Entry: Confirming Sale of Real Estate

In The Probate Court, Union County, Ohio.

Apr. 5<sup>th</sup> 1915.

Confirming A. Boylan, Executor

No. 7931.

Sale

Of The Wills Of Martha J. Winget, Deceased.

April 5<sup>th</sup> 1915.

of Real Estate.

Plaintiff

Francis P. Reynolds et. al.

Defendants

Confirming Sale Of Real Estate



Final Record, Union County Probate Court

7931

This day this cause came on to be heard on the further return of the Order of Sale heretofore issued herein to A. Boylan, Executor and of his proceedings and sale thereunder. Thereupon the Court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this Court, it is therefore considered and ordered by the Court that said sale be and the same hereby is approved and confirmed; and said A. Boylan, as such Executor is hereby ordered to execute and deliver to the purchasers good and sufficient deed for the premises so sold, where he has not already done so. And where deeds are executed they are confirmed as follows:—

Tract A. and B.

To Charles Porter. \$ 15,673.75. 223.90 acres

Tract D.

To M. D. Mancomb. \$ 10,450. 131. acres (1916)

Tract E.

To E. R. Huntington, and others \$ 3,445. 5.3 acres.

Tract F.

17.85 Acres to Charles Woodworth, and also,

Tract G.

To Charles Woodworth, 126.25 acres, Total With - F - 144.10 acres. \$ 12,346.75;

Tract H.

To David Remington Johnson. \$ 7,040. 89 acres

Tract I.

unsold. 109.75-

Tract J.

unsold. 170 acres

Said Executor will report the proceeds of said sales to this Court for order of distribution, and further order of this Court.

Edward H. Porter, Probate Judge.

7931

Filer  
Oct. 14-1915  
Report of Sale  
To  
A. Bates

A. Boylan, Executor  
Of The Will Of  
Martha J. Kinget, Deceased,  
vs. Plaintiff  
French M. Reynolds et al.  
Defendant

Report of Sale to A. Bates  
In the Probate Court of Union County, Ohio.

October 14- 1915,  
No. 7931  
Report of Sale  
Of Real Estate,

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Now comes A. Boylaw, Executor of the estate of Martha J. Winget, deceased and reports the sale of lands under the provision of Item 4. of the Will and in obedience to the Order of the Court as follows:-

Bring a part of Survey No. 5265; Being a part of Tract "C" of the Sub-division of the Martha J. Winget lands, (formerly Luther Winget.) Bring a strip 50 feet wide off of the East side of said Tract "C"  
Bounded and described as follows:

Beginning at an iron pipe at the North-West corner of Tract "B" another tract of land formed by sub-division of Luther Winget estate, sold to Charles Porter.

Thence with the West line of said last named tract of land South  $7^{\circ}$  W. 205 poles to an iron pipe in the center of an unimproved County Road.

Thence with the center of said County Road North  $79^{\circ}$  W. 50 feet. Thence parallel with the first line (The West line of said Porter land) N.  $7^{\circ}$  E. 205 Poles to the N. line of Tract "C" (the South line of Andrew Bates' land.) Thence with said line S.  $77^{\circ}$  15' E. 50 feet to the place of beginning.

Containing 3.85 acres more or less.

Appraised at \$50 an acre, was sold and conveyed to Andrew Bates, for \$192.50.

Said sale bring the appraised value,  
A. Boylaw.

7931

The State of Ohio, Union County, ss.

Oath

The above named A. Boylaw, Executor being duly sworn says that the sale above reported has been made after diligent endeavor to obtain the best price for said property. And that said sale is for the highest price he could get for said property.

A. Boylaw.

Sworn to before me and signed in my presence, this 14<sup>th</sup> day of October, 1915.

Edward H. Porter, Probate Judge

7931

Entry

Confirming Sale of Real Estate 3.85 acres To Andrew Bates.

Filer

Oct. 14-1915

In The Probate Court, Union County, Ohio.

October 14<sup>th</sup> 1915

Final Record, Union County Probate Court

7931  
 Confirming  
 Sale  
 of Real Estate  
 Tract 'b'  
 A. Boylan, Executor  
 of the Will of  
 Martha J. Winget, Deceased.  
 Plaintiff.  
 vs.  
 French G. Reynolds, et al.  
 Defendant.

No. 7931  
 Confirming Sale  
 of Real Estate.  
 Tract 'b'.

This day this cause came on to be heard on the further return of the Order of Sale heretofore issued herein to A. Boylan, Executor and of his proceedings and sale thereunder.

Thereupon the Court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this Court, it is therefor considered and ordered by the Court that said sale be and the same hereby is approved and confirmed; and said A. Boylan, as such Executor is hereby ordered to execute and deliver to the purchaser good and sufficient deed for the premises so sold.

To-wit: 3.85 acres off of the East side of Tract "b" to Andrew Bates.

Said Executor will report the proceeds of said sale to this Court for order of distribution and further order of this Court.

Edward H. Porter, Probate Judge.

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 Files  
 Nov. 23-1915.  
 Report of  
 Sale  
 Tract 'b' to  
 Fred Thiergarten  
 and  
 Barbara Thiergarten  
 A. Boylan, Executor  
 of the Will of  
 Martha J. Winget, Deceased.  
 Plaintiff.  
 vs.  
 French G. Reynolds, et al.  
 Defendant.

Report of Sale of Tract "b" to  
 Fred Thiergarten Sr. and Barbara Thiergarten  
 In the Probate Court of Union County, Ohio.  
 No. 7931.  
 November 23<sup>rd</sup>. 1915.  
 Report of Sale  
 of Real Estate.

Now comes A. Boylan, Executor of the estate of Martha J. Winget, deceased, and reports the sale of lands under the provision of Item 4 of the Will and in obedience to the order of the Court as follows:

Tract 'b'.  
 Situated in Union Township, Union County, Ohio, being a part of Survey No. 5265.  
 Bounded and described as follows:

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 Nov. 23-1915.  
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Final Record, Union County Probate Court

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Beginning at an iron pipe in the South line of lands formerly owned by N. H. Burnham and on the West bank of Treasles Creek. Thence with the South line of said N. H. Burnham land S. 77° 15' E. 50.16 poles to an iron pipe at the North-west corner of another tract of land formed by the subdivision of the Luther Winget estate.

Thence with the West line of said last named Tract of land S. 7° W. 205/100 poles to an iron pipe in the center of an unimproved County Road. Thence with the center of said County Road N. 79° W. 98.00 poles to an iron pipe, south-east corner to another tract of land formed by the said sub-division of the said Luther Winget estate:

Thence with two consecutive lines of said last named tract and the East line of another tract of said estate as follows: N. 1/2° E. 61.48 poles to an iron pipe, N. 26° 15' E. 53.76 poles to an iron pipe, and N. 30° 30' E. 98.72 poles to the place of beginning.

Containing 109.75 acres. more or less.

Excepting therefrom 3.85 acres more or less being a strip 50 feet wide off of the East side of said Tract sold and conveyed to Andrew Bates, leaving here conveyed 105/90 acres more or less.

Appraised at \$45 per acre.

Sold and conveyed to Fred Thiergarten Sr. and Barbara Thiergarten for \$5,295, being more than the appraised value.

A. Boyleau.

7931

State of Ohio, Union County, ss.

oath

The above named A. Boyleau, Executor bring duly sworn says that the sale above reported has been made after diligent endeavor to obtain the best price for said property. And that said sale is for the highest price he could get for said property.

A. Boyleau.

Sworn to before me and signed in my presence, this 23<sup>rd</sup> day of November, 1915:

Edward W. Porter, Probate Judge.

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Entry:

Filed  
Nov. 23- 1915.  
Ohio,

In The Probate Court, Union County, Ohio.  
November, 23-1915

Final Record, Union County Probate Court

7931  
 Confirming  
 Sale of  
 Real Estate  
 Tract A.  
 A. Boylan, Executor of  
 The Will of  
 Martha J. Winget, Deceased.  
 Plaintiff  
 v  
 Friends G. Reynolds, et al.  
 Defendant.

No. 7931  
 Confirming Sale  
 of Real Estate  
 Tract "C."

This day this cause came on to be heard on the further return of the Order of Sale heretofore issued herein to A. Boylan, Executor and of his proceedings and sale there under.

There upon the court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this court, it is there fore considered and ordered by the court that said sale be and the same hereby is approved and confirmed; and said A. Boylan, as such Executor is hereby ordered to execute and deliver to the purchaser good and sufficient deed for the premises so sold.

Township 105-90 Acres being Tract "C" to Fred Thiergarten and Barbara Thiergarten.

Said Executor will report the proceeds of said sale to this court for order of distribution and further order of this court.

Edward W. Porter, Probate Judge

7931  
 Files  
 Jan. 21-1916

Legal Notice

Willis Irwin who resides at 846 Broadway, New York, will take notice that A. Boylan, Executor of the last Will and Testament of Martha J. Winget, deceased, has filed his petition in the Probate Court within and for the County of Union State of Ohio, for the sale of the real estate of the deceased Martha J. Winget, in said County of Union, to wit: about 900 acres of land.

The prayer of said petition is as follows: The plaintiff therefor prays the court to appoint a commission of three appraisers to view the whole of the real estate and have the same surveyed and platted by a competent Engineer considering the suggestion as to straightening the lines and the laying off of the new road and sub-divide the real estate into small farms of a suitable shape for

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Final Record, Union County Probate Court

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Marketing and selling: appraising the various tracts, and that the Executor be authorized to sell the same as so sub-divided, platted, laid off and appraised. That until said lands are sold the Executor be and is hereby authorized and directed to farm or rent said lands to the best advantage to said estate.

The person above mentioned will take notice that he has been made party Defendant to said petition and he is required to answer the same on or before the fifteenth (15<sup>th</sup>) day of August 1914.

A. Boylaw,

Executor of the last Will of Martha J. Winget, Deceased, J. H. Kirkade - F. G. Fullington, Attorney.

July 1 - 1914 - 6<sup>th</sup>.

Proof of Publication

7931

State of Ohio, Union County.

The undersigned, being duly sworn, says that a copy of the annexed notice was published & consecution works in the Miford Center Ohioan - a newspaper of general circulation in the County of Union said publication beginning with issue of July 1 - 1914.

H. L. Agner,

Sworn to and subscribed before me this 17<sup>th</sup> day of Jan. 1916.

John A. Kemmington, Notary Public,

Printer's Fees, \$15.83,

7931

Report of Sale

Filer

In the Probate Court of Union County, Ohio.

March, 29<sup>th</sup> 1916.

A. Boylaw, Executor of the Will of Martha J. Winget, Deceased, Plaintiff

No. 7931,

March - 29 - 1916.

Report of Sale

Report of Sale of Real Estate

vs. French G. Reynolds, et al., Defendants.

Now comes A. Boylaw, Executor of the estate of Martha J. Winget, Deceased, and reports the sale of lands under the provision of Item 4, of the Will and in obedience to the Order of the Court as follows:

Being part of Tract "F", situated in Union Township, Union County, Ohio, being a part of Survey No. 7769.

Bounded and described as follows:

Beginning at an iron pipe in the center



Final Record, Union County Probate Court

7931

of the Homer Grant Road, and a corner to lands formerly owned by Albert Burnham; thence with two consecutive lines of said Albert Burnham's land and line of Sarah Moses' land N. 80° W. 9.40 poles to an iron pipe and N. 68° W. 241.92 poles to an iron pipe a corner to Charles Woodworth's land; thence with two consecutive lines of said Charles Woodworth's land N. 35° 45' E. 63.36 poles to an iron pipe; thence N. 64° 30' E. 150.44 poles to an iron pipe in the center of the Homer Grant Road; thence with two consecutive lines of said Grant Road and in the center thereof S. 25° 30' E. 169.60 poles to an iron pin and S. 12° 15' W. 58.04 poles to the place of beginning.

Containing 170 acres, more or less.

Being part of Tract "H" of the sub-division of the Luther Winget lands.

Appraised at \$100 per acre. Sold and conveyed to Charles W. Gugler for \$17340, bring more than the appraised value.

This completes the sale of all the real estate of said decedent.

7931

State of Ohio Union County ss.

Oath

The above named A. Boylan, Executor bring duly sworn says that the sale above reported has been made after diligent endeavor to obtain the best price for said property. And that said sale is for the highest price he could get for said property.

A. Boylan, Executor.

Sworn to before me and signed in my presence, this 29<sup>th</sup> day of March 1916.

Eduard W. Porter, Probate Judge.

7931

Journal Entry:

Filed March

29<sup>th</sup> 1916.

A. Boylan, Executor.

Of the Will of  
 Martha J. Winget,  
 Deceased,  
 Plaintiff.

v

French G. Reynolds, et al.  
 Defendants.

In The Probate Court, Union County, Ohio

March 29<sup>th</sup> 1916.

No. 7931.

Confirming Sale of Real Estate.

Confirmation Sale of Real Estate

This day this cause came on to be heard on the farther and final return of the Order

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Final Record, Union County Probate Court

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of Sale heretofore issued herein to A. Boylaw, Executor and of his proceedings and sale thereunder,

Thereupon the Court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this Court, it is therefore considered and ordered by the Court that said sale be and the same hereby is approved and confirmed; and said A. Boylaw, as such Executor is hereby ordered to execute and deliver to the purchaser good and sufficient deed for the premises so sold.

To wit 170 Acres Part of Tract "F" to Charles W. Gaylor.

Said Executor will report the proceeds of said sale to this Court for order of distribution and further order of this Court.

Edward H. Porter, Probate Judge.

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Final Record, Union County Probate Court

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Filed  
March 17<sup>th</sup> 1913

In the Matter of the Application of the Board of Education  
of the Plain City Villages School District, Madison and  
Union Counties. - Application for the Transfer of Funds -  
In the Probate Court, Union County, Ohio.

In the matter of the Application of the Board of Education of  
the Plain City Villages School District, Madison and  
Union Counties, To Determine the Proper Division of Funds  
in the Treasury and In Process of Collection of the Boards  
of Education of Jerome Township School District, Union  
County, Ohio, and Darby Township School District, Madison  
County, Ohio; and to determine the Indebtedness of said  
Boards of Education Together with the proper amount of  
money to be paid, (thereof) To the Board of Education of  
Jerome Township, School District, and To the Board  
of Education of Darby Township, School District, Madison  
County, Ohio, By the Board of Education of Plain City, Villages  
School District.

To the Honorable Probate Judge, Union County, Ohio:

Your applicant represents that on or about the 22-  
day of August, 1912, M. A. Currier et al., filed in the  
Probate Court a petition for the transfer of certain  
territory located in Jerome Township, School District  
Union County, Ohio, and Darby Township School District,  
Madison County, Ohio, to the Plain City Villages School,  
District, Union and Madison Counties; that such  
proceedings were had thereon that said matter  
was certified to the Court of Common Pleas, Union  
County, Ohio, for determination, and the same was  
duly filed in said Court of Common Pleas, on or  
about the 23<sup>rd</sup> day of September 1912; that such pro-  
ceedings were had thereon that all of said  
territory as described in said petition was trans-  
ferred to said Plain City Villages School District  
from and after the 7<sup>th</sup> day of December, 1912.

Petition

The petition in said matter together with the  
plat thereto attached, is hereto referred to and  
made a part hereof, as if the same were  
written herein.

Your applicant further represents that the  
largest proportionate share of the said territory  
so transferred is situate in Union County, Ohio,  
your applicant further represent that the  
Board of Education of Jerome Township School  
District, Union County, Ohio, and the Board of  
Education of Darby Township School District, Madison  
County, Ohio, each had in their treasury on the  
said 7<sup>th</sup> day of December, 1912, certain school  
funds levied and collected from all

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## Final Record, Union County Probate Court

of the property in each of said districts, including the territory in each of said districts transferred as hereinbefore alleged, and that said funds should be determined and equitably apportioned and divided between the said Board of Education of Plain City Village School District, Union and Madison Counties, and the said Board of Education of Jerome Township School District, Union County, Ohio, and return the said Board of Education of Plain City Village School District, Union and Madison Counties, and the said Board of Education of Darby Township School District, Madison County, Ohio.

Your applicant further represents that the Board of Education of Jerome Township School District, Union County, and the Board of Education of Darby Township School District, Madison County, each have levied and now in process of collection certain school funds levied and being collected from all the property in each of said districts, including the territory in each of said districts transferred as hereinbefore alleged, and that said funds should be determined and equitably apportioned and divided between the said Board of Education of the Plain City Village School District, Union and Madison Counties, and the said Board of Education of Jerome Township School District, Union County, Ohio; and return the said Board of Education of Plain City Village School District, Union and Madison Counties and the said Board of Education of Darby Township School District, Madison County, Ohio.

Your applicant asks that if there was any valid outstanding indebtedness on the 7<sup>th</sup> day of December 1912 against the Board of Education of Jerome Township School District, Union County, Ohio, and Darby Township School District, Madison County, Ohio, that said indebtedness be determined and equitably apportioned and divided between the said Board of Education of Plain City Village School District, Union and Madison Counties, and the said Boards of Education of Jerome Township School District, Union County, and Darby Township School District, Madison County, and that the proper amount thereof be paid by the Board of Education of Plain City Village School District, Union and Madison Counties, to the Board of Education of Jerome Township School District, Union County, and Darby Township School District, Madison County, Ohio.

Wherefore the applicant prays that the amount

Final Record, Union County Probate Court

7682

of the school fund in the treasury of the Board of Education of Jerome Township School District, Union County, Ohio, and in the treasury of the Board of Education of Daryl Township School District, Madison County, Ohio, on the 7<sup>th</sup> day of December 1912 and all funds in process of collection be determined and equitably apportioned and divided, according to the territory transferred between the Board of Education of Plain City Village School District, Union and Madison Counties, and the Board of Education of Jerome Township School District of Union County, and between the Board of Education of Plain City Village School District Union and Madison Counties and the Board of Education of Daryl Township School District, Madison County; That the valid indebtedness, if any, of the Board of Education of Jerome Township School District Union County, Ohio, and of the Board of Education of Daryl Township, Madison County, Ohio, on the 7<sup>th</sup> day of December 1912, be determined and equitably apportioned and divided between the said Board of Education of Plain City Village School District, Union and Madison Counties, and the Board of Education of Jerome Township, School District, Union County, Ohio, and the Daryl Township, School District, Madison County, Ohio, and that the proper amount of such valid indebtedness, if any, to be paid by the Board of Education of Plain City Village School District, Union and Madison Counties, to either the Board of Education of Jerome Township School District, Union County, Ohio, or Daryl Township School, District, Madison County, Ohio, be determined and ordered; that the court may fix a day for the hearing of the application and that the clerk of the Board of Education of Plain City Village School District, Union and Madison Counties; the clerk of the Board of Education of Jerome Township School District, Union County, and the clerk of the Board of Education of Daryl Township School District Madison County be notified of the filing of the application and of the date of the hearing; and that a notice of the filing of said petition and of the time of hearing be published for four consecutive weeks in two newspapers of opposite politics printed and general circulation in Union County, Ohio.

The Board of Education of Plain City Village School District, Union and Madison Counties, Ohio,

By C. H. Lucas,

President

By E. L. Bechtel,

clerk,

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March, 17, 1913  
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Final Record, Union County Probate Court

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State of Ohio, Madison County, ss.  
C. H. Lucas and E. L. Bechtel, Being first duly sworn, each for himself deposes and says, that he is President and Clerk, respectively, of the Board of Education of Plain City Villages School District, that he has read the foregoing application and knows the contents thereof, and that the same is true to the best of his knowledge and belief.

C. H. Lucas, President  
E. L. Bechtel, Clerk,

Sworn to before me and subscribed in my presence, this 14<sup>th</sup> day of March, 1913.

J. E. Strayer, Notary Public

7682  
Tax notary fee

Entry  
Filed  
March 17, 1913  
7682

Entry: In The Probate Court, Union County, Ohio,  
In The Matter of Application for the  
The Application Transfer of Funds.  
of The Board of Education Entry -  
of The Plain City Villages No. 7682  
School District, Madison  
and Union Counties.

Entry

This day came the Board of Education of Plain City Villages School District, Union and Madison Counties, by C. H. Lucas, President, and E. L. Bechtel, Clerk, and filed herein an application for the transfer of funds in said cause.

It is Therefore Ordered, that the time of hearing of said application be fixed the 13<sup>th</sup> day of May, A. D. 1913, and that notice of the time of hearing of said application be published for four consecutive weeks in The Mansfield Tribune, and in the Union County Journal, two newspapers of opposite politics, printed and of general circulation in this county, and that the Clerk of this Court shall mail a marked copy of one of said papers to Dr. H. C. Vigor, J. E. Strayer, E. L. Bechtel, and Newton Downing, Clerks of the Boards of Education having territory in the district established heretofore in the Union Common Pleas Court, Union County, Ohio.

March 17<sup>th</sup> 1913,

Eduard W. Roster, Probate Judge

7682

Entry:  
In The Matter of  
The Plain City School District, etc.

Entry - No. 7682

Entry

In accordance with the former order of this Court, the Clerk hereof, this day forwarded marked copies of the legal notice of the day of hearing herein, as contained



Final Record, Union County Probate Court

in the Union County Journal, to Dr. W. C. Vigor, Clerk Bd, Jerome Township School District; J. E. Strayer, Clerk Bd, Ed, Darby Township, Madison County, Ohio; E. L. Bechtel, Clerk Bd, Ed, Plain City Village School District; and Newton Dorniny, Clerk Bd, Ed, Washington, Franklin Co., O., and the cause continued.

Edward H. Porter, Probate Judge,

In the Probate Court Union County, Ohio.

W. C. Vigor, Clerk of the Board of Education of Jerome Township School District, Union County, Ohio.

Sir: - you are hereby notified of the pendency of cases in this court, in which you are interested, as shown by the legal notices attached hereto, and you will govern yourself accordingly.

May 8<sup>th</sup> 1913

Edward H. Porter, Probate Judge.

Legal Notice.

In the Probate Court, Union County, O.

Filed May 8, 1913

Notice is hereby given that on the 26<sup>th</sup> day of March A. D. 1913, The Board of Education of Jerome Township School District, Union County, Ohio, by J. W. Mitchell President, and W. C. Vigor, Clerk, filed an application in this court to determine the proper division of funds in the Treasury of and in process of collection, by the Boards of Education of Jerome Township School District and Darby Township School District; and to determine the indebtedness of the Board of Education of Jerome Township School District, Union County, Ohio, and the Board of Education of Darby Township School District, Madison County, Ohio, together with the proper amount thereof to be paid to the Board of Education of Jerome Township School District, Union County, Ohio and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City Village School District, Madison and Union Counties, Ohio, and to determine the value of certain real estate to be conveyed to the Board of Education of Plain City Village School District, Madison and Union Counties Ohio, by the Board of Education of Jerome Township School District, Union County, Ohio, and to determine the time, manner, and method of said conveyance.

Said application will be for hearing on Tuesday the 13<sup>th</sup> day of May, A. D. 1913, at nine (9) o'clock a.m., and all persons interested therein will take notice of that fact, and cause their objections if any, to be made known at the time of hearing thereof.

Edward H. Porter, Probate Judge, Marysville, O., Apr. 16-1913

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Filed May 8-1913

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Final Record, Union County Probate Court

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Legal Notice

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In the Probate Court, Union County, O.

Notice is hereby given that on the 17<sup>th</sup> day of March, 1913, the Board of Education of Plain City Village School District, Union and Madison Counties, Ohio, by C. R. Lucas, President and E. L. Bechtel, Clerk, filed an application in this court to determine the proper divisions of funds in the Treasury and in process of collections of the boards of education of Jerome Township School District, Union County, Ohio, and Darby Township School District, Madison County, Ohio; and to determine the indebtedness of said Boards of Education, together with the proper amount of money, if any, to be paid to the Board of Education of Jerome Township School District, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City Village School District.

Said application will be for hearing on Tuesday, the 13<sup>th</sup> day of May A.D. 1913, at 9 o'clock A.M. and all persons interested therein will take notice of that fact, and cause their objections, if any, to be made known at the time of hearing thereof.

Edward H. Porter, Probate Judge  
Union County, O.

Marysville, Ohio, April 16<sup>th</sup> 1913.

7682

Sheriff's Return

7683

Costs in case No. 7683.  
Mileage \$ 3.92  
Sums 3.00

Return

Total \$ 6.92 John W. Baird, Sheriff

State of Ohio, Union County - Received this summons at 2:30 o'clock P.M. on the 8<sup>th</sup> day of May, A.D. 1913 and on the 9<sup>th</sup> day of May 1913 I served the same on the within named W. C. Vigor by handing to him a true copy of this summons with all the endorsements thereon.

John W. Baird, Sheriff

7682

In the Probate Court, Union County, Ohio,

7683

J. E. Strayer, Clerk of the Board of Education of Darby Township, Madison County, Ohio;

Filed May 8-1913

Sir: You are hereby notified of the pendency of cases in this Court in which you are interested, as shown by the legal notices attached hereto, and you will govern yourself accordingly.

Edward H. Porter

May 8<sup>th</sup> 1913

Probate Judge



Final Record, Union County Probate Court

7682

7683

Legal Notice

In the Probate Court, Union County, O.

Notice is hereby given that on the 26<sup>th</sup> day of March A.D. 1913. The Board of Education of Jerome Township School District, Union County, Ohio, by J.W. Mitchell President and W. C. Vigor Clerk, filed an application in this Court to determine the proper division of funds in the Treasury of and in process of collection, by the Boards of Education of Jerome Township School District and Darby Township School District; and to determine the indebtedness of the Board of Education of Jerome Township School District Union County, Ohio, and the Board of Education of Darby Township School District, Madison County, Ohio, together with the proper amount thereof to be paid to the Board of Education of Jerome Township District, Union County, Ohio, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City Village School District Madison and Union Counties, Ohio; and to determine the value of certain real estate to be conveyed to the Board of Education of Plain City Village School District Madison and Union Counties, Ohio, by the Board of Education of Jerome Township School District, Union County, Ohio, and determine the time, manner and method of said conveyance.

Said application will be for hearing on Tuesday the 13<sup>th</sup> day of May, A.D. 1913, at nine (9) o'clock A.M. and all persons interested therein will take notice of that fact, and cause their objections, if any, to be made known at the time of hearing thereof.

Edward H. Porter

Probate Judge of Union County, Ohio.

Managers, O. April 16- 1913.

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Legal Notice

In the Probate Court, Union County, O.

Notice is hereby given that on the 17<sup>th</sup> day of March A.D. 1913. The Board of Education of Plain City Village School District, Union and Madison Counties, Ohio, by C. H. Lucas President and E. L. Bechtel, Clerk, filed an application in this Court, to determine the proper division of funds in the Treasury and in process of collection, of the boards of education of Jerome Township School District, Union County, Ohio, and Darby Township School District, Madison County, Ohio; and to determine the indebtedness of said Boards of Education together with the proper amount of money, if any, to be paid to the Board of Education of Jerome Township School District, and to the Board

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Final Record, Union County Probate Court

of Education of Darby Township, School District Madison County, Ohio, by the Board of Education of Plain City Village School District.

Said Application will be for hearing on Tuesday, the 13<sup>th</sup> day of May, A.D. 1913, at 9.0'clock, A.M., and all persons interested therein will take notice of that fact, and answer their objections, if any, to be made known at the time of hearing thereof.

Edward H. Porter.

Probate Judge of Union County, Ohio  
Maysville, Ohio April 16 - 1913.

7682	Sheriff's Return
7683	Costs in case no. 7682
	Mileage 49 - 89 - \$ 3.92
Return.	Summons 3.00
	Total. \$ 6.92

State of Ohio Union County, ss.

Recieve this summons at 2:30 o'clock P.M. on the 8<sup>th</sup> day of May, A.D. 1913, and on the 9<sup>th</sup> day of May 1913 I served the same on the within named J. E. Strayer by handing to him a true copy of this summons with all the endorsements thereon.

John W. Laird. Sheriff

7682	To Newton Downing, Clerk Board of Education; Washington Township, Franklin County, Ohio.
7683	

Sir: You are hereby notified of the pendency of cases in this court, in which you are interested, as shown by the legal notices attached hereto, and you will govern yourself accordingly.

Edward H. Porter.

Probate Judge, Union County, Ohio.

May 7<sup>th</sup> 1913.

7682	Legal Notice
7683	In the Probate Court, Union County, O.

Notice is hereby given that on the 26<sup>th</sup> day of March A.D. 1913, the Board of Education of Jerome Township School District, Union County, Ohio, by J. H. Mitchell, President, and W. C. Vigor Clerk, filed an application in this court to determine the proper division of funds in the Treasury of and in process of collection, by the Boards of Education of Jerome Township, School District and Darby Township School District; and to determine the indebtedness of the Board of Education of Jerome Township School District, Union County, Ohio, and the Board of Education of Darby Township School District.

Final Record, Union County Probate Court

7682

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Madison County, Ohio, together with the proper amount thereof to be paid to the Board of Education of Jerome Township School District, Union County, Ohio, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City Villages School District, Madison and Union Counties, Ohio, and to determine the value of certain real estate to be conveyed to the Board of Education of Plain City Villages School District, Madison and Union Counties, Ohio, by the Board of Education of Jerome Township School District Union County, Ohio, and to determine the time, manner, and method of said conveyance.

Said application will be for hearing on Tuesday the 13<sup>th</sup> day of May A.D. 1913, at nine (9) o'clock, A.M., and all persons interested therein will take notice of the fact and cause their objections, if any, to be made known at the time of hearing.

Edward H. Porter, Probate Judge of Union Co., O.

Marysville, O. April 16 - 1913.

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Legal Notice

In the Probate Court, Union County, O.

Notice is hereby given that on the 17<sup>th</sup> day of March A.D. 1913. The Board of Education of Plain City Villages School District, Union and Madison Counties, Ohio, by C. H. Ducas, President, and E. L. Bechtel, clerk, filed an application in this court to determine the proper division of funds in the Treasury and in process of collection, of the boards of education of Jerome Township School District, Union County, Ohio, and Darby Township School District, Madison County, Ohio; and to determine the indebtedness of said Boards of Education, to gether with the proper amount of money, if any, to be paid to the Board of Education of Jerome Township School District, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City Villages School District.

Notice

Said application will be for hearing on Tuesday the 13<sup>th</sup> day of May A.D. 1913, at 9 o'clock A.M., and all persons interested therein will take notice of that fact, and cause their objections, if any, to be made known at the time of hearing thereof.

Edward H. Porter

Probate Judge of Union County, Ohio

Marysville, Ohio April 16 - 1913

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Final Record, Union County Probate Court

Sheriff's Return

State of Ohio, Union County, ss.  
Recd this summons this 8<sup>th</sup> day of May, 1913, at 2:30  
O'clock P.M. and on the 9<sup>th</sup> day of May, 1913 I served  
the within named Newton Domingo by leaving at his  
place of residence a true copy of this writ with all  
the endorsements thereon.

John M. Lantz - Sheriff.

7682

Receipt

Probate Court, Union County, Ohio

Filed  
May 10-1913

In the matter of the Application  
Of the Board of Education Of  
Plain City, Village School District  
to Determine the Proper Division  
of Funds, etc.,

Receipt

Issue subpoenas for the following witnesses in  
the above case:

Receipt

Grant Harriet. Bring records showing all moneys  
in your hands as Treasurer of the Board of Education  
of Jerome Township. Also bring all vouchers or other  
evidence of indebtedness due from said Board  
to yourself.

E. M. Kilbuck, Toledo.

William Gudsau, Plain City, Ohio. Bring records showing  
conditions of school funds of Jerome Township when  
account was transferred from the Bank of  
Plain City.

J. E. Strayer, Plain City, Ohio.

Dr. Vigor, New California. Bring records showing  
financial condition of Jerome Township School  
District. Also bring record authorizing Grant  
Harriet to cash vouchers -

C. C. Crabber, atty for Plain City

Village School District.

7682

Legal Notice

The State of Ohio, Union County, ss.

Notice

Personally appeared before me J. H. Shearer and made  
solemn oath, that the notice, a copy of which is  
hereto attached was published for four consecutive  
weeks on and next after April 16<sup>th</sup> 1913, in the  
Marysville Tribune, a newspaper of general circulation  
in the county aforesaid.

J. H. Shearer.

Known to before me and signed in my presence this  
15<sup>th</sup> day of May A.D. 1913.

J. W. Greiner, Notary Public

Printed Fee \$ 9.37



Final Record, Union County Probate Court

7682

Legal Notice

In the Probate Court Union County, O.  
 Notice is hereby given that on the 17<sup>th</sup> day of March, A.D. 1913. The Board of Education of Plain City Village School District, Union and Madison Counties, Ohio, by W. H. Lucas President, and E. L. Bechtel Clerk filed an application in this Court, to determine the proper division of funds in the Treasury and in process of collection, of the boards of education of Jerome Township School District, Union County, Ohio, and Darby Township School District, Madison County, Ohio and to determine the indebtedness of said Boards of Education, together with the proper amount of money, if any, to be paid to the Board of Education of Jerome Township School District, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City Village School District.

Notice

Said Application will be for hearing on Tuesday, the 13<sup>th</sup> day of May A.D. 1913, at 9 o'clock a.m. and all persons interested therein will take notice of that fact, and cause their objections, if any, to be made known at the time of hearing thereof.

Edward H. Porter.

Probate Judge of Union County, Ohio.

Warrsville, Ohio, April, 16- 1913.

Subpoena in civil case.

7684

Files

May, 15- 1913

The State of Ohio, Union County, Probate Court.

To J. J. Wrayburn, John Mann, and Fred Tite.

Subpoena

You are hereby required to be and appear before the Probate Court at the Court House in said County on the 16<sup>th</sup> day of May A.D. 1913, at 10 o'clock A.M., to testify as a witness in a certain case pending in said Court, wherein the Board of Education of Jerome Township is School District is Plaintiff, and not depart the Court without leave.

Herein fail not, under penalty of the law.

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

Witness my hand and the seal of said Court, this 14<sup>th</sup> day of May 1913.

Edward H. Porter, Probate Judge.

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Legal Notice

Notice

In the Probate Court Union County, O.  
 Notice is hereby given that on the 17<sup>th</sup> day of March, A.D. 1913. The Board of Education of Plain City Village School District, Union and

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Final Record, Union County Probate Court

Legal Notice

Madison County, Ohio, by G. H. Lucas, President, and E. L. Bechtel, Clerk filed an application in this court, to determine the proper division of funds in the Treasury and in process of collection, of the boards of education of Jerome Township School District, Union County, Ohio, and Darby Township School District, Madison County, Ohio; and to determine the indebtedness of said Boards of Education, together with the proper amount of money, if any, to be paid to the Board of Education of Jerome Township School District, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City Village School District.

Said application will be for hearing on Tuesday, the 13<sup>th</sup> day of May, A. D. 1913, at 9 o'clock a. m., and all persons interested therein will take notice of that fact, and cause their objections, if any, to be made known at the time of hearing thereof.

Eduard W. Porter.

Probate Judge of Union County, Ohio.  
Marysville, Ohio, April 16<sup>th</sup> 1913.

7682

The State of Ohio, Union County, ss.

Oath

Personally appeared before me J. K. Shearer and made solemn oath, that the within, a copy of which is hereto attached was published for four consecutive weeks or next after April 16-1913, in the Marysville Tribune, a newspaper of general circulation in the county aforesaid.

J. K. Shearer.

Given to before me and signed in my presence this 27<sup>th</sup> day of Sept. A. D. 1913.

J. K. Guiner, Notary Public.

Printer's Fees \$ 9.37

7683

Filed

March 26-1913

In the matter of the application of the Board of Education of Jerome Township School District, Union County, Ohio to determine the proper division of funds in the Treasury of and in process of collection by the Boards of Education of Jerome Township School District and Darby Township School District; and to determine the indebtedness of the Board of Education of Jerome Township School District Union County, Ohio, and the Board of Education of Darby Township School District Madison County, Ohio, together with the proper amount thereof



Final Record, Union County Probate Court

7653

To be paid to the Board of Education of Jerome Township School District, Union County, Ohio, and to the Board of Education of Darcy Township School District, Madison County, Ohio. By the Board of Education of Plain City Village School District, Madison and Union Counties, Ohio; and to determine the value of certain Real Estate to be conveyed to the Board of Education of Plain City Village School District, Madison and Union Counties, Ohio. By the Board of Education, of Jerome Township School District, Union County, Ohio, and to determine the time manner and method of said conveyance.

To the Honorable Probate Judge, Union County, Ohio,

Your applicant represents that on or about the 22<sup>nd</sup> day of August, 1912, G. A. Currier et al., filed in said Probate Court a petition for the transfer of certain territory located in Jerome Township School District, Union County, Ohio and Darcy Township School District, Madison County, Ohio, to the Plain City Village School District, Union and Madison Counties; that such proceedings were had thereon that said matter was certified to the Court of Common Pleas, Union County, Ohio, for determination, and the same was duly filed in said Court of Common Pleas on or about the 23<sup>rd</sup> day of September, 1912; that such proceedings were had thereon that all of said territory, as described in said petition was transferred to said Plain City Village School District from and after the 7<sup>th</sup> day of December, 1912.

The petition in said matter together with the plat thereto attached is hereto referred to and made a part hereof as if the same were written herein.

Your applicant further represents that the largest proportionate share of said territory so transferred is situate in Union County, Ohio.

Your applicant further represents that the Board of Education of Jerome Township School District, Union County, Ohio, and the Board of Education of Darcy Township School District, Madison County, Ohio, each had in their treasury on the said 7<sup>th</sup> day of December, 1912, certain school funds levied and collected from all the property in each of said districts, including the territory in each of said districts transferred as hereinbefore alleged, and that said funds should be determined and equitably apportioned and divided between the said Board of Education of Plain City Village School District, Union and

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Final Record, Union County Probate Court

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Madison Counties, and the said Board of Education of Jerome Township School District, Union County, Ohio, and return the Board of Education of Plain City Villages School District, Union and Madison Counties, and the said Board of Education of Darby Township School District, Madison County, Ohio.

Your applicant further represents that the Board of Education of Jerome Township School District, Union County, and the Board of Education of Darby Township School District, Madison County, each have levied and now in process of collection certain school funds levied and being collected from all the property in each of said districts, including the territory in each of said districts transferred as herein before alleged, and that said funds should be determined and equitably apportioned and divided between the said Board of Education of Plain City Villages School District, Union and Madison Counties, and the said Board of Education of Jerome Township School District, Union County, Ohio; and return the said Board of Education of Plain City Villages School District, Union and Madison Counties and the said Board of Education of Darby Township School District, Madison County, Ohio.

Your applicant further represents that the Board of Education of Jerome Township School District, Union County, was on said 7<sup>th</sup> day of December, 1912, indebted and had valid subsisting evidences of said indebtedness not standing on said 7<sup>th</sup> day of December, 1912, that said indebtedness should be determined and equitably apportioned and divided between the said Board of Education of Plain City Villages School District, Union and Madison Counties, and the said Board of Education of Jerome Township School District, Union County, and that the proper amount thereof to be paid by the Board of Education of Plain City Villages School District, Union and Madison Counties, to the Board of Education of Jerome Township School District, Union County, should be determined and ordered.

Your applicant further represents that if there was any valid subsisting indebtedness on the 7<sup>th</sup> day of December, 1912, against the Board of Education of Darby Township School District, Madison County, that said indebtedness be determined and equitably apportioned and divided between the Board of Education of Darby Township School

7683.

## Final Record, Union County Probate Court

7683

District, Madison County, Ohio, and the Board of Education of Plain City Village School District, Union and Madison Counties, and that the proper amount thereof to be paid by the Board of Education of Plain City Village School District, Union and Madison Counties to the Board of Education of Darby Township School District, Madison County, Ohio, be determined and ordered.

Your applicant further represents that on and prior to the 7<sup>th</sup> day of December 1912, the Board of Education of Jerome Township School District, Union County, Ohio, was the owner in fee simple of certain school property located in that part of said territory of the said Jerome Township School District, heretofore as herein alleged transferred to the said Plain City Village School District, consisting of 87.60 acres of land with a one story frame school building thereon, which said premises are bounded and described as follows:

Situate in the Township of Jerome in Union County, Ohio, and Darby Township Madison County, Ohio, to wit:

Beginning at a stake in the center of the Warner Road at a point 57 feet and 8 inches north of a stone in the Union and Madison County line, thence in a westerly direction 196 feet to a stake, thence in a northerly direction 110 feet to a stake, thence in an easterly direction 211 feet and 6 inches to a stake in the center of said Warner Road, thence in a south easterly direction 111 feet to the place of beginning, containing 85 square rods more or less.

Your applicant further represents that the Board of Education of Jerome Township School District, Union County, Ohio, and the Board of Education of Plain City Village School District, Madison and Union Counties, Ohio, cannot agree upon the transfer of the title of said school property to the Board of Education of said Plain City Village School District, and cannot agree as to the value of said school property, and cannot agree as to the time when and the manner in which said school property shall be conveyed to the said Board of Education of Plain City Village School District, and cannot agree as to the amount of money to be paid by the Board of Education of Plain City Village School District to the Board of Education of Jerome Township School District for such school property.

Wherefore, the applicant prays that the amount of the school funds in the Treasury of the Board of Education of Jerome Township, School District,

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Final Record, Union County Probate Court

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Union County, Ohio, and in the treasury of the Board of Education of Darby Township School District, Madison County, Ohio, on the 7<sup>th</sup> day of December, 1912, and all funds in process of collection by each of said Boards be determined and equitably apportioned and divided between the Boards of Education of Plain City Villages School District, Union and Madison Counties, and the Board of Education of Jerome Township School District, Union County, and between the Board of Education of Plain City Villages School District, Union and Madison Counties, and the Board of Education of Darby Township School District, Madison County, Ohio; in accordance with and in proportion to the tax valuation of the territory so transferred from each of said districts to the Plain City Villages School District, and, that the Board of Education of Jerome Township School District and the Board of Education of Darby Township School District, Madison County, Ohio, be each respectively ordered to pay to the Board of Education of Plain City Villages School District their respective proportionate shares of the moneys so determined to be in their treasury on the said 7<sup>th</sup> day of December, 1912, and that they each be respectively ordered to pay to the Board of Education of Plain City Villages District their respective proportionate share of all funds in process of collection since the said 7<sup>th</sup> day of December, 1912, as soon as the same shall be received by each of said districts from the auditor and Treasurer of their respective Counties; that the indebtedness of the Board of Education of Jerome Township School District, Union County, Ohio, and the Board of Education of Darby Township, Madison County, Ohio, on the 7<sup>th</sup> day of December, 1912, be determined and equitably proportionate and divided between the Board of Education of Plain City Villages School District and the Board of Education of Jerome Township School District, and that the proper amount of such indebtedness, if any, to be paid by the Board of Education of Plain City Villages School District to either the Board of Education of Jerome Township School District and the Board of Education of Darby Township School District be determined; that the Board of Education of Plain City Villages School District be ordered to pay to the Board of Education of Jerome Township School District the proportionate share of the indebtedness of the said Jerome Township School District so found and determined herein; that the Board of

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Final Record, Union County Probate Court

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Education of Plain City Village School District be ordered to pay to the Board of Education Darby Township School District the proportionate share of the indebtedness of the said Darby Township School District as found and determined herein: that the nature, extent and value of said school property so owned by the Board of Education of Jerome Township School District, Union County, Ohio, be determined and ordered; that the Board of Education of Jerome Township School District, Union County, Ohio, be ordered to convey said property by a sufficient deed to the said Board of Education of Plain City Village School District, Madison and Union Counties, Ohio, upon the payment to it by the said Board of Education of Plain City Village School District of the reasonable value of said property as determined herein, and that the Board of Education of Plain City Village School District be ordered to pay said amount to the Board of Education of Jerome Township School District.

Your applicant further prays that the court may fix a day for the hearing of this application, and that the Clerk of the Board of Education of Plain City Village School District, Madison and Union Counties, Ohio, the Clerk of the Board of Education of Jerome Township School District Union County, Ohio, the Clerk of the Board of Education of Darby Township School District, Madison County, Ohio, be each respectively notified of the filing of this Application and of the date of the hearing; that a notice of the filing of the said application and of the time of hearing be published for four consecutive weeks in two newspapers of opposite politics printed and of general circulation in Union County, Ohio.

(4694 L.C.)

The Board of Education of Jerome Township School District, Union County, Ohio,

By J. W. Mitchell, President  
By H. C. Vigor, Clerk

State of Ohio, Union County, ss.

J. W. Mitchell and H. C. Vigor being first duly sworn, each for himself, deposes and says that he is President and Clerk, respectively of the Board of Education of Jerome Township School District, that he has read the foregoing application and knows the contents thereof, and that the same are true to the best of his knowledge and belief.

J. W. Mitchell, President  
H. C. Vigor, Clerk

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Entry in the Board of Education Determined This

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Final Record, Union County Probate Court

Sworn to before me and subscribed in my presence this 26<sup>th</sup> day of March, 1913.

7683

*Seal* J. W. Willis, Notary Public.

Entry: In the Probate Court, Union County, Ohio No. 7683  
In the matter of the Application of the Board of Education of Jerome Township, School District, Union County, Ohio, to Determine the Proper Division of Funds.

This day came the Board of Education of Jerome Township School District, Union County, Ohio, by J. H. Mitchell President, and W. C. Vigor, Clerk, and filed herein an application for the transfer of funds; also a finding as to the nature, extent, and value of certain school property, belonging to said board; that said board be ordered to convey by a sufficient deed as stated therein, upon the payment to it of the reasonable value thereof; and that the Board of Education of Plain City Village School District be ordered to pay said amount to the Board of Education of Jerome Township School District.

It is therefore Ordered, that the time of hearing of said application be fixed the 13<sup>th</sup> day of May A.D. 1913, and that notice of the time of hearing of said application be published for four consecutive weeks in The Mansfield Tribune, and in The Union County Journal, two newspapers of opposite politics, printed and of general circulation in this county, and that the Clerk of this court shall mail a marked copy of one of said papers to Dr. W. C. Vigor; J. E. Strayer; E. L. Bechtel; and Newton Downing, Clerks of the boards of education having territory in the district established heretofore, in the Union Common Pleas Court, Union County, Ohio, March, 26-1913

Edward H. Porter, Probate Judge

7683

Entry:  
In the matter of the Application of Jerome Township School District,

No. 7683.

In accordance with the former order of this court, the clerk hereof, this day mailed marked copies of the legal notice of the day of hearing herein, as published in The Union County Journal, to the following named persons, to wit:

Dr. W. C. Vigor, Clerk Board Education, Jerome Tp. School District  
J. E. Strayer, Clerk Board of Education Dasher Township, Madison County, Ohio  
E. L. Bechtel, Clerk Board Education, Plain City Village School District.



Final Record, Union County Probate Court

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7683

Newton Doring, Clerk of Board of Education of Washington Township, Franklin County, O. and this cause is continued, April 18<sup>th</sup> 1913. Edward H. Porter, Probate Judge.

In The Probate Court, Union County, Ohio.  
To E. H. Reckel, Clerk of  
The Board of  
Education of Plain City Villages  
School District, Union and Madison Counties,

Sir: you are hereby notified of the pendency of cases in this Court, in which you are interested, as shown by the legal notices attached, hereto, and you will govern yourself accordingly.

Edward H. Porter  
Probate Judge, Union County, Ohio,  
May 7<sup>th</sup> 1913. (seal)

Legal Notice.

In The Probate Court, Union County, O.  
Notice is hereby given that on the 26<sup>th</sup> day of March, A.D. 1913. The Board of Education of Jerome Township School District, Union County, Ohio, by J. H. Mitchell, President, and W. C. Vigor, Clerk, filed an application in this Court to determine the proper divisions of funds in the treasury of and in process of collection, by the Boards of Education of Jerome Township School District and Darby Township School District; and to determine the indebtedness of the Board of Education of Jerome Township School District, Union County, Ohio, and the Board of Education of Darby Township School District, Madison County, Ohio, together with the proper amount thereof to be paid to the Board of Education of Jerome Township School District, Union County, Ohio, and to the Board of Education of Darby Township School District, Madison County, Ohio by the Board of Education of Plain City Villages School District, Madison and Union Counties, Ohio; and to determine the value of certain real estate to be conveyed to the Board of Education of Plain City Villages School District, Madison and Union Counties, Ohio, by the Board of Education of Jerome Township School District, Union County, Ohio, and to determine the time, manner, and method of said conveyance.

Said application will be for hearing on Tuesday, the 13<sup>th</sup> day of May, A.D. 1913, at nine (9) o'clock A.M. and all persons interested therein will take notice of that fact and cause their objections, if any, to be made known at the time of hearing thereof.  
Edward H. Porter,

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Final Record, Union County Probate Court

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Probate Judge of Union County, Ohio, Marysville Ohio Apr. 16-1913  
Legal Notice

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notice

In the Probate Court Union County, O.  
Notice is hereby given that on the 17<sup>th</sup> day of March A. D. 1913. The Board of Education of Plain City Village School District, Union and Madison Counties, Ohio, by L. H. Lucas, President and E. L. Bechtel, Clerk filed an application in this court, to determine the proper division of funds in the Treasury and in process of collection, of the boards of education of Jerome Township School District, Union County, Ohio, and Darby Township School District, Madison County, Ohio, and to determine the indebtedness of said Boards of Education, together with the proper amount of money, if any, to be paid to the Board of Education of Jerome Township School District, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City Village School District. Said application will be for hearing on Tuesday, the 13<sup>th</sup> day of May A. D. 1913, at 9 o'clock A. M. and all persons interested therein will take notice of that fact, and cause their objections, if any, to be made known at the time of hearing thereof.

Edward H. Posten,

Probate Judge of Union County Ohio,  
Marysville, Ohio, April 16<sup>th</sup> 1913.

7683

Sheriff's Return

Return

State of Ohio, Union County, S. S.  
Received this summons at 2:30 o'clock P. M. on the 8<sup>th</sup> day of May A. D. 1913 and on the 9<sup>th</sup> day of May 1913 I served the writen named E. H. Bechtel by handing to him a true copy of this summons, with all the endorsements thereon.

John W. Laird - Sheriff

Precipe

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Precipe

In the matter of  
The Application of  
Jerome Township School District  
to Transfer Funds - Etc

Precipe

To the Judge of said court:

Please issue subpoena on behalf of the Board of Education of Jerome Township School District to the Sheriff of Union County, Ohio, for the following witnesses,

J. Mayhew, John Mass, Fred Hill,

Returnable May 16-1913 at 10 o'clock A. M. John H. Willis, Prosecuting Attorney  
Union County, Ohio.

Final Record, Union County Probate Court

7683  
Filed May 15, 1913  
Proof of  
Publication.

Proof of Publication  
Legal Notice

In the Probate Court, Union County, O.  
Notice is hereby given that on the 26<sup>th</sup> day of March, A.D. 1913. The Board of Education of Jerome Township, School District, Union County, Ohio, by J. W. Mitchell, President, and W. G. Vigor clerk, filed an application in this Court to determine the proper division of funds in the Treasury of and in process of collection by the Boards of Education of Jerome Township School District and Darby Township School District; and to determine the indebtedness of the Board of Education of Jerome Township School District, Union County, Ohio, and the Board of Education of Darby Township School District, Madison County, Ohio, together with the proper amount thereof, to be paid to the Board of Education of Jerome Township School District, Union County, Ohio, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City, Village School District, Madison and Union Counties, Ohio; and to determine the value of certain real estate to be conveyed to the Board of Education of Plain City Village School District, Madison and Union Counties, Ohio, by the Board of Education of Jerome Township School District, Union County, Ohio, and to determine the time, manner, and method of said conveyance.

Said application will be for hearing on Tuesday the 13<sup>th</sup> day of May, A.D. 1913, at nine (9) o'clock A.M., and all persons interested therein will take notice of that fact, and cause their objections, if any, to be made known, at the time of hearing thereof.

Edward H. Porter  
Probate Judge of Union County, Ohio.  
Mansville, O., April, 16 - 1913.

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The State of Ohio, Union County, ss.  
Personally appeared before me J. R. Shearer and made solemn oath, that the notice, a copy of which is hereto attached was published for four consecutive weeks on and next after April, 16, 1913, in the Mansville Tribune, a newspaper of general circulation in the county aforesaid.

J. R. Shearer  
Sworn to before me and signed in my presence this 15<sup>th</sup> day of May, A.D. 1913  
J. W. Guiner, Notary Public  
Printer's Fees \$ 12.50.

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Final Record, Union County Probate Court

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Subpoena

The State of Ohio Union County. Probate Court

Subpoena

To Grant Harriett, Bring records showing all monies in your hands as Treasurer of the Board of Education of Jerome Township. Also bring all vouchers, or other evidences of indebtedness due from said Board to yourself.

E. M. Hilbury, Telenille.

William Hudson, Plain City. Bring records showing conditions of school funds of Jerome Township, when account was transferred from the Bank of Plain City.

J. E. Strayer, Plain City, Ohio. Dr. Vigor, New California. Bring records showing financial condition of Jerome Township School District. Also bring record authorizing Grant Harriett to cash vouchers.

You are hereby required to be and appear before the Probate Court at the Court House in said County, on the 16<sup>th</sup> day of May, A.D. 1913, at 10 o'clock a.m. to testify as a witness in a certain case pending in said Court wherein The Plain City Board of Education is Plaintiff, and not depart the Court without leave. Herein fail not, under penalty of the law.

Said Court requires your said attendance on behalf of said Township.

Witness my hand and the seal of said Court, this 14<sup>th</sup> day of May 1913.

Edward W. Porter, Probate Judge

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Return of Service

I served this Writ as commanded, on the following named persons, and they are entitled to travel fee for the number of miles set opposite their respective names.

Grant Harriett - Dr. Vigor - E. M. Hilbury - J. E. Strayer  
William Hudson.

Sheriff's fees

Serv. and Ret. 25: 1.25

Mileage 78 mi. at 8. 2.24

Total 3.49

John N. Davis - Sheriff.

7683

Subpoena

The State of Ohio, Union County, ss. Probate Court

To H. M. Chaney, Auditor of Madison County, Ohio, you are hereby required, to be and appear before the Probate Court at the Court House, in Mansfield, in said County - on the 16<sup>th</sup> day of May, 1913, at 10 o'clock a.m. to testify and the truth to



Final Record, Union County Probate Court

speaks in behalf of the Plain City School District a certain cause now pending in said court and not depart the court without leave. Hereto fail not under penalty of the law.

Witness my hand and the seal of said court, at Mansfield, Ohio, this 16<sup>th</sup> day of May, 1913.

Edward H. Porter, Probate Judge

7682

Entry: Probate Court, Union County, Ohio

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Filed July 18-1913

Entry

In the matter of the Application of the Board of Education of the Plain City Village School District, Madison and Union Counties, to determine the proper division of funds in the Treasury and in process of collection of the Board of Education of Jerome Township School District, Union County, Ohio, and Darby Township School District, Madison County, Ohio, and to determine the indebtedness of said Boards of Education together with the proper amounts of money to be paid thereto to the Board of Education of Jerome Township School District, and the Board of Education of Darby Township School District, Madison County, Ohio. By the Board of Education of Plain City Village School District,

Consolidated with case No. 7683. Filed in said court by the Board of Education of Jerome Township School District, Union County, Ohio, which in addition to the prayer of the Petition of the above entitled case asks to determine the value of certain real estate to be conveyed to the Board of Education of Plain City Village School District, Madison and Union Counties, by the Board of Education of Jerome Township School District, Union County, Ohio, and to determine the time, manner and method of said conveyance.

Entry

This day this cause came on to be heard upon the petition filed by the Board of Education of the Plain City Village School District, and also upon the petition filed by the Board of Education of the Jerome Township School District, Union County, Ohio, said cases having, by consent of all parties interested, been consolidated by the court and also upon the evidence, and upon due consideration the court finds that the total valuation of the Jerome Township School District for the year of 1912 was \$1896570.00, and that the valuation of that portion of Jerome Township School District which was transferred to the Plain City Village School District for the

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year, 1913 of the The fer of hands School Board 1913 of Edu District School timato by the Distri The outst Towns that Villag share The He t of Jer was th land which said to the same Board District Jerome said of Edu showed of the and of the defini Board The Educa pay to Villag Augu 16, 1918 He of the

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## Final Record, Union County Probate Court

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year, 1912, was \$286,726.<sup>00</sup>, and that the percent of valuation of the territory transferred is 15.118.

The court further finds that at the time of the transfer of said territory, to-wit: December 8<sup>th</sup> 1912, there was on hands in the Board of Education of the Jerome Township School District the sum of \$1460.14, and that said Board received for the March distribution in March 1913 the sum of \$4548.39, and that the Board of Education of the Plain City Villages School District should receive from the Jerome Township School District the sum of \$918.<sup>37</sup>, being its proportionate share of the moneys on hands, and received by the Board of Education of Jerome Township School District.

The court further finds that there is valid outstanding indebtedness against the Jerome Township School District amounting to \$3670.<sup>88</sup>, and that the Board of Education of the Plain City Villages School District should pay its proportionate share of said indebtedness, amounting to \$554.<sup>96</sup>.

The court further finds that at the time of the transfer of said territory the Board of Education of Jerome Township School District, Union County, Ohio, was the owner in fee simple of a certain tract of land consisting of 85/160 of an acre of land on which is located a frame school building, that said property is within the territory transferred to the Plain City Villages School District, that the same is worth the sum of \$300.<sup>00</sup>, and that the Board of Education of the Plain City Villages School District should pay to the Board of Education of the Jerome Township School District, Union County, Ohio, the said sum of \$300.<sup>00</sup>, therefor, and that the Board of Education of the Jerome Township School District should convey said premises to the Board of Education of the Plain City Villages School District by a good and sufficient deed of conveyance upon payment of the consideration named herein (said premises being definitely described in the petition filed by the Board of Education of Jerome Township School District.)

The court further finds that the Board of Education of Jerome Township School District should pay to the Board of Education of the Plain City Villages School District its proportionate share of the August or September distribution, the same being 15.118 per cent.

The court further finds that the total valuation of the Darby Township School District for the year of 1912,

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Final Record, Union County Probate Court

7683

was \$124,610.<sup>00</sup> and that the valuation of the territory transferred from the Darby Township School District to the Plain City Villages School District was \$173,680.<sup>00</sup>, and that the percent of the valuation so transferred was 13.988%.

The court further finds that the Board of Education of the Darby Township School District, Madison County, Ohio, had on hands at the time of the transfer of said territory, a certain sum of money, which together with the moneys received since said date for school purposes amount to \$1,842.<sup>12</sup>, over and above the indebtedness existing at the time of said transfer, \$169.<sup>43</sup> of which is in the tuition fund and \$55.<sup>69</sup> in the contingent fund, and that the Board of Education of Darby Township School District should pay to the Board of Education of Plain City Villages School District, its proper, limite share of said sums, to wit: 13.988% making \$263.66, from the tuition fund and \$21.08 from the contingent fund, and that the Board of Education of Darby Township School District should pay to the Board of Education of the Plain City Villages School District, its proper proportion of moneys received from the August or September distribution for the year 1913, the same being 13.988 per cent.

It is therefore ordered, adjudged and decreed that the Board of education of Jerome Township School District pay to the Board of Education of Plain City Villages School District the sum of \$908.<sup>37</sup> being its proportionate share of the moneys on hands and received from school purposes at and since the date of the transfer of said territory; that the same be paid and transferred into the tuition and contingent fund of the Board of Education of Plain City Villages School District in the proper proportions.

It is further ordered, adjudged, and decreed that the Board of Education of Plain City Villages School District pay to the Board of Education of Jerome Township School District the sum of \$554.<sup>96</sup> being the proper share of indebtedness which the said Board of Education of the Plain City Villages School District should pay.

It is further ordered, adjudged and decreed that the Board of Education of the Jerome Township School District make, execute and deliver a good and sufficient warranty deed for the following described premises, to wit:

Situated in the Township of Jerome, Union County, Ohio, and Darby Township, Madison County,

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Final Record, Union County Probate Court

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Ohio, to wit: - Beginning at a stake in the center of the Warner Road at a point 54 ft. and 5 in. north of a stone in the Union and Madison County line; thence in a westerly direction 196 ft. to a stake; thence in a northerly direction 110 ft. to a stake; thence in an easterly direction 211 ft. and 6 in. to a stake in the center of said Warner Road; thence in a southeasterly direction 111 ft. to the place of beginning, containing 85 sq. rods, (more or less). That the Board of Education of the Plain City Villages School District pay to the Board of Education of Jerome Township School District the sum of \$300.00 for said premises, and that the payment and conveyance be made within thirty days from the date of this entry.

It is further ordered, adjudged and decreed, that the Board of Education of Darby Township, Madison County, Ohio, pay to the Board of Education of Plain City Villages School District, the sum of \$236.60. from the tuition fund and \$21.05 from the contingent fund, the same being the proper proportion of said funds to which the Board of Education of the Plain City Villages School District is entitled and it is further ordered that the said sums be paid and accredited to the respective funds of the said Board of Education of the Plain City Villages School District.

It is further ordered, adjudged and decreed, that the said Board of Education of Darby Township, Madison County, Ohio, pay to the Board of Education of the Plain City Villages School District 13.988 percent of the money received from the August or September distribution.

It is further ordered by the court that the cost of this proceeding be adjudged one-third against the Jerome Township School District, one-third against the Darby Township School District, Madison County, Ohio, and one-third against the Plain City Villages School District.

Eduard H. Porter, Probate Judge

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Legal Notice

Legal Notice

In the Probate Court, Union County, Ohio.  
Notice is hereby given that on the 17<sup>th</sup> day of March A. D. 1913, the Board of Education of Plain City Villages School District, Union and Madison Counties, Ohio, by C. H. Lucas, President, and E. L. Bechtel, Clerk, filed an application in this Court to determine the proper division of funds in the Treasury and in

Final Record, Union County Probate Court

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process of collection, of the boards of education of Jerome Township School District, Union County, Ohio, and Darby Township School District, Madison County, Ohio; and to determine the indebtedness of said Boards of Education together with the proper amount of money, if any, to be paid to the Board of Education of Jerome Township School District, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education of Plain City Village School District.

Said application will be for hearing on Tuesday, the 13<sup>th</sup> day of May, A.D. 1913, at 9 o'clock A.M., and all persons interested therein will take notice of that fact, and cause their objections, if any, to be made known at the time of hearing thereof.

Edward H. Porter

Probate Judge of Union County, Ohio.  
State of Ohio, Union County ss

Personally appeared before me B.B. Gaumer and made solemn oath that the notice, a copy of which is hereto attached was published for four consecutive weeks on and next after April 17<sup>th</sup> 1913, in the Union County Journal, a newspaper of general circulation in County aforesaid.

B.B. Gaumer

Brought before me and signed in my presence this 4<sup>th</sup> day of Feb. A.D. 1914

Ernest Herman Doringel, Notary Public

Printed Fees \$10.82.

(Duplicate Proof)

7683

Legal Notice.

Notice

In the Probate Court of Union County, Ohio.  
Notice is hereby given that on the 26<sup>th</sup> day of March A.D. 1913, The Board of Education of Jerome Township School District, Union County, Ohio, by J. W. Mitchell President and H. C. Vigor Clerk, filed an application in this Court to determine the proper division of funds in the treasury of and in process of collection, by the Boards of Education of Jerome Township School District and Darby Township School District; and to determine the indebtedness of the Board of Education of Jerome Township School District Union County, Ohio, and the Board of Education of Darby Township School District, Madison County, Ohio, together with the proper amount thereof to be paid to the Board of Education of Jerome Township School District, Union County, Ohio, and to the Board of Education of Darby Township School District, Madison County, Ohio, by the Board of Education

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of Plain City Village School District, Madison and Union Counties, Ohio; and to determine the value of certain real estate to be conveyed to the Board of Education of Plain City Villages School District, Madison and Union Counties, Ohio, by the Board of Education of Jerome Township School District, Union County, Ohio, and to determine the time, manner, and method of said conveyance.

Said application will be for hearing on Tuesday, the 13<sup>th</sup> day of May A.D. 1913, at nine (9) o'clock a.m., and all persons interested therein will take notice of that fact, and cause their objections, if any, to be made known at the time of hearing thereof.

Edward H. Porter, Probate Judge.

State of Ohio, Union County ss.

Personally appeared before me, B. B. Saumer, and made solemn oath, that the notice, a copy of which is hereto attached was published for four consecutive weeks on and next after April, 17<sup>th</sup> 1913, in the Union County Journal, a newspaper of general circulation in county aforesaid.

B. B. Saumer.

Sworn to before me and signed in my presence this 4<sup>th</sup> day of Feb. A. D. 1914.

Heerman Dollinger, Notary Public.

Printer's Fees \$ 14.<sup>00</sup>  
 (Duplicate proof of publication.)

8870  
Fees

In The matter of The Estate of Thomas Dyserk, Deceased,  
 Petition To Sell Personal Property.

May 2-1918.

Probate Court, Union County, Ohio

No. 8870

Petition To Sell Personal Property.

In The matter of  
 The Estate of  
 Thomas Dyserk, Deceased.

Petition

To The Judge of said Court:

The under signed respectfully represents that he is the duly appointed and qualified Administrator with the Will Annexed, of the estate of Thomas Dyserk, late of said County; that the personal property of said estate has been duly appraised, and the inventory and appraisement thereof filed in said Court. Your petitioner makes application for authority to sell at Private Sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said inventory and appraisement, to wit:

100 bushels of corn at \$1. <sup>00</sup> per bushel.	\$ 100. <sup>00</sup>
125 Shocks of Corn	100. <sup>00</sup>

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Final Record, Union County Probate Court

8870	275 bushels of oats at 75¢ per bushel	206.25	
	4 year old yellow cow	75.	
	7 year old black cow	85.	
	8 year old black cow	80.	
	7 year old heifer	60.	
	2 year old colt	40.	
	Red breaking plow	40.	
	Disk Harrow	10.	
	Wagon and Rack	5.00	

Said authority is asked for the following reasons.  
 1. Because there is not enough personal property to justify the expense of a public sale.  
 2. Because it is to the interest of the estate to sell at private sale.

John H. Dyest.

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The State of Ohio Union County, ss.

John H. Dyest

John H. Dyest being duly sworn, says that the facts stated in the foregoing petition are true, as he verily believes.

John H. Dyest.

known to before me and signed in my presence, this 2<sup>nd</sup> day of May, 1918.

Edward H. Porter, Probate Judge

8870

Journal Entry: Orders for Private Sale Personal Property  
 Probate Court, Union County, Ohio.

Orders for Private Sale

In the matter of  
 The Estate of  
 Thomas Dyest, deceased.

May, 2<sup>nd</sup> 1918.  
 Petition To Sell Personal Property  
 Orders of Sale, etc.

This day this cause came on to be heard upon the petition filed and the testimony and the Court being fully advised in the premises finds that the statements and allegations in said petition are true and that the property therein described ought to be sold as prayed for. And the Court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale; it is therefore ordered that John H. Dyest, as Administrator of said estate of Thomas Dyest, deceased, proceed to sell said personal property at private sale, for not less than the appraised value thereof.

It is further ordered that said sale be made upon the following terms, to-wit:  
 Purchases amounting to One Hundred (\$100.00) Dollars or less cash in hand at time of sale; Purchases above that sum a credit of not exceeding six months may be given. The deferred pay-

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Final Record, Union County Probate Court

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munt to bear intrest from the day of sale, and be  
secured by the note of the purchaser with two or more  
approved sureties thereon.  
It is further ordered that said Administrator make  
return of his proceedings herein, within 8 months from  
this date, and forthwith after such sale is made,  
and this cause is continued.

Edward H. Porter, Probate Judge

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Aug 2-1918

Affidavit on Application to Sell Personal Property at less than  
the appraised value  
Probate Court, Union County, Ohio,  
Affidavit

In the Matter of  
The Estate of  
Thomas Dyert, Deceased

The State of Ohio, Union County, ss.  
The undersigned being first duly sworn to say  
that they are disinterested in the estate of Thomas  
Dyert, deceased, that they have examined the property  
mentioned in the application of John W. Dyert, Ad-  
ministrator with the Will annexed, of said estate  
to sell said property at private sale, filed in said  
Court May 2-1918, and have also examined  
the inventory and appraisement thereof; that said  
property cannot be sold at its appraised value,  
and that it will be for the interest of said estate  
to sell the same at a less price, as they verily  
believe.

C. O. Wiley  
Emery Fineds  
H. H. Lane

known to before me and signed in my presence,  
this 2<sup>nd</sup> day of August, 1918.  
Edward H. Porter, Probate Judge

8870

Journal Entry: Order  
In the Matter of  
The Estate of  
Thomas Dyert, Deceased. Appraised Value  
This day John W. Dyert, Administrator of the  
estate of Thomas Dyert, deceased, appeared in  
open Court, and made application for an  
order authorizing him to sell at private sale  
personal property therein described, for less than its  
appraised value, and at the same time filed  
in this Court the affidavits of C. O. Wiley, Emery  
Fineds, and H. H. Lane, three disinterested persons,  
that such property cannot be sold at its  
appraised value, and that it will be for the  
best interest of the estate to sell the same

Sale of Personal Property,  
Orders to Sell at Less Than  
Appraised Value



Final Record, Union County Probate Court

8870

at a <sup>low</sup> price and was submitted to the court upon said application and affidavits.

Whereupon the court being satisfied by said affidavits that said property cannot be sold at its appraised value, and that it will be for the best interest of the estate of said decedent to sell the said property at less than its appraised value: hereby authorizes said John W. Dyserk, to sell the same for a less amount but for not less than the sum of ——— Dollars.

And it is further ordered that said John W. Dyserk return within ——— from this date his proceedings herein.

Edward H. Porter, Probate Judge.

8870

Order of Sale. Personal Property.  
Probate Court, Union County, Ohio,  
No. 8870

Order of Sale.

In the matter of  
The Estate of  
Thomas Dyserk, Deceased.  
To John W. Dyserk, Administrator of the Estate of Thomas Dyserk, Deceased.

Petition To Sell Personal Property  
Order of Sale.

In obedience to an order and decree of the Probate Court within and for said county made this day in the matter of said Estate you are hereby authorized and required to proceed according to law to sell at Private Sale, at less than the appraised value thereof the following goods and chattels belonging to said Estate to-wit:

100 Bushels of corn at \$1.25 per bu.	\$125.00
125 Shocks of corn	100.00
275 Bushels oats at 75 cents per bu.	206.25
4 year old yellow cow	75.00
7 year old black cow	85.00
5 year old black cow	80.00
2 year old heifer	60.00
2 year old colt	40.00
Rider Breaking plow	40.00
Disk Harrow	10.00
Wagon and Rack	5.00
4 Tons Hay	72.00

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Said sale to be upon the following terms: Purchases amounting to One Hundred Dollars (\$100.00) or less, cash in hand at time of sale. Purchases above that sum a credit of not exceeding six months may be given.

The deferred payments to bear interest from date of sale, and to be secured by the note or bond of the purchaser, with two or more

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Final Record, Union County Probate Court

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Approved sureties thereon.  
 You will return this order within eight months from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.  
 Witness my hand and the seal of said court.  
 This 2<sup>d</sup> day of May 1918.

Edward H. Porter, Probate Judge

8870

Return  
 Probate Court, Union County, Ohio  
 Petition To Sell Personal Property  
 Report of Sale

In the matter of  
 The Estate of  
 Thomas Dyserk, Deceased.

Return

The undersigned John W. Dyserk, Admin. of the Estate of Thomas Dyserk, says that in obedience to the order of said court, hereto attached, he sold said personal property, commencing on the 2<sup>d</sup> day of May, 1918, and closing on the 20<sup>th</sup> day of Feb. 1919, for the sum of Seven Hundred Thirty-nine Dollars, and 46 cents, said sum being less than the appraised value of the same.

A Detailed Bill of said Sales is hereto attached.  
 Dated this 20<sup>th</sup> day of Feb. 1919.

John W. Dyserk, Admin.

8870

Bill of Sales

1	Bank Certificate	645.00	In Bank	645.00	
2	100 bu. corn	125.-	L. L. Temple	106.45	
3	125. Shooks corn	100.-	" " "	43.44	
4	275 Bu. oats	206.25	Richmond St. Co.	189.75	
5	4-yr. old yellow cow	75.-	13 bu. oats, Sarah Dyserk	10.79	
6	7-year old black cow	86.-	Roy Sechrist	86.00	
7	5-year old black cow	80.-	Sarah A. Dyserk	80.00	
8	2-year old black heifer	60.00	" " "	60.00	
9	2-year old colt	40.00	J. W. Lohoney	75.00	
10	Riding Breaking Plow	40.00	Harry Dyserk	20.00	
11	Wagon and Rack	5.00	Les Morrison	5.00	
12	Disk Harrow	10.00	Les Morrison	10.00	
13	4 Lows Hay	72.00	Sarah A. Dyserk	54.00	
				Total	\$ 739.46

8870

The State of Ohio, Union County, ss.  
 John W. Dyserk, Admin. of the Estate of Thomas Dyserk being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could get for the property.

John W. Dyserk, Admin.

Known to before me, assigned in my presence, this 20<sup>th</sup> day of Feb. 1919. Edward H. Porter, Probate Judge

Final Record, Union County Probate Court

8870

Journal Entry:

Probate Court, Union County, Ohio

February 20<sup>th</sup> 1919

In the matter of  
The Estate of  
Thomas Dupont, Deceased.

Petition to Sell Personal Property  
Orders Approving and Confirming Sale.

This day this cause came on to be heard on the report of John H. Dupont, as Administrator of the estate of Thomas Dupont, deceased, of his proceedings under the former order of this Court; the Court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal, It is ordered that the same be and hereby is approved and confirmed.

It is further ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \$-

Edward H. Foster, Probate Judge

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Jan. 7<sup>th</sup> 1919

In the matter of The Estate of Albert Hodges, Deceased.

Petition To Sell Personal Property

Probate Court Union County, Ohio,

vs. 9086.

In the matter of  
The Estate of  
Albert Hodges, Deceased.

Petition to sell Personal Property.  
Petition

To The Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified Administrator of the estate of Albert Hodges, of said County; that the personal property of said estate has been duly appraised, and the inventory and appraisement thereof filed in said Court.

Your petitioner makes application for authority to sell at private sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said inventory and appraisement, to wit:

Household goods consisting of bedding stor<sup>g</sup> - 15.00

Horse 150.00

Old buggy and harness 10.00

Said authority is asked for the following reasons:

That it would save the expense of a public sale -  
Mary Fird.

Administratrix of the Estate of Albert Hodges, Deceased.

The State of Ohio, Union County, ss.

Mary Fird being duly sworn, says that the facts stated in the foregoing petition are true, as she

Verily believes.  
Mary Fird.



Final Record, Union County Probate Court

Sworn to before me and signed in my presence this 7<sup>th</sup> day of January, 1919.

*Sent* Agnes D. Roster, Deputy Clerk.

9086

Journal Entry:

Probate Court, Union County, Ohio.

Tuesday, January 7<sup>th</sup> 1919.

Petition to Sell Personal Property,  
Order of Sale

In the matter of  
The Estate of  
Albert Hodges, Deceased,

Order  
of  
Sale

This day this cause came on to be heard upon the petition herein filed and the testimony and the Court being fully advised in the premises finds that the statements and allegations in said petition are true, and that the property therein described ought to be sold as prayed for. And the Court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale; it is therefore ordered that Mary Fined, as Administratrix of said estate of Albert Hodges deceased, proceed to sell said personal property at private sale, for not less than the appraised value thereof.

It is further ordered that said sale be made upon the following terms, to-wit: Cash in hand at time of sale.

It is further ordered that said Administratrix make return of her proceedings herein, within 3 months from this date, and forthwith after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge.

9186

Order of Sale - Personal Property,

Probate Court, Union County, Ohio,

No. 9086.

Petition to Sell Personal Property,  
Order of Sale.

In the matter of  
The Estate of  
Albert Hodges, Deceased.

Order of Sale

To Mary Fined, Administratrix of the estate of Albert Hodges deceased,

In obedience to an order and decree of the Probate Court within and for said County made this day, in the matter of said estate you are hereby authorized and required to proceed according to law to sell at Private Sale, at not less than the appraised value thereof, the following goods and chattels belonging to said Albert Hodges to-wit:

- Household goods consisting of Bedding Stoves etc 15.00
- 1 Horse 150.00
- Old buggy and harness 10.00

\$ 175.00

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Final Record, Union County Probate Court

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Said sale to be upon the following terms: Cash in hand at time of sale—

You will return this order within three months from this date and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court, this 7<sup>th</sup> day of January, 1919.

Edward H. Porter, Probate Judge.

9086

Return.

Probate Court, Union County, Ohio,

In the matter of  
The Estate of  
Albert Hodges, Deceased.

Petition to Sell Personal Property,  
Report of Sale.

Report

The undersigned Mary Field, as Administratrix of the estate of Albert Hodges, deceased, says that in obedience to the order of said Court, hereto attached, she sold said personal property commencing on the 10<sup>th</sup> day of February, 1919, and closing on the 24<sup>th</sup> day of May, 1919 for the sum of Forty-nine and <sup>40</sup>/<sub>100</sub> Dollars, said sum being less than the appraised value of the same, but the best price that could be obtained therefor.

A detailed Bill of said Sales is hereto attached.

Dated this 10<sup>th</sup> day of July, 1919.

Mary Field, Administratrix.

9086

Bill of Sales.

1 Room	\$150.	Benny Adams	35.
Household goods &c	15.	Charles H. Fier	10.
Old Buggy and Harness	10.	same	4.
			\$ 49. <sup>00</sup>

9086

The State of Ohio, Union County, ss.

Mary Field, Administratrix of the Estate of Albert Hodges, Deceased, being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could get for the property.

Mary Field

Known to before me and signed in my presence, this 10<sup>th</sup> day of July, 1919.

Edward H. Porter, Probate Judge.

9086

Journal Entry:

Probate Court, Union County, Ohio.

July, 10<sup>th</sup> 1919

Orders  
Approving and  
Confirming  
Sale

In the matter of  
The Estate of  
Albert Hodges, deceased.

Petition to Sell Personal Property  
Orders Approving and  
Confirming Sale.

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Final Record, Union County Probate Court

9086 the report of Mary Fied, as Administrator of the estate of Albert Hodges, deceased, of her proceedings under the former order of this court: the court having carefully examined said report and being satisfied that said sales have in all respects been regular and legal. It is ordered that the same be and hereby is approved and confirmed. It is further ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \$ - within ten days.  
Edward H. Porter, Probate Judge.

9080 In the matter of the estate of William F. Edwards, Deceased -  
Filed Jan. 17-1919 Petition to Sell Personal Property.  
Probate Court, Union County, Ohio.  
No. 9080  
Petition to Sell Personal Property.  
Petition  
In the matter of  
The Estate of  
William F. Edwards, Deceased,  
To the Judge of said Court:  
The undersigned respectfully represents that she is the duly appointed and qualified Administrator of the estate of William F. Edwards, late of said County; that the personal property of said estate has been duly appraised, and the inventory and appraisement thereof filed in said Court. Your petitioner makes application for authority to sell at Private Sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said inventory and appraisement, to wit:

1	1	Set Buggy Harness	5-
2	1	Leab-Buggy	5.
3	1	Harness	90.
4	18 bu. oats	65¢ per bu (estimated)	11.70

9080 Said authority is asked for the following reasons:  
1. Said property is in good condition and will readily sell at private sale, as petitioner claims, above the appraisement.  
2. Private Sale will save costs.  
3. An early settlement of said estate will be aided by a private sale of said articles of personalty for cash.  
Henrietta Robinson, Administrator, &c.

9080 The State of Ohio, Union County, ss.  
Cath Henrietta Robinson, being duly sworn, says, that the facts stated in the foregoing petition are true, as she verily believes.  
Henrietta Robinson.



Final Record, Union County Probate Court

9050 known to before me and signed in my presence, this 17<sup>th</sup> day of January 1919.  
*Edmund H. Porter, Probate Judge.*

9050 Journal Entry:  
 Probate Court, Union County, Ohio  
 In the matter of Friday, January, 17<sup>th</sup> 1919.  
 The Estate of Petition to Sell Personal Property,  
 William F. Edwards, deceased. Order Of Sale, etc.

This day this cause came on to be heard upon the petition herein filed and the testimony and the court being fully advised in the premises finds that the statements and allegations in said petition are true, and that the property therein described ought to be sold as prayed for. And the court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale; it is therefore ordered that Henrietta Robinson as Administratrix of said estate of William F. Edwards, deceased, proceed to sell said personal property at private sale, for not less than the appraised value thereof.

It is further ordered that said sale be made upon the following terms, to wit: Cash in hand at time of sale.

It is further ordered that said Administratrix make return of her proceedings herein, within 90 days from this date, and forthwith after such sale is made, and this cause is continued.

*Edmund H. Porter, Probate Judge.*

9050 Order Of Sale - Personal Property,  
 Probate Court, Union County, Ohio.

In the matter of no.  
 The Estate of Petition to Sell Personal Property,  
 William F. Edwards, deceased. Order Of Sale -  
 To Henrietta Robinson, Administratrix of the estate of William F. Edwards, deceased:

In obedience to an order and decree of the Probate Court within and for said County, made this day, in the matter of said estate you are hereby authorized and required to proceed according to law to sell at Private Sale, at not less than the appraised value thereof, the following goods and chattels belonging to said estate, to wit:

1	1	Set Buggy Harness	\$ 8.00
2	1	cab. buggy	5.00
3	1	Horse	90.00
4		18 bu. oats, 65 cents per bu. (estimated)	11.70
Total -			\$ 114.70

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Final Record, Union County Probate Court

17<sup>th</sup> day  
 9150 Said sale to be upon the following terms: Cash in hand at time of sale. You will return this order within ninety days from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.  
 Witness my hand and the seal of said Court, this 17<sup>th</sup> day of January, 1918.

Edward H. Porter, Probate Judge.

9080  
 Return  
 Probate Court, Union County, Ohio.  
 In the matter of  
 The Estate of  
 William F. Edwards, Deceased.  
 Petition to Sell Personal Property  
 Report of Sale.

Return  
 The undersigned Henrietta Robinson, Administratrix of the estate of William F. Edwards, deceased, says that in obedience to the order of said Court, hereto attached, she sold said personal property, commencing on the 11<sup>th</sup> day of February, 1919, and closing on the 17<sup>th</sup> day of April, 1919, for the sum of One Hundred and thirty-four Dollars, and fifty cents, said sum being more than the appraised value of the same. A detailed Bill of said Sale is hereto attached. Dated this 23<sup>rd</sup> day of April, 1919.  
 Henrietta Robinson, Administratrix

9180

Bill of Sales			To whom sold.	Price
1	1	set Buggy Stearns	W.S. Carpenter	9.00
2	1	Leab Buggy	Darrin's Bros	10.00
3	1	Horse	Jeanette Carpenter	100.00
4	18 bu.	oats at 65 cts (estimated)	L. Little	11.75
				\$ 134.50

9080  
 The State of Ohio, Union County, ss.  
 Henrietta Robinson, Administratrix of the estate of William F. Edwards, deceased, being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could get for the property.  
 Henrietta Robinson.

Sworn to before me and signed in my presence.  
 This 23<sup>rd</sup> day of April 1919.  
 Edward H. Porter, Probate Judge.

9080  
 Journal Entry:  
 Probate Court, Union County, Ohio.  
 In the matter of  
 The Estate of  
 William F. Edwards, deceased  
 April 23 - 1919  
 Petition to Sell Personal Property  
 Order Approving and Confirming Sale.  
 This day this cause came on to be heard on the

\$ 5.00  
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Final Record, Union County Probate Court

9080

report of Beauritta Robinson, Administratrix of the estate of William F. Edwards, deceased, of her proceedings under the former order of this court; the court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal.

It is ordered that the same be and hereby is approved and confirmed. It is further ordered that this proceeding be recorded, and that said Administratrix pay the costs herein taxed at \$-- within ten days.

Edward W. Porter, Probate Judge.

8983

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

Filed  
Jan. 29<sup>th</sup>  
1918.

Harry Brown, Executor  
Of the Estate of  
John Brown, Deceased.  
Plaintiff

No. 8983

Carrie Harris, Sylvia Downton,  
Harry Brown,  
The Buckeye State Building and  
Loan Company, and  
James Shute,  
Mollie Miller.  
Defendants.

Civil Action,  
Petition  
To  
Sell Real Estate  
Petition.

Petition

The Plaintiff represents that he is the duly appointed and qualified Executor of the Estate of John Brown late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Forty six Hundred Dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about Three Hundred and Fifty Dollars and that the total value of the personal estate and effects of said deceased is but Two Hundred and Fifty Dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said John Brown, died seized in fee simple of the following described real estate, situate in the County of Union Sp. of Union, and State of Ohio, and part of survey no. 5746, and bounded and described as follows:

Beginning at an iron bar in the center of the Milford Center and Ammon Gravel Road and corner to J. Corwin Gibson's land; thence with the line of said Gibson's land South 54° East 119 poles to a stone in the northerly line of Serena A. Mann's land; thence with the said Mann's

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Final Record, Union County Probate Court

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line North 57° 30' East 53.80 poles to a stone corner to said man's land and in the westerly line of Aaron Boylan's land; thence with the said Boylan's land line and the line of lands owned by Robert H. Heyes, and others North 33° 30' West 130.20 poles to a stake in the center of the said Miford Center and Amicus Grant Road; thence with the center of said grant road South 46° 48' West 99.20 poles to the place of the beginning, containing 58.40 acres more or less.

Also a piece of land situated in the Township of Union County, of Union, and State of Ohio and bounded and described as follows:

Beginning at a stone in the center of the road leading from Miford Center to Allen Center and in the east line of Joseph Davis' land; thence with his line North 55 1/4 East 77 1/10 poles to a stake in the north line of Survey No. 4278; thence with said line South 70 1/2 East 61 4/100 poles to a stone and brick corner to Lot. No. 2; thence with the west line of said lot South 55 1/4 West 125 4/100 poles to a stone in the center of said road; thence with said road North 35 1/4 West 7 poles to a stone and brick corner to Michael Davis' land; thence with the road North 18 3/4 West 44 8/100 poles to the place of the beginning, containing 31 acres and 130 poles, be the same more or less, being part of Survey No. 4278.

Petition

The said decedent died leaving no widow; that the defendants Harry Brown, Sylvia Downer, and Carrie Harris and Mollie Miller, are devisees and legatees under the last will and Testament of said decedent, and are the only children and heirs at law of said decedent, having the next estate of inheritance from said John Brown, deceased, in said premises; that the Defendants, The Burkeys State Building and Loan Company and James Shirk claim to hold mortgages liens against the premises in the petition described.

The Plaintiff therefore prays that the right, interests and liens of the said defendants, may be fully determined, adjusted and protected according to equity and that your petitioners may be authorized and ordered to sell said real estate free of doubt, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

The State of Ohio, Union County, ss.

8983.

Harry Brown, the within named Plaintiff, being



Final Record, Union County Probate Court

8983 duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief

Harry Brown.

Sworn to before me and signed in my presence, this 28<sup>th</sup> day of June, 1918.

*[Signature]*

John B. Willis.

8983 Journal Entry

In The Probate Court of Union County, Ohio,

Filing  
Petition To  
Sell  
Real Estate

Harry Brown Executor of  
The Estate of  
John Brown, deceased.  
Plaintiff

July, 29<sup>th</sup> 1918  
Case No. 8983

Journal Entry,

Carrie Harris, et al.  
Defendants.

Filing Petition To Sell Real Estate.

This day came the Plaintiff Harry Brown, Executor of the Estate of John Brown, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said John Brown, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Whereupon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency, and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; this cause is continued.

Edward H. Porter, Probate Judge.

8983 Answer and  
Cross-Petition

Answer and Cross-Petition of the Buckeye State Building and Loan Company.

Petition  
of The Buckeye  
State Bldg.  
and Loan Co.

Harry Brown, Executor of  
The Estate of  
John Brown, deceased.  
Plaintiff

In The Probate Court, Union County, Ohio,  
No. 8983

Carrie Harris, et al.  
Defendants.

Answer and Cross-Petition of The Buckeye State Building and Loan Co.

The defendant The Buckeye State Building and Loan Company, is a corporation duly organized under the laws of the State of Ohio, with headquarters at Columbus, Ohio.

On March 9<sup>th</sup> 1917, John Brown, unmarried, now deceased, executed and delivered to this answering defendant his certain promissory note of which the following is a true and correct

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Final Record, Union County Probate Court

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Columbus, Ohio, March 9<sup>th</sup> 1917.

On or before five (5) years after date for value received, I, or either of us, promise to pay to The Buckeye State Building and Loan Company of Columbus, Ohio, the sum of Sixteen Hundred (\$1600.00) Dollars, with interest at the rate of Five and 1/2 per cent. per annum, payable semi-annually on or before the ninth days of September and March of each year.

Payments of One Hundred Dollars or more in addition to the interest may be made at any time and the same shall cease to bear interest on the day paid.

It is further understood and agreed that if this note be not paid when due; or if any installment of interest hereon be not paid when due, or within thirty days thereafter; or if the maker hereof, or the owner of the real estate mortgaged to secure the repayment of this note with the interest hereon, or any one for them, fail to keep all taxes and assessments levied on said real estate paid as they become due and payable; or fail to keep the premises so mortgaged insured in some reliable fire insurance company in a sum of not less than \$1000, with a clause providing that the loss, if any, shall be payable to said company according to its mortgage interest; or fail to keep the buildings on the real estate mortgaged to secure this loan in good and proper repair; then and on such default in whole or in part, all the indebtedness so secured by such mortgage and owing on this note shall thereupon become due and payable at the option of said company, or the legal owner thereof; and said company or owner may enforce the repayment of all said indebtedness, including all accrued interest and money expended for taxes, insurance and assessments as provided for in said mortgage according to law. All of the principal of this note not paid when due and any installment of interest not paid when due shall draw interest at the rate of 8% per annum until paid.

John Brown.

There is now due and payable on said note the sum of \$1629.87, with interest July 1<sup>st</sup> 1918, which said sum with said interest and costs, this answering defendant claims:

To secure the payment of said note, the said John Brown, unmarried, now deceased on March 9, 1917, executed and delivered to this answering

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defendant, his certain mortgage deed, thereby to it conveying the following real estate, situated in the Township of Union, in the State of Ohio, and described as follows:

Being part of Survey No. 4278 and bounded and described as follows: Beginning at a stone in the center of the Road leading from Milford Center to Allen Center and in the east line of Joseph Davis; thence with his line north  $35^{\circ}4'$  E.  $77\frac{3}{4}$  poles to a stone in the north line of Survey No. 4278; thence with said line south  $70^{\circ}2'$  East 61.44 poles to a stone and brick corner to Lot No. 2; thence with the West line of said lot south  $55\frac{1}{4}^{\circ}$  West 128.44 poles to a stone in the center of said Road; thence with said road north  $35^{\circ}$  West 7 poles to a stone and brick corner to Michael Davis; thence with said Road north  $18\frac{3}{4}^{\circ}$  West 48.68 poles to the beginning, containing thirty-one (31) acres and One hundred thirty (130) poles, more or less.

Answer and cross-Petition

And being the same real estate deeded to said John Brown by Benjamin F. Carneau and wife by deed dated April 27<sup>th</sup> 1914, and recorded in Vol. 110, page 115 Deed Records Union County, Ohio.

Said mortgage is conditioned as follows: That the said mortgagor has executed and delivered to the said mortgagee his one certain promissory note of even date here with due as hereafter mentioned and in amounts as follows:-

\$1000.00 due on or before five years from the date hereof;

To go therewith all interest thereon at the rate of  $5\frac{1}{2}$  per cent per annum, payable semi-annually on or before the 9<sup>th</sup> days of September and March of each year.

That if said note be not paid when due; or if any installment of interest thereon be not paid when due, or within thirty days thereafter, then all of said note, together with all accrued interest thereon shall thereupon become due and payable at the option of the owner of said note and mortgage.

That the said mortgagor further agrees as follows: To pay all taxes, assessments and other charges that may be assessed against the property herein conveyed promptly as they become due and payable; to keep the building on the real estate hereby mortgaged in good and proper repair; to keep said property insured in some responsible fire insurance company satisfactory

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Final Record, Union County Probate Court

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to said mortgage in a sum of not less than \$5,000, with the loss, if any, payable to said mortgage as its mortgage interest may appear: and to bear said policy of insurance in the possession of said mortgage until this mortgage is fully paid.

That if the said mortgage, his heirs or assigns shall fail to pay, promptly as they or either become due, and payable, said taxes, insurances, assessments or other charges that may be levied against said property, the said mortgage may pay the same, which sum so paid shall be charged against the said mortgage, and bear interest from date of payment thereof at eight percent per annum, payable semi-annually and be a lien upon the property herein conveyed, and be secured by this mortgage as a part of the consideration hereof: and on such default, for thirty days, or if said buildings be not kept in good and proper repair, all the money secured by this mortgage shall thereupon become due and payable.

Now if the said mortgage shall pay to said company its successors or assigns, the said sums of money when due, as provided for in said note, and shall faithfully keep each and all of the above stipulated conditions, then these presents shall be void.

Said mortgage was filed for record March 10<sup>th</sup> 1917, at 2:00 o'clock P.M., with the Recorder of said County, and was thereafter recorded in Book 78, Page 71, of the records of said County, and is now the first and best lien upon the real estate therein described.

Wherefore this assuring defendant prays that upon a sale of said real estate, its rights herein may be fully protected, its lien first paid out of the proceeds of such sale, and that it may have all other relief to which it is entitled.

Person and Rector

J. E. Kinnery

Attorney for Defendant, The Buckeye State Building and Loan Company

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State of Ohio, Franklin County, ss:-

Lewis L. Rankin, being first duly sworn, says that he is the President of The Buckeye State Building and Loan Company, the assuring defendant herein, and that the facts stated and allegations contained in the foregoing answer and cross-petition are true as he verily believes.

Lewis L. Rankin.

Oath



Final Record, Union County Probate Court

8983

Known to before me and subscribed in my presence this second day of July A.D. 1918.

Fred C. Rector.

Notary Public Franklin County, Ohio.

8983

Warrant

In the Probate Court of Union County, Ohio.

No. 8983

Harry Brown Executor of the Estate of John Brown Deceased. Plaintiff

Petition To Sell Real Estate.

Warrant

Carrie Harris, Sylvia Downer, Harry Brown, The Buckeye State Building and Loan Company, and James Shirk; Mollie Miller. Defendants.

Warrant of Process and Consent To Sell.

By the undersigned parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

The Buckeye State Building and Loan Co., By J. E. Tierney, Attorney, James Shirk.

8983

Warrant

In the Probate Court of Union County, Ohio.

No. 8983

Harry Brown Executor of the Estate of John Brown, deceased. Plaintiff

Petition To Sell Real Estate

Warrant

Carrie Harris, Sylvia Downer, Harry Brown, The Buckeye State Building and Loan Company, and James Shirk; Mollie Miller. Defendants.

Warrant of Process and Consent To Sell.

By the undersigned parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process and consent to the sale of the Real Estate in said Petition mentioned as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

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Journal

Order

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Final Record, Union County Probate Court

8983 Harry Brown, Carrie Harris, Sylvia Downer, Mollie Miller,

8983 Journal Entry: Order for Appraisement.

Probate Court, Union County, Ohio.

Harry Brown, Executor

July, 19<sup>th</sup> 1919.

Order for Appraisement of the estate of John Brown, Deceased, Plaintiff.

No. 8983

Journal Entry.

Carrie Harris et al.

Order for Appraisement.

Defendants.

This day this cause came on to be heard upon the petition, proofs, and exhibits the Court find that all the defendants have voluntarily entered their appearance in the case; and that as set forth in the petition, it is necessary to sell the real estate, therein described, to pay the debts of the said John Brown, deceased.

And there being no widow of the said John Brown, dec'd, it is therefore ordered and adjudged by the Court that the said premises be appraised free of down, by the oaths of Norman C. Brown, Maura Annine, and J. W. Kennedy, judicious and disinterested freeholders of the vicinity, whom the Court hereby appoint for that purpose, and that they return their proceedings to this Court for confirmation.

Edward H. Porter, Probate Judge.

8983

Order Of Appraisement

Order The State of Ohio,

Probate Court.

Of Union County, ss.

Appraisement To Harry Brown, Executor of the estate of John Brown, dec'd, Greeting:

In obedience to an order and decree of the Probate Court within and for said County, made this day in a certain cause, wherein you as Executor of the estate of John Brown, Deceased, are Plaintiff and Carrie Harris et al, are Defendants, you are commanded that by the oaths of Norman C. Brown, Maura Annine, and J. W. Kennedy, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises free down, therein to wit:

Situated in the County of Union, State of Ohio and part of Survey No. 5746, and bounded and described as follows: Beginning at an iron bar in the center of the Mieford Center and Annine



Final Record, Union County Probate Court

8983

grant road, and corner to J. Corvinn Gibson's land; thence with the line of said Gibson's land, south  $54^{\circ}$  E. 119 poles to a stone in the northerly line of Serma A. Mann's land; thence with said Mann's line north  $57^{\circ} 30'$  East 55.50 poles to a stone corner to the said Mann's land and in the westerly line of A. Boylan's land; thence with said Boylan's line and the line of lands owned by Robert K. Reyes and others, north  $33^{\circ} 30'$  West 130.20 poles to a stake in the center of the said Milford Center and Amine Grant road; thence with the center of the said Milford Center and Amine Grant road; thence with the center of said grant road South  $46^{\circ} 45'$  West 99.20 poles to the place of beginning, containing 58.40 acres more or less.

Also a piece of land situated in the township of Union, County of Union and State of Ohio, and part of Survey No. 4278, and bounded and described as follows:

Beginning at a stone in the center of the road leading from Milford Center to Allen Center and in the east line of Joseph Davis' land; thence with his line north  $55^{\circ} 4'$  East 77.2 poles to a stake in the north line of Survey No. 4278; thence with said line south  $70^{\circ} 2'$  East 61.44 poles to a stone and brick corner to lot no. 2; thence with the west line of said lot south  $55^{\circ} 4'$  West 128.44 poles to a stone in the center of said road; thence with said road north  $35^{\circ} 7'$  West 7 poles to a stone and brick corner to Michael Davis' land; thence with the road north  $18^{\circ} 37'$  West 44.65 poles to the place of beginning, containing 31 acres and 130 poles, or the same more or less.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you then and there this writ.

Witness my signature as Judge and Ex-officio Clerk of our said Probate Court and the Seal of said Court, at Marysville, Ohio, this 19<sup>th</sup> day of July, 1919.

*Edw* Edward W. Porter, Probate Judge

Return

8983

To The Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 19<sup>th</sup> day of July, 1919

Harry Brown

Clerk Of Appraisers

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Clerk  
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Appraisers

The State of Ohio,

Union County, ss.

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Final Record, Union County Probate Court

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solemn oath that we will upon actual view, honestly and impartially appraise the within described real Estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

J. W. Kennedy,  
Norman C. Bourn, Appraisers,  
Maurice Amrine.

Sworn to before me, and signed in my presence, this 19<sup>th</sup> day of July, 1919.

John H. Willis, Notary Public.

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Appraisers' Return.

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we the undersigned appraisers estimate the value of said real estate free of dues as follows:  
First Tract of 58.40 acres, more or less, at \$4560.<sup>00</sup> subject to a lease on the same which expires on the first day of March, 1920, and at which time possession of said premises can be delivered to the purchaser.  
Second Tract of 31 acres and 130 poles, more or less, at \$2600.<sup>00</sup>, subject to a lease on the same which expires on the first day of March, 1920, at time possession of said premises can be delivered to the purchaser.

Sworn under our hands, this 19<sup>th</sup> day of July, 1919.

J. W. Kennedy, Norman C. Bourn, Maurice Amrine, Appraisers.

8983

Application to Sell Real Estate at Private Sale  
Probate Court, Union County, Ohio.

Harry Brown, Executor etc.

No. 8983

Plaintiff

Petition to Sell Real Estate

Application

Barrie Harris, et al.

Defendants.

Defendants.

The said Plaintiff represents that it would be for the best interest of the said estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

That said real estate can be sold for the appraised value and can be sold for less expense at private sale than at public sale, and will bring as much money, if sold at private sale as it would bring at public sale and perhaps more.

And he therefore asks for an order authorizing him to sell said real estate at private sale.

Harry Brown, Executor.

of John Brown, Deceased.



Final Record, Union County Probate Court

8983

The State of Ohio, Union County, ss.

Harry Brown, being duly sworn, says that the various matters set forth in the foregoing Application are true as he verily believes.

Harry Brown.

Sworn to before me and signed in my presence, this 19<sup>th</sup> day of July 1919.

John K. Willis, Notary Public

Affidavit Of Disinterested Person

8983

affidavit of Disinterested Persons

The State of Ohio, Union County, ss.

J. W. Kennedy and E. S. Brown being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to and that it will be more for the interest of the said estate to sell said real estate at private sale than at public sale, as they verily believe.

J. W. Kennedy, E. S. Brown.

Sworn to before me and signed in my presence, this 19<sup>th</sup> day of July 1919.

John K. Willis, Notary Public

8983  
Orders Approving Appraisement for Private Sale

Journal Entry: Orders Approving Appraisement for Private Sale, Probate Court, Union County, Ohio,

Harry Brown, Executor of the Estate of the Estate of John Brown, Deceased, Plaintiff.

July 21- 1919  
Petition to sell Real Estate

Carrie Harris, et al, Defendants.

Order Of Sale etc.

This day came the said Plaintiff, by his attorney, and produced to the Court, the report of an Appraisement herein made by Norman L. Brown, Monroe Amis, and J. W. Kennedy, in pursuance of a former order of this Court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed.

And it being made to appear to the Court upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale.

It is therefore further ordered that said Harry Brown as such Executor, proceed to sell said real estate free of court at private sale for not less than the appraised value thereof, on the following terms, to wit: Cash in hand on day of sale. And said petitioner is ordered

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Final Record, Union County Probate Court

8983 to make return to this court immediately after such sale is made, and this cause is continued, Edward H. Porter, Probate Judge.

8983 Order Of Sale, Free of Down. Probate Court.

The State of Ohio, Union County, ss. To Harry Brown, Executor of the estate of John Brown, Dec'd.

Greeting: In obedience to an order and decree of the Probate Court within and for said County, made this day,

in a certain cause, wherein you as Executor of the estate of John Brown, Dec'd. are Plaintiff and Carrie Harris et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than the appraised value thereof free of the down.

The following described premises, Situated in the County of Union, State of Ohio, and part of Survey No. 5746, and bounded and described as follows:

Beginning at an iron bar in the center of the Mieford Center and Amrine gravel road and corner to J. Corwin Gibson's land; thence with the line of said Gibson's land South 54° E. 119 poles to a stone in the northerly line of Senna A. Mann's land; thence with said Mann's line North 57° 30' East 55.80 poles to a stone corner to The said Mann's land and in the westerly line of A. Boylan's land; thence with said Boylan's line and the line of lands owned by Robert H. Kuyes, and others North 33° 30' West 130.20 poles to a stake in the center of the said Mieford Center and Amrine Gravel Road; thence with the center of said gravel road South 46° 45' West 99.20 poles to the place of beginning containing 58.40 acres more or less.

Also a piece of land situated in the Township of Union, County of Union and State of Ohio, and part of Survey No. 4278, and bounded and described as follows:

Beginning at a stone in the center of the road leading from Mieford Center to Allen Center, and in the east line of Joseph Davis' land; thence with his line North 53 1/4° East 77.2 poles to a stake in the North line of Survey No. 4278; thence with said line South 70 1/2° East 61.44 poles to a stone and brick corner lot No. 2; thence with the West line of said lot South 55 1/4° West 125.44 poles to a stone in the center of said road; thence with said road North 35 1/4° West 7 poles to a stone and brick corner to

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Final Record, Union County Probate Court

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Michael Davis land: thence with the road north 18 3/4° west 44.65 poles to the place of beginning, containing 31 acres and 130 poles or the same more or less.

Said sale to be upon the following terms: Cash in hand, on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Waverly, Ohio, this 21<sup>st</sup> day of July, 1919

Edmund H. Porter, Probate Judge.

Return.

8983

Return

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 23<sup>rd</sup> day of July, 1919.

Harry Brown, Executor.

Report of Sale.

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Report of Sale.

In obedience to the within order I sold said 58.40 acre tract to John Burns Jr. for \$4060.00 cash in hand on 24<sup>th</sup> day of July, 1919. said premises to be subject to a lease expiring March 1-1920, at which time purchaser is to have possession. I sold said 31 acres and 130 poles to Charles Lory, for \$2600.00 cash in hand on 23<sup>rd</sup> day of July, 1919. said premises to be subject to a lease expiring March 1-1920, at which time purchaser is to have possession. Each of said purchasers to pay all taxes on said premises due and payable after June 20<sup>th</sup> 1919. said sums being the appraised value of the same.

Harry Brown, Executor.

Dated the 23<sup>rd</sup> day of July, 1919.

8983

Oath.

The State of Ohio, Union County, ss.

The above named Harry Brown being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Harry Brown, Executor.

Sworn to before me and signed in my presence, this 23<sup>rd</sup> day of July, 1919.

John H. Hillis, Notary Public

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Journal Entry: Order Of Confirmation, Distribution etc Probate Court, Union County, Ohio. July 23-1919.

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Order of Confirmation Distribution

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Final Record, Union County Probate Court

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Order of  
Confirmation  
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Harry Brown, executor of  
the estate of  
John Brown, deceased,  
Plaintiff  
vs.  
Lebbie Harris, et al,  
Defendants,

Petition to Sell Real Estate  
Order of Confirmation,  
Distribution, etc.

This day this cause came on to be heard on the report of Harry Brown, Executor of John Brown, deceased, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order, and the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made, it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said John Brown, dec'd, in said real estate, to the purchasers, upon the said purchase price in cash.

And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Sixty-six hundred and sixty Dollars. The Court finds that there is due the said The Buckeye State Building and Loan Co., upon the note set forth in his answer and cross-petition, from the estate of said John Brown the sum of Sixteen hundred Dollars, with interest thereon from the 9<sup>th</sup> day of March, 1919, at 5 1/2 per cent; that the said John Brown being summoned to secure the payment of said promissory note gave a mortgage upon the premises in the petition described, which was a valid and subsisting lien upon said premises, and now upon the fund in the hands of said executor arising from the sale of said premises. It is ordered that an entry of release and satisfaction of said mortgage lien be entered of record in the office of the recorder of Union County, Ohio, according to law.

The Court further finds that there is due the said James Shick upon the note set forth in his answer and cross petition from the estate of the said John Brown the sum of Two thousand Dollars, with interest thereon from the 4<sup>th</sup> day



8983.

day of March, 1919, at 6% per annum payable semi-annually, that the said John Brown being then unmarried to secure the payment of said promissory note gave a mortgage upon the 58.40 acres described in the petition, which was a valid and subsisting lien upon said premises, and now upon the fund in the hands of said executor arising from the sale of said premises.

It is ordered that an entry of release and satisfaction of said mortgage lien be entered of record in the office of the recorder of Union County, Ohio, according to law.

It is further ordered that said executor out of the money in his hands pay:

First: To the treasurer of this County, the sum of \$ -- being the taxes, penalty and interest thereon, against said property. Second: The costs and expenses incurred in the sale of said property, including an attorney fee of \$1000.00 to John B. Willis, and \$253.20 the percentage of said Harry Brown, executor herein, amounting to the sum of \$366.20

Third: To The Buckeye State Bldg and Loans, on the note and mortgage set forth and described in its answer and cross-petition herein, the sum of \$1000.00 with interest at 5 1/2% per cent from March, 9<sup>th</sup> 1919, which the court finds is the amount due it.

Fourth: To James Shirk on the note and mortgage set forth, and described in his answer and cross-petition herein, the sum of \$2000.00 with interest at 6 per cent per annum payable semi-annually from the 4<sup>th</sup> day of March, 1918, which the court finds is the amount due him.

It is further ordered that the balance of said proceeds amounting to the sum of \$2485.36, be accounted for by said Executor according to law, and it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at \$13.00 out of the proceeds of said sale, within ten days.

Eduard H. Porter, Probate Judge.

9034

Fees

Oct. 2-1918.

Richard  
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estate

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Martin  
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Final Record, Union County Probate Court

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Fees  
Oct. 2-1918.

Petition for Sale of Real Estate, to pay debts.  
In The Probate Court, of Union County, Ohio.

Richard L. Cameron, Administrator  
with the will annexed of the  
estate of Leonard E. Bellus, Deceased,  
Plaintiff.

No. 9034.

William A. Brodie  
Jimmie Shadrick  
Martin Bellus,  
Leather Bellus,  
Earl W. Bellus,  
Lena E. Elsbury,  
Verna Bellus,  
F. A. Bellus,  
Jimmie Morris,  
Effie May Jones  
Myr Bellus,  
Frederick Bellus,  
Mabel E. Darrow,  
Malissa Bailey,  
Perry Jaggus,  
Sadie Staley,  
Ben Jaggus,  
Myrtle Miller,  
Bertha Harris,

Nettie Teets,  
Burton Bellus,  
Lola Beebe,  
Leo. C. Bellus,  
Lisle S. Bellus,  
Grema F. Martin,  
Edna Pratt,  
Hattie D. Bailey,  
Lotta B. Weisman,  
Max Bellus,  
Vivian Bellus,  
Eva E. Lamb,  
Algiv King,  
Diaman R. Grams,  
Carrie Turner,  
Emma Dillon,  
Winnis Stines,  
Malissa Bellus,  
Union Banking Co.

Petition for  
Sale of  
Real Estate  
to Pay Debts.

and the unknown heirs, legatees and devisees of the  
said Leonard E. Bellus, deceased,  
Defendants.

The plaintiff represents that he was on the 25<sup>th</sup>  
day of September, 1916, duly appointed and qualified  
Administrator with the will annexed, of the  
estate of Leonard E. Bellus, deceased, late of Marysville,  
Union County, Ohio, and that he is still  
acting as such Administrator; that the amount  
of the debts due from said estate is \$1500.00, as  
near as the same can be ascertained; that the  
charges of Administration of said estate will  
amount to about \$350.00 and that the total  
value of the personal estate and effects of said  
deceased is but \$622.00, being wholly insufficient  
to pay the debts and costs aforesaid.

The plaintiff further represents that the said  
Leonard E. Bellus, died seized in fee simple of the follow-  
ing described real estate, situated in the County  
of Union and in the State of Ohio, and in the  
Village of Marysville, and bounded and described  
as follows:—



Final Record, Union County Probate Court

9034

Bring 9 1/2 feet off of the South side of Lot No. 214 and 46 1/2 feet off of the North side of Lot No. 215 in said Village of Marysville, and including all between the fences on the North and South side of said Lot. Bring the same premises conveyed by J. W. Robinson to said Leonard E. Bellus, by deed dated July 6<sup>th</sup> 1876, and recorded in Union County record of deeds Vol. 42 Page 571.

Also the following described real estate situated in said Village.

Beginning at the South-east corner of lot No. 88 formerly owned by A. Wall; thence running South 82 1/2 feet to an alley (now 7<sup>th</sup> Street) thence West 55 feet; thence North 87 1/2 feet; thence East 55 feet to the place of beginning.

Bring a part of lot No. 93 in said Village and bring the same premises conveyed to John B. Flick and wife to said Leonard E. Bellus, by deed dated April 27<sup>th</sup> 1874, and recorded in Records of Deeds Vol. 29, page 558.

Petition

Further this plaintiff represents that the said decedent died leaving no widow or children; that the said defendants Malissa Bailey and Diana R. Evans are sisters of the said Leonard E. Bellus, deceased; that the said defendants Nettie Teets, Jennie Shadrack Burton Bellus, and Martin Bellus are the only children and heirs at law of Alvin Bellus, deceased, who was a brother of the said Leonard E. Bellus, deceased.

That the defendants Lela Bebe and Lutea Bellus are children and heirs at law of Alonzo Bellus, deceased, who was a brother of the said Leonard E. Bellus, deceased; and that the defendant Geo. C. Bellus, is a child and heir at law of Mr. Bellus, deceased, who was a son of Alonzo Bellus, deceased, who was a brother of the said Leonard E. Bellus, deceased.

That the said Vivian Bellus and Frederick Bellus are children and the only heirs at law of Adelbert C. Bellus, deceased, who was a brother of the said Leonard E. Bellus, deceased.

That the defendants Mahel E. Danow, Eva E. Lamb, and Algier H. Ring, are the only children and heirs at law of Sophia B. Ring, deceased, who was a sister of the said Leonard E. Bellus, deceased.

That the said defendants Lenna E. Ellsbury, Myra Bellus, Earl W. Bellus, Germa F. Martin, and Alice Bellus are the only children and heirs at law of C. E. Bellus, deceased, who was a son of Stanley E. Bellus, deceased, who was a brother of the said Leonard E. Bellus, deceased. That the

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Final Record, Union County Probate Court

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said defendant, Edna Pratt, is a daughter of Mabel Bellus Burshaw, deceased, who was a daughter of the said Stanley E. Bellus, deceased, who was a brother of the said Leonard E. Bellus, deceased; that the said defendant F. A. Bellus is a son, and the said defendant Hattie D. Bailey is a daughter of the said Stanley E. Bellus, deceased, who was a brother of the said Leonard E. Bellus, deceased; that the said defendants Jennie Morris, Lottie B. Keiman — Judio, Max Bellus, and Myo Bellus, are children of the said Stanley E. Bellus, deceased, who was a brother of the said Leonard E. Bellus, deceased.

Petition

That the said defendant Perry Jaggus, is a son of Sarah Carpenter deceased, who was a sister of the said Leonard E. Bellus, deceased; that the said defendants Carrie Turner, Sadie Staley, Emma Dillon, Ben Jaggus, Winnie Stiner, and Myrtle Miller are children of William Jaggus, deceased, who was a son of Sarah Carpenter, deceased, who was a daughter of the said Leonard E. Bellus, deceased; that the said defendants Malissia Bonnett and Bertha Harris are children of Lillie Barrok, deceased, who was a daughter of the said Sarah Carpenter, deceased, who was a sister of the said Leonard E. Bellus, deceased.

That the defendants William A. Brodie and the Union Banking Company, hold or claim to hold liens on the premises herein described.

Further this plaintiff says that he has made diligent effort to ascertain the names and residences of all the heirs at law, legatees and devisees of the said Leonard E. Bellus, deceased, but that he has failed to procure or can he ascertain the full name or names of all the heirs at law of the said Leonard E. Bellus, deceased, or their address.

Wherefore the said plaintiff prays that the said defendants the Union Banking Company and William A. Brodie be required to set forth their respective rights, interest or liens herein or be forever barred therefrom, that he be ordered to procure service on the unknown heirs, legatees, and devisees of the said Leonard E. Bellus, deceased, by publication, and that your petitioner may be authorized and ordered to see said real estate according to the Statutes in such case made and provided and for such other and further relief in the premises as may be just and equitable.

Richard L. Cameron, Plaintiff

9034

Administrator with annexed of the estate of Leonard E. Bellus, dec'd.



Final Record, Union County Probate Court

9034

Milo L. Myers, attorney for Plaintiff.  
State of Ohio, Union County, ss.

Richard B. Cameron, the within named Plaintiff being first duly sworn, says that he is the Administrator with the will annexed of the estate of Leonard E. Bellus, deceased, and that the allegations made and contained in the foregoing petition are true as he believes.

Richard B. Cameron.

Signed and sworn to before me this 30<sup>th</sup> day of September 1919.

Milo L. Myers, Notary Public.

9034

Journal Entry: Filing Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio.

Filing  
Petition to  
Sell  
Real Estate

Richard B. Cameron, Administrator,

Wednesday, October 2 - 1918.

With the Will annexed of

Case No. 9034.

The estate of Leonard E. Bellus, deceased,  
Plaintiff

Journal Entry

v.

William A. Bordier et al.  
Defendants.

Filing Petition to Sell  
Real Estate.

This day came the Plaintiff Richard B. Cameron, as Administrator, with the Will annexed of the Estate of Leonard E. Bellus, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Leonard E. Bellus, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

Where upon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Edward H. Porter, Probate Judge.

9034

Affidavit for Service by Publication.

In the Probate Court of Union County, Ohio.

Affidavit  
for  
Service by  
Publication

Richard B. Cameron, Administrator

No. 9034

With the Will annexed of the

affidavit for Service  
by Publication.

estate of Leonard E. Bellus, Deceased,  
Plaintiff

v.

William A. Bordier et al.  
Defendants.

State of Ohio, Union County, ss.

Richard B. Cameron, the above named plaintiff being duly sworn says, that Martin Bellus,

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Final Record, Union County Probate Court

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Luther Bellus, Jennie Morris, Effie May Jondro, May Bellus, Nys Bellus, Virian Bellus, Frederick Bellus, and Eva E. Lamb, defendants named in this action or non-resident of the State of Ohio, and service of summons can not be made on them or either of them in this State, that the residence of said defendants, namely Martin Bellus is Chicago, Ill; Luther Bellus is Garmin, Iowa; Jennie Morris is Kurnavia, Iowa; Effie May Jondro, is # 810 May Street, Marshalltown, Iowa; May Bellus, is Marshalltown, Iowa; Nys Bellus is Alberta, Canada; Virian Bellus, is R.F. D. # 2, Union, Oregon; Frederick Bellus, is # 1012 Orchard Street, Santa Rosa, Calif; Eva E. Lamb is Portland, Oregon, and there are unknown heirs, devisees and legates of the said Leonard E. Bellus, deceased, whose place of residence are unknown to the affiant, and cannot with reasonable diligence be ascertained, and service of summons can not be made on them, and that the case is one of those mentioned in Section Number 11292 of the General Code of Ohio.

Richard L. Cameron.

Known to before me and signed in my presence, by the above named Richard L. Cameron, this 6<sup>th</sup> day of November, 1918.

Seal Jesse L. Cameron, Notary Public

Præcipe

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Præcipe

Probate Court, Union County, Ohio,  
vs. 9034.

Richard L. Cameron, Administrator  
with the Will annexed of  
The Estate of Leonard E. Bellus, Decd.  
Plaintiff.

Præcipe

vs.

William A. Bodie, et al.,  
Defendants.

To the Probate Judge:

Issue summons in the foregoing action directed to the Sheriff of Clark County, Ohio, for the following named defendants, to-wit: Emma Dickson, whose address is R.F.D. # 8, Springfield, Ohio; Ben Jagers, whose address is R.D. # 6, Columbus Annex, Springfield, Ohio; Winnie Stiner, whose address is R.D. # 6 Columbus Annex, Springfield, Ohio; Myrtle Miller, whose address is R.D. # 6 Columbus Annex, Springfield, Ohio;

And issue summons directed to the Sheriff of Union County, Ohio, for the defendant Sadie Staley whose address is Marysville, Union County, Ohio. Make all returnable according to law. Indorse



Final Record, Union County Probate Court

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"Action for Sale of Real Estate"

Milo D. Myers, Attorney for Ptf.

9034

Journal Entry: Service by Publication.

In the Probate Court of Union County, Ohio,

Richard D. Cameron, Administrator

No. 9034

Service by Publication

With the Will annexed of the estate of Leonard E. Bellus, Decd. Plaintiff.

Journal Entry.

P.

William A. Brodie, et al, Defendants.

This day this cause came on to be heard on the affidavit of the plaintiff herein above named asking for authority to make service on Martin Bellus, Luther Bellus, Jennie Morris, Effie May Jordan, Max Bellus, Nyr Bellus, Vivian Bellus, Frederick Bellus, Eva E. Lamb, and the unknown heirs, devisees and legates of the said Leonard E. Bellus, deceased, by publication.

And the court being fully advised in the premises on consideration thereof, find that the said plaintiff has filed his certain petition herein asking for an order to sell the real estate as therein described to pay the debts and costs of administering said estate, and has filed herein his affidavit setting forth the names and residences of the said defendants whose names and place of residence is unknown, and setting forth that he has made diligent effort to ascertain the names and addresses of any and all unknown heirs, devisees, and legates of the said deceased, and that service of summons and process can not be had on the above named defendants or any of them within this State.

Therefore, be and it is hereby ordered that the said plaintiff make due publication for service on the said above named defendants and each of them, and the unknown heirs, devisees, and legates of said deceased, for six consecutive weeks, one each week, in the Mansfield Tribune, a paper published and of general circulation in the County and State aforesaid.

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Dated this 6<sup>th</sup> day of November, 1918.

Edward H. Porter, Probate Judge.

Wainor

In the Probate Court, of Union County, Ohio.

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Final Record, Union County Probate Court

9034 Richard L. Cameron, Administrator,  
with the Will annexed, of the  
estate of Leonard E. Bellus, Deceased,  
Plaintiff.

No. 9034  
Petition to Sell Real Estate

vs  
William A. Brodis,  
The Union Banking Company, et al,  
Defendants.

Waiver of process  
and  
Consent to Sell.

Whereas the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the court ordered.

William A. Brodis, By J. H. Andrews.  
Mrs Nettie Lutz.

9034  
Waiver  
In the Probate Court of Union County, Ohio,  
No. 9034  
Richard L. Cameron, Administrator  
with the Will annexed, of the  
estate of Leonard E. Bellus, Deceased,  
Plaintiff.

Petition to  
Sell Real Estate

vs  
Wm. A. Brodis, The Union Banking  
Company, Malissa Bailey,  
Diana Graves, Nettie Lutz,  
Jennie Sharick, Boston Bellus,  
Martin Bellus, Lola Bebee,  
Luther Bellus, S. A. Bellus, Mabel Darrow,  
Perry Jagger, Myrtle Miller,  
Wisconsin Stiner, Ben Jagger,  
Emma Dillon, Sadie Staley,  
Carrie Turner, Malissa Bonnette,  
Bertha Harris.

Waiver of Process  
and  
Consent to Sell.

Defendants.

Whereas the undersigned, parties defendants in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the court ordered.



Final Record, Union County Probate Court

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Mrs. Lola Beets,  
Mrs. Jennie Shadrack  
Malissa Bonnette,  
Edna Pratt,

Mrs. Carrie Turner  
Mr. Burton E. Bellus,  
Bertha Harris,  
Perry Jaggus.

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In the Probate Court of Union County, Ohio,  
No. 9034

Richard L. Cameron, Administrator  
with the Will annexed, of the  
Estate of Leonard E. Bellus, Deceased,  
Plaintiff.

Petition to Sell Real Estate

Wainor

v.

Mrs. A. Brodie, The Union Banking  
Company, Malissa Bailey, Diana  
Wrens, Nettie Tute, Jennie Shadrack,  
Burton Bellus, Martin Bellus, Lola  
Beets, Luther Bellus, Perry Jaggus,  
Perry Jaggus, Carrie Turner, Myrtle  
Miller, Winnie Steiner, Emma  
Dillon, Sadie Staley, Malissa  
Bonnette, Bertha Harris,  
L. A. Bellus.

Wainor of Process  
and  
Consent to Sell

Defendants.

We, the undersigned, parties defendant in the above  
entitled cause for the sale of Real Estate of the estate  
of said Decedent to pay debts. Herby wainor service of  
process, and consent to the sale of the Real Estate  
in said Petition mentioned, as herein prayed for  
and that statutory time for pleading is herby wainor  
and we consent that said Petition may be heard  
at such time as may be by the Court ordered.

Earl H. Bellus,

Lisle I. Bellus,

Lena E. Chisney

Zelma F. Martin

Uma Bellus,

Battie D. Bailey,

F. A. Bellus,

Lotta Bellus Wisman

The Union Banking Co. Marysville, Ohio. F. J. Asman

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In the Probate Court of Union County, Ohio,  
No.

Richard L. Cameron, Administrator  
with the Will annexed,  
of the Estate of Leonard E. Bellus, Deceased,  
Plaintiff.

Petition to Sell  
Real Estate

v.

Mrs. A. Brodie, The Union Banking Company,  
Malissa Bailey, Diana R. Wrens, Nettie  
Tute, Jennie Shadrack, Burton Bellus,  
Martin Bellus, Lola Beets, Luther Bellus,  
L. A. Bellus, Mabel Damm, Perry Jaggus,  
Myrtle Miller, Winnie Steiner, Perry Jaggus,  
Emma Dillon, Sadie Staley, Carrie Leber,  
Malissa Bonnette, Bertha Harris, Defendants.

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Final Record, Union County Probate Court

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We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Mrs Malissa Bailey, Mrs Diana R. Evans, Mrs Mabel E. Darrow, Algier R. King

9034

Against

In The Probate Court of Union County, Ohio, No. 9034

Plaintiff

Richard L. Cameron, Administrator with the Will annexed, of the estate of Leonard E. Bellus, Decedent, Plaintiff.

Petition to Sell Real Estate

vs

William A. Brodie, The Union Bank of Ohio, Nettie Leets, Jennie Shadrin, Burton Bellus, Martin Bellus, Adair of Process and Leta Bellus, Luther Bellus, Lev. G. Bellus et al. Defendants.

We, the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered.

Lev. G. Bellus,

By Long Sight Dentinger His authorized attys.

9034

Journal Entry, Mailing Papers, Probate Court, Union County Ohio, No. 9034

Mailing Papers

Richard L. Cameron, Administrator with the Will annexed of the estate of Leonard E. Bellus, Decedent, Plaintiff.

Journal Entry,

vs

William A. Brodie, et al. Defendants

This day came Milo S. Myers, attorney for the plaintiff herein and delivered to the Court herein copies of the Marysville Tribune, a newspaper of general circulation in Union County, Ohio, containing a publication of notice of the pendency and



Final Record, Union County Probate Court

9034

time of hearing of this action. And one copy of said newspaper was this day mailed to:-  
 Martin Bellus. Coliags. Ills. 231 Stuart Bldg.  
 Lucien Bellus. Garwin. Iowa.  
 Effie May Joudis. 810 May. Street, Marshalltown, Iowa.  
 May Bellus. Marshalltown. Iowa.  
 Wyr Bellus. Alberta. Canada  
 Vivian Bellus. R.D. 2, Union. Oregon.  
 Frederick Bellus. 1017 Orchard St. Santa Rosa. Calif.  
 Eva E. Davis. Portland. Oregon.  
 Jennie Morris. Germania. Iowa.  
 by the judge of said court.  
 Edward H. Porter. Probate Judge.

Summons on Petition for Real Estate.

9034

Summons

The State of Ohio, Union County, ss.  
 To the Sheriff of Clark County:  
 You are commanded to notify Emma Dillon, R.F. D. 8, Springfield, Ohio; Ben Jaggors, R.F. D. 6, Columbus Ave., Springfield, Ohio; Winnie Steiner, 6, Columbus Ave., Springfield, Ohio; and Myrtle Miller, R. 6, Columbus, Ohio; Springfield, Ohio, that on the 2<sup>nd</sup> day of October A.D. 1918, Richard L. Cameron, as Administrator of the Estate of Leonard E. Bellus, Deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts, and that unless they answer by the 14<sup>th</sup> day of December 1918, said petition will be taken as true, and an order granted accordingly.  
 You will make due return of this writ on the 25<sup>th</sup> day of November A.D. 1918.  
 Witness my hand and the seal of said Court, this 13<sup>th</sup> day of November A.D. 1918.

Edmund H. Porter,

Judge <sup>in</sup> Ex-Officio Clerk of the Probate Court of said County.  
Sheriff's Return

9034

Sheriff's Return

The State of Ohio, Clark County, ss.  
 Returns this writ Nov. 15<sup>th</sup> 1918, at 10 O'clock, A.M., and pursuant to its command, I served by handing personally to Emma Dillon and Myrtle Miller, a true and certified copy of the within writ, with all endorsements thereon, and on the same date I served by leaving at the usual places of residence of Ben Jaggors, and Winnie Steiner, a true and certified copy of the within writ, with all endorsements thereon.  
 James L. Walsh, Sheriff.  
 Geo. F. Budmill, Deputy.

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Legal Notice

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Final Record, Union County Probate Court

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 Return 25-  
 Total \$ 3.60

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 Summons On Petition To Sell Real Estate,  
 The State Of Ohio, Union County, ss.  
 Summons To The Sheriff of said County:  
 You are commanded to notify Sadie Staley, whose  
 address is Marysville, Union County, Ohio, that on the  
 2<sup>nd</sup> day of October, A.D. 1918, Richard L. Cameron, as  
 Administrator<sup>et</sup>, of the Estate of Leonard E. Bellus, Decedent,  
 filed his petition in the Probate Court of said Union  
 County, Ohio, against them and others; the object  
 and prayer of which petition is to obtain an  
 order for the sale of certain Real Estate belonging  
 to said decedent, in said petition described, for  
 the purpose of paying debts, and that unless they  
 answer by the 14<sup>th</sup> day of December, 1918, said petition  
 will be taken as true, and an order granted  
 accordingly.

You will make due return of this writ on the  
 2<sup>nd</sup> day of December, A.D. 1918.  
 Witness my hand and the seal of said  
 Court, this 25<sup>th</sup> day of November, A.D. 1918.  
seal Edward H. Porter,  
 Judge and Ex-Officio Clerk of the Probate Court of said County.

9034  
 Sheriff's  
 Return

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 Sheriff's Return  
 The State of Ohio, Union County, ss.  
 Received this Writ Nov. 25<sup>th</sup> 1918, at 10 O'clock A.M.,  
 and pursuant to its command on Nov. 25<sup>th</sup> 1918,  
 at 6 O'clock P.M. I served the within named  
 defendant Sadie Staley personally with a true  
 and duly certified copy of this writ with all  
 endorsements thereon.

Sheriff's Fees. Chas. A. Lyggett. Sheriff.  
 Service 75-  
 Mileage 1.60  
 Total \$ 2.35

9034  
 Legal Notice

Legal Notice, Case No. 9034  
 Probate Court, Union County, Ohio.  
 Richard L. Cameron, Administrator  
 With the Will Annexed, of The Estate  
 of Leonard E. Bellus, deceased, Plaintiff,  
 William A. Brodix et al. Defendants.



Final Record, Union County Probate Court

9034

Daniel Bellus, who resides at Garvin, Iowa; Martin Bellus, who resides at Lehigh, Ill. Jennie Morris, who resides at Germania, Iowa; Effie May Jondro, who resides at No. 870 May Street, Marshalltown, Iowa; Max Bellus, who resides at Marshalltown, Iowa; Myr Bellus, who resides at Alberta, Canada; Vivian Bellus, who resides at Union, Oregon, P.D. 21; Frederick Bellus, who resides at 1012 Orchard Street, Santa Rosa, Calif.; Eva E. Lamb who resides at Portland, Oregon; and unknown heirs, legatees and devisees of the said Leonard E. Bellus, deceased, will take notice that Richard L. Cameron, Administrator with the Will annexed of the estate of Leonard E. Bellus deceased, on the 2<sup>nd</sup> day of October 1918, filed his petition in the Probate Court of Union County, Ohio, alleging, that the personal estate of said decedent is insufficient to pay his debts and charges of administering his estate; that he died seized in fee simple of the following described real estate, to-wit: First Tract:— Situated in the village of Marysville, in the County of Union and the State of Ohio, and being 9 1/2 feet off of the South side of Lot No. 214 and 46 1/2 feet off of the North side of Lot No. 215 in said village of Marysville, and including all between the fences on the North and South side of said Lot.

Second Tract:— Situated in said village and beginning at the South east corner of Lot No. 88 formerly owned by A. Wall; thence running South 82 1/2 feet to an Alley (now 7<sup>th</sup> Street) thence West 55 feet; thence North 82 1/2 feet; thence East 55 feet to the place of beginning, and being a part of Lot No. 93 of said village.

The prayer of said petition is that said property be sold to pay the debts and charges aforesaid. Daniel Bellus, Martin Bellus, Jennie Morris, Effie May Jondro, Max Bellus, Myr Bellus, Vivian Bellus, Frederick Bellus, Eva E. Lamb and the unknown heirs, devisees and legatees of the said Leonard E. Bellus, deceased, are hereby notified that they have been made parties defendant to said petition and that they are required to answer the same on or before the 11<sup>th</sup> day of January, 1919. Miss S. Myers, Attorney for Plaintiff. Nov. 7<sup>th</sup> 1918.

9034

The State of Ohio, Union County, ss.  
Village of Marysville.

with

Personally appeared before me John H. Shearer, and made solemn oath, that the notice, a copy of which is hereto attached was published for six consecutive weeks on and next after Nov. 7<sup>th</sup> 1918, in The Marysville Evening Tribune, a newspaper of general circulation in the village aforesaid.

John H. Shearer.

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17<sup>th</sup> day

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Final Record, Union County Probate Court

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Sworn to before me and signed in my presence, this 17<sup>th</sup> day of December, A. D. 1918.

J. M. Huber Notary Public

Printer's Fees. \$2.80

9034

Assent of The Union Banking Co.

In the Probate Court Union County, Ohio,  
No. 9034

Assent of The Union Banking Company

Richard L. Cameron, Adm.  
of the Estate of  
Leonard E. Bellus, deceased,  
Plaintiff.

Assent of The Union Banking Co.,  
Defendants.

William A. Brodie, et al.  
Defendants.

Now comes The Union Banking Company of Marysville, Ohio, and says that the said Leonard E. Bellus, deceased, on the third day of August, 1916, conveyed the following described premises, to the said The Union Banking Company by mortgage to secure the payment of the sum of \$1,000.00 evidenced by a promissory note of said amount dated August 3<sup>rd</sup> 1916, and due in ninety days from the date thereof, and bearing interest at the rate of 8% from date payable semi-annually.

That said mortgage was on the 3<sup>rd</sup> day of August 1916, at 10:55 O'clock A.M. left for record with the recorder of said County of Union, and was on said day of August 1916, recorded in Vol. 79 page 38 of the Mortgage Records of said County, and there and there remains and still is a valid and subsisting first lien on the following described premises situated in the County of Union in the State of Ohio, and in the Village of Marysville and bounded and described as follows:

Beginning at the south east corner of Number Eighty-eight (88) owned by A. Wall. Thence running south 82 1/2 feet to an alley. Thence West 55 feet. Thence North 82 1/2 feet. Thence east 55 feet to the place of beginning. Being part of out lot Number Ninety-three (93).

The 57 feet of lot No 214-215 in the Village of Marysville, Union County, Ohio, as described in the deed of J. W. Robinson and wife to L. E. Bellus to which reference is hereby made for a fuller description.

There is now due the said The Union Banking Company from the said Leonard E. Bellus deceased, the sum of \$120.68 with interest thereon from the 28<sup>th</sup> day of December, 1918, at

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Final Record, Union County Probate Court

9034

8% per annum payable semi-annually.  
 Wherefore the said The Union Banking Company asks that said described real estate may be sold and that its said claim be first satisfied out of the proceeds of said sale by said Administrator,  
 The Union Banking Company.  
 By John H. Willis, Its Attorney

9034

oath

State of Ohio, Union County, ss.  
 John H. Willis, being first duly sworn says that the said The Union Banking Company is a corporation; that he is the attorney thereof duly authorized herein; that the allegations of the foregoing answers are true as he verily believes.  
 John H. Willis.

Known to before me and subscribed in my presence this 28<sup>th</sup> day of December 1918.  
 Notary Public

9034

Answer of Wm. A. Brodie

Answer of Wm. A. Brodie.  
 In the Probate Court of Union County, Ohio  
 Richard L. Cameron, Administrator  
 With the Will annexed of  
 The Estate of Leonard E. Bellus, Dec'd  
 Plaintiff.  
 vs.  
 William A. Brodie, et al.,  
 Defendants.

Answer of Wm. A. Brodie no. 9034

First Cause of Action:

Now comes the defendant, William A. Brodie, and says that Leonard E. Bellus, deceased, and Anna K. Bellus on the 24<sup>th</sup> day of June, 1913, executed a note calling for \$800.00 coming due and payable June 24-1918, together with ten (10) interest notes calling for \$24.00 each coming due and payable Dec. 24-1913, June and Dec. 24-1914, June and Dec. 24-1915, June and Dec. 24-1916, June and Dec. 24-1917, and June 24-1918. This defendant further says that no part of said principal note of \$800.00 has been paid, and interest note No. 9, calling for \$24.00 due Dec. 24-1917, with 8% after maturity has not been paid, and note No. 10 for \$24.00 due June 24-1918, interest 8% after maturity has not been paid, and this defendant further says there is interest on said \$800.00 not 8% from June 24-1918, and there are no indorsements or credits on said notes.

Second Cause of Action:

This defendant further says in this cause of action he adopts each and every allegation

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Final Record, Union County Probate Court

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in the first cause of action, and when said notes were given to defendant the said Leonard E. Bellus or L. E. Bellus, and Anna K. Bellus, his wife, at the payment of the same, the within named defendants duly executed and delivered to William A. Brodie this mortgage deed conveying the following premises, to-wit:-

Situated in the Town of Marysville, County of Union and State of Ohio: Beginning at the Post corner of the Lot in possession of J. W. Robinson about 36 feet from the South west corner of lot No. 2151 thence with fence east to the Alley; thence with the Alley about 56 ft. to the corner of the Barn on the Lot in possession of Mank; thence with the south margin of said Barn, and with the board fence West to the margin of Main Street; thence South with the line of the Lots about 57 feet to the beginning, being about 9 1/2 feet off of the South side of Lot No. 214 and 46 1/2 feet from the North side of Lot No. 215. Being all the part of Lots. Situated between the two board fences.

On the 24<sup>th</sup> day of June, A.D. 1913, at --- o'clock, P.M. the mortgage was duly left for record at the Recorder's office, Union County, Ohio, and was duly recorded in Mortgage Book Vol. 64, page 103, and mortgage being of said date as the within described notes, and it being the first and best lien on the premises.

This defendant William A. Brodie asks for judgment against the said Richard L. Cameron, who is Administrator with the Will annexed, of the estate of Leonard E. Bellus, deceased, and the said Anna K. Bellus, deceased, and the said Anna K. Bellus, or other heirs who have an interest in said property, for the sum of \$800.<sup>00</sup> with interest at 8% from June 24-1918, and note No. 9 for \$24.<sup>00</sup> with 8% interest from Dec. 24-1917, and note No. 10 for \$24.<sup>00</sup> at 8% from June 24-1918, and said property may be sold, and said claims be first satisfied out of the proceeds of the sale, and such other relief as it just and equitable,

John L. Longhrey,

Attorney for William A. Brodie.

9034

The State of Ohio.

Union County, ss:

Carth

John L. Longhrey, being sworn says that he is attorney for the defendant, William A. Brodie, he being a non-resident, and said



Final Record, Union County Probate Court

9034

indebtedness being evidenced in writing and the allegations are true, as he verily believes.

John L. Dougherty.

Known to before me by the said John L. Dougherty, this 9<sup>th</sup> day of January, A. D. 1919.

Edward W. Porter, Probate Judge

9034

Order For Appraisement

In The Probate Court Of Union County, Ohio.

Order for appraisement

Richard L. Cameron Administrator with the will annexed, of the estate of Leonard E. Bellus, Deceased, Plaintiff

No. 9034

Journal Entry

William A. Brodie, et al.

Defendants.

Order for Appraisement

This day this cause came on to be heard upon the petition, the answer, and cross-petition of William A. Brodie, the answer and cross-petition of the Union Banking Company of Mansfield, Ohio, and on the evidence introduced, and the court being fully advised in the premises, finds that all the defendants named in said Plaintiffs petition have duly either entered their appearance herein or have been legally served with summons and process or have been duly served and notified by publication as required by law, and that each and every one of said defendants in said petition named, and the unknown heirs, legatees and devisees of the said Leonard E. Bellus, deceased, as therein set forth, have been duly and legally notified of the pendency and prayer of the said petition, and are now properly before the court. That the statements and allegations in said petition are true, and the court being satisfied that the real estate described in the said petition ought to be sold as prayed for therein.

Therefore be and it is hereby ordered, that F. W. Galloway, J. M. Duty, L. C. Jarvis, three judicious free holders of the county and not of kin to the petitioner, are hereby appointed to appraise said lands at its fair cash value.

It is further ordered that said appraisers be sworn as required by law, and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this court, on or before the 20<sup>th</sup> day of January, 1919, and this cause is continued.

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Edward W. Porter, Probate Judge.

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Final Record, Union County Probate Court

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Order Of Appraisement

The State of Ohio. Union County, ss. Probate Court,  
 To Richard L. Cameron, Administrator with the Will  
 Annexed of the estate of Leonard E. Bellus, Deceased, Greeting:  
 In obedience to an order and decree of the Probate  
 Court, within and for said County made this  
 day in a certain cause, wherein you as Administrator  
 with the will annexed of the estate of Leonard E. Bellus,  
 Deceased, are Plaintiff and William A. Brodie et al,  
 are Defendants, you are commanded that by the oaths  
 of F. G. Gallaway, J. M. Lutz, and C. C. Jarvis three judicious  
 disinterested men of the vicinity, not of kin to the  
 petitioners, who are freeholders of the County in  
 which said real estate is situated, and upon  
 actual view, you cause a just valuation and ap-  
 praisement to be made according to law of the  
 following described premises, free from dower, therein,  
 Court:

Situated in the County of Union and in the State  
 of Ohio, and in the village of Marysville, and  
 bounded and described as follows:-

Bring 9 1/2 feet off of the South side of Lot # 214  
 and 4 1/2 feet off of the North side of Lot # 215 in  
 said Village of Marysville, and including all between  
 the fences on the North and South Side of said  
 Lot, Being the same premises conveyed by J. H.  
 Robinson to said Leonard E. Bellus, by deed dated  
 July 6<sup>th</sup> 1876 and recorded in Union County Record  
 of deeds Vol. 42 Page 621.

Also the following described real estate situated  
 in said Village.

Beginning at the South-east corner of Lot  
 # 88 formerly owned by A. Hall; thence running South  
 82 1/2 feet to an Alley (now 7<sup>th</sup> St.) thence West 55 feet;  
 thence North 82 1/2 feet; thence East 55 feet to the  
 place of beginning. Bring a part of Lot # 93 in  
 said Village and being the same premises con-  
 veyed by John S. Flerk and wife to said Leonard  
 E. Bellus, by deed dated April 27<sup>th</sup> 1874, and  
 recorded in Records of Deeds Vol. 29, Page 508.

You will make return of your proceedings herein  
 to our said Probate Court forthwith upon execution  
 of said order, and have you then and there this writ.

Witness my signature as judge and Ex-Officio Clerk  
 of our said Probate Court, and the Seal of said Court,  
 at Marysville, Ohio, this 17<sup>th</sup> day of January, 1919.

*Real* Edward W. Porter

Probate Judge.

9034



Final Record, Union County Probate Court

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Return

To the Probate Court of Union County, Ohio:  
 In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
 Dated the 17<sup>th</sup> day of January 1919.  
 Richard L. Cameron.

9034

Oath Of Appraisers.

Oath of Appraisers

The State of Ohio,  
 Union County, ss.  
 We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.  
 L. C. Jarvis, J. M. Lentz, F. W. Gallaway. Appraisers.  
 Sworn to before me, and signed, in my presence, this 17<sup>th</sup> day of January 1919.

Miles L. Myers, Notary Public

9034

Appraisers Return

Appraisers Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers estimate the value of said real estate, to-wit:  
 First tract (house) at \$2400.00  
 Second tract (corner) at \$300.00  
 Given under our hands this 17<sup>th</sup> day of January 1919.  
 L. C. Jarvis, J. M. Lentz, F. W. Gallaway. Appraisers  
 Fees of Appraisers \$2.00 per day each \$6.00

9034

Confirming appraisement and Ordering Sale

Journal Entry: Confirming Appraisement and Ordering Sale  
 In Probate Court, Union County, Ohio.  
 Richard L. Cameron, Administrator  
 With the Will annexed of  
 The estate of Leonard E. Bellus, Deceased,  
 Plaintiff

no. 9034

Journal Entry

William A. Brodie, et al.  
 Defendants.

Confirming appraisement and Ordering Sale

This day this cause came on for trial to be heard on the return of the plaintiff, of the appraisement herein, and it appearing to the Court that the said appraisement heretofore ordered has been made and reported to this Court; and the Court having carefully examined the same, finds that said appraisement has been made, in all respects in conformity to law, and the former order of the Court, and the same is hereby

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Final Record, Union County Probate Court

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approved and confirmed.  
The court further find that the said plaintiff as such Administrator has given bond in the sum of \$ 5000.00 a sufficient amount with approved sureties, conditioned according to law.

Be, and it is hereby ordered that the said Richard L. Cameron, as such administrator, aforesaid, proceed according to law to sell the real estate described in the Plaintiff petition at public auction for not less than two-thirds the appraised value thereof, on the following terms to-wit: Cash in hand in full on day of sale.

It is further ordered that said petitioner give notice four consecutive weeks of the terms and time and place of sale, prior thereto, in a newspaper printed and of general circulation in said Union County, Ohio, where said real is situated.

and said petitioner is ordered to make return to this court immediately after such sale is made, and this cause is continued.

Eduard H. Porter, Probate Judge,  
Administrator's Sale.

9034  
admin-  
Sale

Richard L. Cameron, Administrator with the will annexed of the estate of Leonard E. Bellus, deceased, vs William A. Brodie et al. Case No. 9034.

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at Public Auction on Saturday, February the 22- 1919, at one O'clock P. M. at the North Door of the Court House, in said County aforesaid, the following described real estate, to-wit:-

First Tract: Being situated in the village of Marysville in the County of Union and State of Ohio, and being 9 1/2 feet off of the south side of Lot No. 214 and 46 1/2 feet off of the North side of Lot No. 215 in said village of Marysville, and including all between the fences on the North and South side of said lot and being what is known at the late Leonard E. Bellus homestead, located on south main Street in said village aforesaid, appraised at \$ 2400.00.

Also the following described real estate situated in said village aforesaid  
Second Tract, Beginning at the Southeast corner of Lot No. 88 formerly owned by A. Wall; Thence running South 82 1/2 feet to an Alley (now 7" Street); Thence West 55 feet; Thence North 82 1/2 feet; Thence East 55 feet to the place of beginning, and being what is known as the shop of the late Leonard E. Bellus,

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Final Record, Union County Probate Court

9034 located at the corner of South Main and West Semich Streets in said Village aforesaid. Appraised at \$300.00  
 Terms of sale cash.  
 Richard L. Cameron, Administrator  
 Miss L. Myers, Attorney Jan 20<sup>th</sup> 1919.

9034 The State of Ohio, Union County,  
 Village of Marysville, ss.  
 I, the undersigned, appeared before me, John H. Shearer and made solemn oath that the notice, a copy of which is hereto attached was published for four consecutive weeks on and next after January 20<sup>th</sup> 1919 in the Marysville Evening Tribune, a newspaper of general circulation in the village aforesaid.  
 John H. Shearer.

Subscribed to before me and signed in my presence this 11<sup>th</sup> day of February A.D. 1919.  
 J. M. Huber, Notary Public  
 Printed Fee \$1.50

9034 Order of the State of Ohio, Probate Court,  
 Union County, ss.

To Richard L. Cameron Administrator Greeting:  
 In obedience to an order and decree of the Probate Court within and for said County made this day, in a certain cause, wherein you as Administrator with the Will annexed of the estate of Demard E. Bellus, deceased, are Plaintiff and William A. Brodie et al are Defendants, you are commanded to proceed according to law, to sell at Public Sale, for not less than two-thirds the appraised value thereof, the following described premises, to-wit:

Situated in the Village of Marysville in the County of Union and State of Ohio and bounded and described as follows - to-wit:

Bring 9 1/2 feet of the South side of Lot # 714 and 46 1/2 feet off of the North side of Lot # 215 in said Village of Marysville, and including all between the fences on the North and South side of said Lot. Bring the same premises conveyed by J. H. Robinson to said Demard E. Bellus, by deed dated July 6-1876 and recorded in Union County record of deeds, Vol. 42 page 671.

Also the following described real estate situated in said Village, County and State and beginning at the South east corner to Lot 88 formerly owned by A. Hall; thence running south 82 1/2 feet to an alley (now 7<sup>th</sup> St.); thence West 55 feet;

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Final Record, Union County Probate Court

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thence North 82 1/2 feet; thence East 55-feet to the place of beginning. Bring a part of Lot # 93 in said Village and bring the same premises conveyed by John B. Fleck and wife to said Leonard E. Bellus by deed dated April 27<sup>th</sup> 1874, and recorded in Record of Deeds Vol. 29, Page 508.

Said sale to be on the 22<sup>nd</sup> day of February 1919 and to be upon the following terms: to wit:  
Cash in full in hand on day of sale.  
You will make return of your proceedings to this Court forthwith upon execution of this order.  
Witness my signature and the Seal of said Probate Court at Marysville, Ohio, this 18<sup>th</sup> day of January 1919.

 Edward H. Porter, Probate Judge.  
Return.

9034

To the Probate Court of Union County, Ohio:  
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
Dated the 25<sup>th</sup> day of February 1919.

Richard L. Cameron, Administrator of said.  
Report of Sale

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Report  
of  
Sale.

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Marysville Evening Tribune, a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate, for at least four consecutive weeks prior to the 22<sup>nd</sup> day of February 1919, the day of sale, therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour of One O'clock P.M., I attended at the North Door of the Court House, the place designated for said sale and offered said real estate for sale when came Memphis M. Myers, and Minnie Inalor Myers and bid to pay for said First Tract the sum of sixteen Hundred and Fifteen Dollars and then and there came Richard Turner, and bid to pay for the said Second Tract, the sum of Two Hundred and Fifteen Dollars, which being the highest and best bid that was offered, and being more than two-thirds the appraised value, of said premises, I then and there sold the same to them for said sums.

Richard L. Cameron,  
Administrator aforesaid

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Dated the 25<sup>th</sup> day of February, 1919.

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Final Record, Union County Probate Court

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The State of Ohio Union County, ss.

The above named Richard L. Cameron brings duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Richard L. Cameron

known to before me and signed in my presence, this 25<sup>th</sup> day of February 1919.

Edward H. Porter Probate Judge

9034

Journal Entry:

Confirming Sale

In the Probate Court of Union County, Ohio, Richard L. Cameron, Administrator with the will annexed of the estate of Leonard E. Bellus, Deid. Plaintiff.

Journal Entry

vs  
William A. Borden et al. Defendants.

Confirming Sale.

This day this cause came on to be heard on the return of the Order of sale heretofore issued herein to Richard L. Cameron Administrator of the estate of Leonard E. Bellus, deceased, with the will annexed and of his proceedings and sale thereunder.

Thereupon the court after having carefully examined said return, and being satisfied that such sale has in all respects been made according to law and the former order of this court, it is therefore considered and ordered by the court that said sale be and the same hereby be approved and confirmed; and said Richard L. Cameron as such Administrator is hereby ordered to execute and deliver to Memphis W. Myers, and Mintie Walter Myers, the purchasers of the Second Tract, good and sufficient deeds for the premises so sold upon the payment of the purchase price thereof, respectively, to said Administrator.

And it is further ordered that this cause be continued.

Edward H. Porter Probate Judge.

9034

Journal Entry:

Order of Distribution

In the Probate Court of Union County, Ohio, Richard L. Cameron, Adm'r, etc., of the Estate of Leonard E. Bellus, Deceased, Plaintiff.

Journal Entry

vs  
William A. Borden, et al. Defendants.

Order of Distribution.

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Final Record, Union County Probate Court

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This day this cause coming on to be heard on motion of the plaintiff, and the court coming now to the distribution of the proceeds of the sale of the real estate in the hands of said Administrator, in the sum of \$1832.00 for and it is hereby ordered that he pay

First: To the Clerk of this Court, the costs in this action herein taxed at \$52.95;

Second: To the treasurer of this County, the taxes, penalties and interest against said lands amounting to \$280.01.

Third: To William A. Brodie the amount of his note and interest due thereon and secured by mortgage on said real estate in the sum of \$877.34.

Fourth: To The Union Banking Company the amount of its note and the interest due thereon and secured by mortgage on said real estate in the sum of \$122.35.

Fifth: That the said administrator distribute the balance of said money \$477.35 and account for same according to law.

And it is further ordered that this case be recorded.

Edward H. Porter, Judge.

9121  
Filed  
Feb 24 -  
1919

Petition for Sale of Real Estate to Pay Debts  
Probate Court, Union County, Ohio.

Abraham J. Kraemer, as Administrator,  
of the Estate of  
Henry Kaufman, Deceased,  
Plaintiff,  
vs.  
Fannie Kaufman,  
Abraham Kaufman, a minor,  
Anna Kaufman, a minor,  
Katherine Kaufman, a minor,  
Harley Kaufman, a minor,  
D. J. Miller, and  
The Buckeye State Building  
and Loan Company,  
Defendants.

No. 9121  
Civil Action.

Petition To  
Sell Real Estate.

Petition.

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the Estate of Henry Kaufman late of Union County, Ohio, deceased; that the amount of debts due from the deceased is, as now known to said Administrator, Seven Thousand and Three Hundred Dollars, as near as can be ascertained at this time; that the charges of administration of said estate

9121



Final Record, Union County Probate Court

9121

will amount to about --- Dollars; and that the total value of the personal estate and effects of said deceased is but about four thousand dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said Henry Kaufman died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit:

First Tract: Situated in the County of Union in the State of Ohio, and in the Township of Jerome, and bounded and described as follows: Being in Survey No. 5132, and -

Beginning at a stone in the center of the Barlow and Mitchell road and the West line of said Survey and at the Northwest corner of C. L. Curry's land; thence with the said road and survey line N. 33° W. 2 poles to a stone at the south west corner of Jesse C. Gill's land; thence with two consecutive lines of said land N. 57° 10' E. 42 poles, and N. 33° W. 48.60 poles to a stone; thence with a south line of a division of the Andrew Gill land N. 57° E. 248 poles to a stone in the East line of said Survey; thence with said land S. 33° E. 51.40 poles to a stone at the Northeast corner of said C. L. Curry's land; thence with the North line of said land S. 57° 10' W. 290 poles to the beginning containing 78.40 acres, more or less.

Second Tract: Situated in the County, State, Township and Survey aforesaid, and bounded and described as follows: Being in Survey No. 5132, and

Beginning at a stone in the center of the Barlow and Mitchell road and S. 32° 15' E. 51 poles from the North west corner of said Survey; thence with three consecutive lines of the lands of Andrew Gill as formed by this conveyance N. 57° 45' E. 42 poles to a stone; thence S. 32° 15' E. 54.10 poles to a stone; thence S. 57° 45' W. 42 poles to a stone in the center of said road, N. 32° 15' W. 53.80 poles to the place of beginning, containing 14.10 acres, more or less.

The said decedent died leaving the defendant Fannie Kaufman, his widow, who is entitled to dower in said premises; that the defendants, Abraham Kaufman, Anna Kaufman, Katherine Kaufman, and Harley Kaufman, all minors, are the only children and heirs at law of said decedent, having the next estate of inheritance from said Henry Kaufman, deceased, in said premises; that the Defendants, D. J. Miller, and The Buckeye State Building and Loan Company each claims a

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Final Record, Union County Probate Court

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lien upon said lands hereinafter described by mortgage deed thereof; which liens, if the same exist, the Plaintiff prays the said Defendants be required to set forth herein or be forever barred therefrom; that a sale in the premises is asked for the purpose of paying said claims, if the same exist, which Plaintiff, is informed are in, approximately, the following amounts: D. J. Miller, \$3100.00, and The Buckeye State Building and Loan Company, \$4200.00.

The Plaintiff therefore prays that the dower of said Fannie Kaufman in said premises may be assigned and set off to her; that the rights, interests and liens of the said D. J. Miller and The Buckeye State Building and Loan Company, if the same be set forth and asserted herein, may be fully determined, adjusted and protected according to equity; and that your petitioner may be authorized and ordered to sell said real estate subject, (unless the same be released), to said dower, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

James M. Campbell - Attorney for this Plaintiff

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The State of Ohio, Union County, ss.

Orde

Abraham J. Kramer, the herein named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Abraham J. Kramer.

Affirmed to before me and signed in my presence, this 24<sup>th</sup> day of February, 1919.

Edward H. Porter, Probate Judge.

Probate Court, Union County, Ohio,  
No. 9121

9121

Principals

Abraham J. Kramer, as Administrator of the Estate of Henry Kaufman, Deceased, Plaintiff.

Civil action.  
Petition to Sell Real Estate.  
Principals.

Against:  
Fannie Kaufman, et al., Defendants.

To the Probate Judge:  
Issue summons for said

Abraham Kaufman, Anna Kaufman, Katherine Kaufman, and Harley Kaufman, all minors, Defendants, directed to the Plaintiff returnable according to law.

James M. Campbell,  
Plaintiff's Attorney



Final Record, Union County Probate Court

9121  
 Filing  
 Petition to sell  
 Real Estate.

Journal Entry: Filing Petition to sell Real Estate.  
 In the Probate Court of Union County, Ohio.  
 Monday, February, 24-1919.  
 case no.  
 Journal Entry.

Abraham J. Kramer, as Administrator  
 of the Estate of Henry Kaufman, deceased,  
 Plaintiff.

vs

Hanna Kaufman, et al  
 Defendants.

This day came the Plaintiff, Abraham J. Kramer as Administrator of the estate of Henry Kaufman, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Henry Kaufman, deceased, to pay the debts, and the costs of administering the estate, of the said decedent. Whereupon it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency, and prayer of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Edward H. Porter, Probate Judge

9121  
 Summons.

Summons on Petition to sell Real Estate.

The State of Ohio, Union County, ss.  
 To the Plaintiff, Abraham J. Kramer:

You are commanded to notify Abraham Kaufman, Anna Kaufman, Katharine Kaufman, and Harley Kaufman, Minors, that on the 24<sup>th</sup> day of February A.D. 1919, Abraham J. Kramer, as Administrator In Boris Non, of the estate of Henry Kaufman, deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts; and that unless they answer by the 29<sup>th</sup> day of March, 1919, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 10<sup>th</sup> day of March, A.D. 1919.

Witness my hand and the seal of said Court, this 24<sup>th</sup> day of February, A.D. 1919.

Edward H. Porter, Judge and Ex. Officio Clerk of the Probate Court of said County

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 The State of Ohio, Union County, ss.  
 I, Abraham J. Kramer, bring duly affirmed say,

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Final Record, Union County Probate Court

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 Affirms  
 that on the 25<sup>th</sup> day of February, 1919, I served this writ by delivering a copy thereof personally to the following named persons, to-wit: Abraham Kaufman, Anna Kaufman, Katherine Kaufman, and Harley Kaufman, all minors; and the said minors (and each of them) having no legal guardian, nor father living.  
 I served a copy of this writ on Fannie Kaufman, same day, personally, as the mother of said minors.  
 Abraham J. Kramer.  
 Affirmed to before me and signed in my presence, this 26<sup>th</sup> day of February, 1919.  
 Seal Edward H. Porter, Probate Judge.

9121  
 Answer of Widow.  
 In the Probate Court of Union County, Ohio  
 No. 9121  
 Answer of Widow  
 Proceedings to Sell Real Estate.  
 Abraham J. Kramer, as administrator  
 of the Estate of  
 Henry Kaufman, deceased  
 Plaintiff  
 v.  
 Fannie Kaufman, et al.  
 Defendants.

And now comes Fannie Kaufman, one of the defendants in the above entitled cause and voluntarily enters her appearance herein, and for her answer to the petition in this case filed, says: that she is the widow of said Henry Kaufman, deceased, and as such is entitled to dower in the premises described in said petition; that her age is twenty-six years; that she consents to the sale of the real estate of said decedent, as prayed for, and that she claims assignment of her dower in said premises by notes and bonds, or in rents and profits; and asks the Court that said premises may be sold free from her dower estate therein and that the value of such dower estate may be allowed and paid her in money out of the proceeds of such sale, as the Court may deem reasonable.  
 Fannie Kaufman.

9121  
 Affirms  
 The State of Ohio, Union County, ss.  
 Fannie Kaufman being affirmed, makes oath that the facts stated in the foregoing answer are as she claims true.  
 Fannie Kaufman.  
 Affirmed to by said Fannie Kaufman before me, and signed by her in my presence, this 26<sup>th</sup> day of February, A. D., 1919.  
 Seal L. A. Davis, Notary Public.



Final Record, Union County Probate Court

9121  
 Wainor  
 Abraham J. Kramer as Administrator,  
 of the Estate of  
 Henry Kaufman deceased.  
 Plaintiff.

vs.

Fannie Kaufman (widow)  
 Abraham Kaufman a minor  
 Anna Kaufman a minor  
 Katherine Kaufman a minor  
 Harley Kaufman a minor  
 D. J. Miller and The Buckeye  
 State Building and Loan Company.  
 Defendants.

no. 9121

Petition to Sell Real Estate  
 Wainor of Process  
 and  
 Consent to Sell.

We, the under signed parties defendant in the above  
 entitled cause for the sale of Real Estate of the estate  
 of said Decedent to pay debt, hereby waive service of  
 process, and consent to the sale of the Real Estate  
 in said Petition mentioned, as herein prayed for,  
 and the statutory time for pleading is hereby waived  
 and we consent that said Petition may be heard at  
 such time as may be by the Court ordered.

D. J. Miller  
 Fannie Kauffman

9121  
 Answer and  
 Cross Petition  
 of the  
 Buckeye  
 State Building  
 and Loan  
 Company.

Answers to Cross Petition  
 of the Buckeye State Building  
 and Loan Company,  
 Probate Court, Union County, Ohio.

Abraham J. Kramer as Administrator  
 of the estate of Henry Kaufman,  
 Deceased.  
 Plaintiff.

vs.

Fannie Kaufman et al.  
 Defendants

no. 9121

Answer and Cross Petition  
 of the Buckeye State  
 Building and Loan Company

This answering defendant, The Buckeye State  
 Building and Loan Company, is a corporation  
 duly organized with head quarters at Columbus Ohio.  
 This Cause of Action:

On February 23, 1915 Henry Kaufman, now deceased,  
 and Fannie Kaufman executed and delivered  
 to this answering defendant their certain pro-  
 issory note, of which the following is a true  
 and correct copy:-

Straight Down.

Columbus Ohio, February 23 1915-

\$ 4200.00

On or before five years after date for value.  
 Weins J. M or either of us promise to pay to the

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Final Record, Union County Probate Court

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Buckeye State Building and Loan Company of Columbus, Ohio, the sum of Forty Two Hundred (\$4200-) Dollars with interest at the rate of six per cent per annum payable semi-annually on or before the twenty-third day of August and February of each year.

Payments of One Hundred Dollars or more in addition to the interest may be made at any time, and the same shall cease to bear interest on the day paid.

It is further understood and agreed that if this note be not paid when due; or if any installments of interest hereon be not paid when due, or within thirty days thereafter; or if the maker hereof or the owner of the real estate mortgaged to secure the repayment of this note with the interest hereon, or any one for them, fail to keep all taxes and assessments levied on said real estate paid as they become due and payable; or fail to keep the premises so mortgaged insured in some reliable fire insurance company in a sum of not less than \$1200 with a clause providing that the loss, if any, shall be payable to said company according to its mortgage interest; or fail to keep the buildings on the real estate mortgaged to secure this loan in good and proper repair; then and on such default in whole or in part, all the indebtedness so secured by such mortgages and owing on this note shall thereupon become due and payable at the option of said company, or the legal owner thereof; and said company or owner may enforce the repayment of all said indebtedness, including all accrued interest and money expended for taxes, insurance and assessments as provided for in said mortgage according to law.

All of the principal of this note not paid when due and any installment of interest not paid when due shall draw interest at the rate of eight per cent per annum until paid.

Res. stamp attached. Henry Kaufman, Fannie Kaufman.

There is payable on said note to this answering defendant the sum of \$4331.60, with interest as per the terms of said note from the 1st day of March 1919; which said sum with said interest and costs this defendant claims.

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Second Cause of Action!

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Final Record, Union County Probate Court

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To secure the payment of the note set up in the First Cause of Action the said Henry Kaufman and Fannie Kaufman husband and wife executed and delivered to this defendant their certain mortgage deed, thereby to it conveying the following real estate situated in the township of Jerome County of Union in the State of Ohio and described as follows:

Being a part of Survey No. 5132 and bounded and described as follows:

Beginning at a stone in the center of the Barlow and Mitchell Road and the westerly line of Survey No. 5132 and at the north westerly corner of C. L. Curry's land; thence with the said Road and Survey line north thirty - three deg. west fifty - five and eighty hundredths (55.80) poles to an iron rod at the north - westerly corner of lands conveyed by Andrew Gill to Jesse C. and Josie M. Gill July 28 - 1899. Thence with their consecutive lines of land conveyed to Bess Gill and Louise Gill November 8 - 1913 north fifty - seven deg. east forty two (42) poles to an iron rod. Thence south 33 deg. east five and fifty hundredths (5.50) poles to an iron rod. Thence north fifty - seven deg. east two hundred and forty eight (248) poles to a stone, corner to said land, in the easterly line of said Survey No. 5132; thence with said line south thirty - three deg. east fifty - one and forty hundredths (51.40) poles to a stone at the north easterly corner of said C. L. Curry's land; thence with the northerly line of said land south fifty - seven deg. 10 min. west two hundred and ninety (290) poles to the beginning, containing ninety - two and one half acres (92 1/2 a.) of land, more or less.

Said mortgage is conditioned as follows:- That the said mortgagors have executed and delivered to the said mortgagee their own certain promissory note of even date here with due as hereinafter mentioned and in amounts as follows: \$4200.00 due on or before five years from the date hereof.

Together with the interest thereon at the rate of six per cent per annum, payable semi-annually, on or before the 23. days of February and August of each year. That if said note be not paid when due or if any installment of interest thereon be not paid when due, or within thirty days thereafter, then all of said note, together with all accrued interest thereon shall thereupon become

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Final Record, Union County Probate Court

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due and payable at the option of the owner of said note and mortgage.

That the said mortgagors further agree as follows: To pay all taxes, assessments and other charges, that may be assessed against the property herein conveyed promptly as they become due and payable; To keep the building on the real estate hereby mortgaged in good and proper repair; to keep said property insured in some responsible fire insurance company satisfactory to said mortgagors in a sum of not less than \$1200.- with the loss, if any, payable to said mortgagors as its mortgage interest may appear; and to bear said policy of insurance in the possession of said mortgagors until this mortgage is fully paid.

That if the said mortgagors, their heirs or assigns shall fail to pay promptly as they or either become due and payable, said taxes, insurance, assessments or other charges that may be levied against said property, the said mortgagors may pay the same, which sum so paid shall be charged against the said mortgagors, and to bear interest from date of payment thereof at eight percent per annum, payable semi-annually, and be a lien upon the property herein conveyed, and be secured by this mortgage as a part of the consideration hereof; and in such default, for thirty days or if said building be not kept in good and proper repair, all the money secured by this mortgage shall thereupon become due and payable.

Now, if the said mortgagors shall pay to said company its successors or assigns, the said sum of money when due, as provided for in said note and shall faithfully keep each and all of the above stipulated conditions, then these presents shall be void.

Said mortgage was filed for record with the Recorder of said County February 24, 1915 at 4.05 O'clock P.M., and thereafter by him recorded in Mortgage Record 73, page 21 of the Records of said County, and is now the first and best lien on the real estate therein described.

Wherefore this defendant prays that upon a sale of said real estate its rights may be protected, and its said claim declared the first and best lien upon said real estate and first paid out of the proceeds of any sale thereof, and that it may have all

9121.



Final Record, Union County Probate Court

9121 other relief to which it is entitled  
Wilson and Rector, Attorneys  
for the Buckeye State Building and Loan Co.

9121 State of Ohio Franklin County, ss.  
J.E. Kirney, being first sworn, says that he is the  
Cash President of the Buckeye State Building and Loan Company  
the defendant above named, and that the facts  
stated and allegations made in the foregoing Answer  
and Cross Petition are true as he verily believes  
J.E. Kirney,  
Sworn to before me and subscribed in my presence  
February 28, 1919.  
Fred C. Rector Notary Public.

Top fee

9121 Entry:  
The Probate Court of Union County, Ohio,  
do hereby grant to file  
Abraham J. Kramer, as Administrator  
of the Estate of Henry Kaufman,  
Deceased,  
Plaintiff,

Fannie Kaufman, et al.  
Defendants.

On motion of D. J. Miller, one of the defendants in  
the above titled cause, leave is hereby granted  
the said D. J. Miller to file an Answer and  
Cross Petition in the above cause and same  
is filed.

Edward H. Porter Probate Judge.

9121 Answer and Cross Petition of D. J. Miller.  
Now comes D. J. Miller, one of the defendants in  
the above entitled cause and says he admits  
that plaintiff is the duly appointed and qualified  
Administrator of the Estate of Henry Kauffman,  
Deceased, but knows nothing of the other matters  
and things set forth in said petition, and  
therefore, denies the same.

And by way of Cross-petition this defendant  
says that on the 1<sup>st</sup> day of March A.D. 1915  
Henry Kaufman and Fannie Kaufman executed  
and delivered to D. J. Miller their certain promissory  
note dated March 1 - 1915, for the sum of Three  
Thousand One Hundred and Twenty-four Dollars  
payable to the order of D. J. Miller, and due two  
years after date with interest from date, a

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Final Record, Union County Probate Court

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copy of which note with all endorsements and credits thereon is made a part of this cross-petition and is as follows:

"# 3124."

Plain City, Ohio, March 1-1915.

Two years after date, for value received, we jointly and severally promise to pay D. J. Miller or order, at The Farmers National Bank of Plain City, in Plain City, Ohio, with interest from date at the rate of 6% per annum until paid annually.

And it is hereby agreed that after this obligation shall have become due, time of payment may be extended, from time to time, without knowledge or consent, and we shall remain liable notwithstanding such extension of time, and we hereby authorize any attorney-at-law to appear before any court of record, in the State of Ohio, or elsewhere, at any time after this obligation becomes due, and return process and service thereof and without notice confess judgment against us, or any or either of us, in favor of the legal holder hereof for the amount that may appear due thereon, for principal, interest, costs of suit and all attorney fees, releasing all errors in the judgment so confessed and waiving all right and benefits of appeal and any or all proceedings to set aside, vacate, open, suspend, or reverse such judgment or execution issued for the collection thereof. We also waive all benefit of advantages to which we may be entitled by virtue of any homestead or other exemption law, now or hereafter, in force in this or any other state or elsewhere, where judgment may be entered by virtue hereof.

We hereby authorize the payee, its agent or assigns, to sell at public or private sale, any or all notes, stock, bonds, or other evidence of indebtedness, pledged as collateral, to the payment of this note.

Henry Kaufman, Fannie Kaufman

Revenue stamps, 64 cents.

Endorsements - None - Credits Paid March 1-1916 - \$ 416.00  
Credits Paid Sept. 1-1916 - \$ 95.567."

That in order to secure the payment of said note, the said Henry Kaufman and Fannie Kaufman, his wife, executed and delivered to this defendant a mortgage dated the 14th day of October A.D. 1915, upon the premises described in the petition for

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Final Record, Union County Probate Court

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sale in this cause. That on the 20<sup>th</sup> day of November A.D. 1915, at 9:30 O'clock A.M. said mortgage was delivered to the recorder of Union County Ohio and was recorded on the 20<sup>th</sup> day of November 1915. in Vol. 75 Page 56. of the mortgage records of said county.

That in said mortgage it was provided " Provided Always, and these presents are upon this condition, that if the said Henry Kaufman and Fannie Kaufman shall pay or cause to be paid unto the said D. J. Miller or to his executors, administrators and assigns the following described promissory note.

Plain City, Ohio March 1- 1915; Two years after date for value received we jointly and severally promise to pay D. J. Miller or order three thousand One hundred and Twenty four Dollars at the Farmers National Bank of Plain City, in Plain City, Ohio with interest from date at the rate of 6 per cent per annum until paid, payable Annually.

Judgment form signed by Henry Kaufman, and Fannie Kaufman.

Then these presents shall be void, otherwise to be and remain in full force and virtue in law forms.

The Defendant says that said mortgage has become absolute, that no part of sum mentioned in said note and mortgage has been paid, except the credits set out in the copy of said note with credits, and that there is now due and owing defendant the sum of \$ 2345.40, with interest from March. 1. 1919, at 6 per cent per annum, payable annually.

Wherefore defendant prays that said premises, may be sold, that his debt and interest be paid in full out of the proceeds of the sale, and that he may have such other and further relief as law and equity may afford.

J. E. Strayer  
Attorney for Plaintiff.

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Order for  
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Oath

State of Ohio, Madison County, ss.

D. J. Miller, being first duly affirmed says that he is the within named defendant and that the facts stated and the allegations contained in the foregoing answer and cross-petition are true as he verily believes.

Seal D. J. Miller,  
Affirmed to before me and subscribed in my presence, this 27<sup>th</sup> day of March, 1919.  
J. E. Strayer, Notary Public.

9121

Final Record, Union County Probate Court

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Waint.

In the Probate Court of Union County, Ohio,  
Abraham J. Kramer, as Administrator,  
Of the Estate of  
Henry Kaufman, Deceased,  
Plaintiff.  
vs.  
Fannie Kaufman (widow)  
Abraham Kaufman, a minor,  
Anna Kaufman, a minor,  
Katherine Kaufman, a minor,  
Harley Kaufman, a minor,  
D. J. Miller, and -  
The Buckeye State Building and  
Loan Company,  
Defendants.

Union County, Ohio,  
no. 9121  
Petition to  
sell Real Estate.

Waint

Waint of Process  
and  
Consent to Sell.

We, the undersigned, parties defendant in the above  
entitled cause for the sale of Real Estate of the estate  
of said Decedent to pay debts, hereby waive service  
of process, and consent to the sale of the Real  
Estate in said Petition mentioned, as herein  
prayer for, and the statutory time for pleading  
is hereby waived and we consent that said  
Petition may be heard at such time as may  
be by the Court ordered.

The Buckeye State Building and Loan Co.,  
By J. E. Keiney, President.

9/21

Journal Entry:

Probate Court, Union County, Ohio,  
Monday, March 31- 1919.

Abraham J. Kramer, as Administrator,  
of the estate of  
Henry Kaufman, deceased,  
Plaintiff.  
vs.  
Fannie Kaufman, et al.  
Defendants.

no. 9121  
Journal Entry.

Order for  
Appraisement

Order for Appraisement

This day this cause came on to be heard  
upon the petition, proofs, and exhibits, and  
the respective answers of The Buckeye State Building  
and Loan Company, Fannie Kaufman, widow  
of said decedent, and D. J. Miller, the Court find  
that all the defendants have been duly served  
with process, or have voluntarily entered their  
appearances in the case; and that as set  
forth in the petition, it is necessary to sell  
the real estate therein described, to pay the  
debts of the said Henry Kaufman, deceased.

9/21



Final Record, Union County Probate Court

9121

And Fannie Kaufman the widow of the said Henry Kaufman having by her Assent waived the assignment of her dower by metes and bounds: it is therefor ordered and adjudged by the Court that the said premises be appraised free of dower by the oaths of Charles D. Brown, Wick Ruffing and Earl Curry, judicious and disinterested freeholders of the vicinity whom the Court hereby appoint for that purpose and that they return their proceedings to this Court for confirmation

Edward H. Porter, Probate Judge

Order Of Appraisement

Probate Court

9121

The State Of Ohio

Union County, ss.

Order Of Appraisement

To Abraham J. Krauer, as administrator of the estate of Henry Kaufman, Deceased. Meeting

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Administrator of the Estate of Henry Kaufman, deceased, are Plaintiff and Fannie Kaufman et al. are Defendants, you are commanded that by the oaths of Charles D. Brown, Wick Ruffing, and Earl Curry, three judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises, free from the dower estate of Fannie Kaufman, the widow of the said Henry Kaufman, deceased therein, to wit:

First Tract: Situate in the County of Union, in the State of Ohio, and in the Township of Jerome, and bounded and described as follows:

Being in Survey No. 5132, and Beginning at a stone in the center of the Barlow and Mitchell road and the West line of said Survey and at the North west corner of C. L. Curry's land; Thence with the said road and Survey line N. 33° W. 2. poles to a stone at the South west corner of Jesse L. Gill's land; Thence with two consecutive lines of said land N. 57° 10' E. 42 poles, and N. 33° W. 48.60 poles to a stone; Thence with a South line of a division of the Andrew Gill land N. 57° E. 248 poles to a stone in the East line of said Survey; Thence with said land S. 33° E. 51.40 poles to a

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Final Record, Union County Probate Court

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at the North east corner of said L. H. Curry's land; Thence with the North line of said land S. 57° 10' W. 290 poles to the beginning containing 78.40 acres more or less.

Said Tract: Situated in the County, State, Township and Survey, upon said, and bounded and described as follows:

Being in Survey No. 5132, and Beginning at a stone in the center of the Barlow and Mitchell road and S. 32° 15' E. 51 poles from the North west corner of said Survey; Thence with three consecutive lines of the lands of Andrew Hill as formed by this conveyance, N. 57° 45' E. 42 poles to a stone; Thence S. 32° 15' E. 54.10 poles to a stone; Thence S. 57° 45' N. 42 poles to a stone in the center of said road; Thence with the center of said road N. 32° 15' W. 53.80 poles to the place of beginning, containing 14.10 acrs. more or less.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and have you then and there this Writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the seal of said Court, at Marysville, Ohio, this 31- day of March, 1919.

Seal Edward H. Porter, Probate Judge, Return.

9121

Return

To the Probate Court of Union County, Ohio: In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 31-st day of March 1919  
Abraham J. Kramer,  
Plaintiff, Administrator &c.

Oath Of Appraisers

9121

Oath of Appraisers

The State of Ohio -  
Madison County, 25.  
We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value and perform the duties required of us, in pursuance of the foregoing order.

Chas. D. Brown,  
Nick Ruffing Appraisers,  
Earl Curry.

9121

Known to before me, signed in my presence, this 31- day of March, 1919.  
J. E. Strayer, Notary Public



Final Record, Union County Probate Court

9121  
Appraisers  
Return

Appraisers' Return.  
In obedience to the foregoing order, after being first  
duly sworn, and upon actual view of the premises  
therein described, we, the undersigned appraisers,  
estimate the value of said real estate at Eight thousand  
and no/100 Dollars free from said dower estate Fannie  
Kaufman widow of the said Henry Kaufman deceased,  
Given under our hands, this 31<sup>st</sup> day of March  
1919.

Chas. D. Brown  
Nick Ruffing  
Earl Curry  
Appraisers.

9121  
Order  
Approving  
Appraisement  
for  
Public Sale.

Journal Entry: Orders Approving Appraisement for Public Sale  
Probate Court, Union County, Ohio,  
Abraham J. Kramer, as Administrator  
of the Estate of  
Henry Kaufman, Deceased,  
Plaintiff  
vs  
Fannie Kaufman, et al.  
Defendants.

Monday.  
April 1 - 1919  
Petition to Sell Real  
Estate.

Order of Sale, etc.

This day came the said Plaintiff, by his attorney,  
and produced to the Court, the report of an  
appraisement herein made by Charles D. Brown,  
Nick Ruffing, and Earl Curry, in pursuance of a  
former order of this Court; and it appearing upon  
examination that said report is in all respects  
regular and correct, it is ordered that the same  
be and hereby is approved and confirmed.

It is therefore further ordered that said  
Abraham J. Kramer, as such Administrator  
proceed according to law to sell the real estate,  
described in the petition free from dower at  
public auction on the premises, for not less than  
two-thirds the appraised value thereof, on the  
following terms, to-wit: Cash in hand on day of Sale.

It is further ordered that said petitioner give  
notice four weeks consecutively of the terms and  
time and place of sale, prior thereto, in some  
newspaper of general circulation in Union County, Ohio,  
where said real estate is situated.

And said petitioner is ordered to make  
return to this Court immediately after such  
sale is made, and this cause is continued.

Edward H. Porter Probate Judge

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Order Of Sale - Free from Dower.  
The State of Ohio, Union County, ss. Probate Court

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Final Record, Union County Probate Court

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(Returned unexecuted) Files

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Order of Sale.

To Abraham J. Kramer, as Administrator of the estate of Henry Kaufman, Deceased. Meeting:

In obedience to an order and decree of the Probate Court, Union and for said County, made this day, in a certain cause, wherein you as Administrator of the Estate of Henry Kaufman, deceased, are Plaintiff and Fannie Kaufman et al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than two-thirds the appraised value thereof free from the dower of Fannie Kaufman, widow of Henry Kaufman, deceased, the following described premises, to wit:

First Tract: Situate in the County of Union in the State of Ohio, and in the Township of Jerome, and bounded and described as follows: Being in Survey No. 5132, and Beginning, at a stone in the center of the Barlow and Mitchell road and the West line of said Survey and at the North west corner of E. L. Curry's land, thence with said road and Survey line N. 33° W. 2 poles to a stone at the South west corner of Jesse O. Hill's land; thence with two consecutive lines of said land N. 57° 10' E. 42 poles, and N. 33° W. 48.60 poles to a stone; thence with a South line of a division of the Andrew Gill land N. 57° E. 248 poles to a stone in the east line of said Survey; thence with said land S. 33° E. 51.40 poles to a stone at the Northeast corner of said E. L. Curry's land; thence with the North line of said land S. 57° 10' W. 290 poles to the beginning, containing 78.40 acres more or less.

Second Tract: Situated in the County, State, Township, and Survey, aforesaid, and bounded and described as follows: Being in Survey No. 5132, and Beginning at a stone in the center of the Barlow and Mitchell road, and S. 32° 15' E. 51 poles from the North west corner of said Survey; thence with three consecutive lines of the lands of Andrew Gill as formed by this company, N. 57° 45' E. 42 poles to a stone; thence S. 32° 15' E. 54.10 poles to a stone; thence S. 57° 45' W. 42 poles to a stone in the center of said road; thence with the center of said road, N. 32° 15' W. 53.80 poles to the place of beginning, containing 14.10 acres, more or less.

Said sale to be upon the premises in Jerome Township, and to be free from dower and to be

9121



Final Record, Union County Probate Court

9121

the following terms: Cash in hand on day of sale. You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Mansfield, Ohio, this 1<sup>st</sup> day of April, 1919.

Edward H. Porter, Probate Judge, Return.

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In the Probate Court of Union County, Ohio:  
The foregoing Order is hereby returned, unexecuted, by order of the Court. Dated the 9<sup>th</sup> day of April, 1919.  
Abraham J. Kramer, Plaintiff.

9121

Motion and Affidavit

In the Probate Court of Union County, Ohio

Abraham J. Kramer, as Administrator of the Estate of Henry Kaufman, Deceased, Plaintiff.  
vs.  
Fannie Kaufman, et al. Defendants.

Order No. 9124.  
Motion and Affidavit to set aside Order for Public Sale, and for Order for Private Sale of real estate.

Motion

Now comes Abraham J. Kramer, the plaintiff in the above entitled cause and states to the Court that on the 1<sup>st</sup> day of April, 1919, this Court issued to said Plaintiff an order for the public sale of the lands in the petition described, for cash:

That the earliest day practicable for such public sale would be the 3<sup>rd</sup> day of May, 1919, and that some days would elapse thereafter, if said lands were sold thereat before the purchaser could be put in possession thereof thereby causing such delivery to be too late for successful cropping of said lands during the present season; and that such late delivery of possession might materially affect the bidding and the price obtainable at said public sale.

Said Plaintiff further states to the Court: That, since the issuing of said Order of Sale, the Plaintiff has received a bona fide offer of the sum of \$ 8047.50, in cash, for said lands, if the same may be sold at private sale now, and immediate possession thereof given, so that the same may be cropped for the current season; that said offer is \$ 47.50 more than the appraised value of said lands; and that said lands have been fully and fairly appraised.

Wherefore, and for additional reasons here following, the Plaintiff moves the Court to set aside said order for the public sale of said lands and to order the same sold at

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Order On Abraham  
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Final Record, Union County Probate Court

of sale, this Court Probate Court, at Judge, Plaintiff, County, Ohio, Affidavit Order for Public Sale, in the Court that, of the, public, that, lands, be, such, of, and that, at, that, the, of the, and, that, the, reason, at said, ised, here, to set, said, at

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private sale because, specifically:  
1. A private sale in this case, at once, will obviate the danger of a public sale at less than the appraisement.  
2. A private sale will save to said estate a considerable sum in costs and expenses incident to a public sale.  
3. A private sale for cash will enable said Plaintiff close the Administration of said Estate at an earlier date than by a sale at public auction.  
4. A private sale now, for cash, will enable the Plaintiff to save to said Estate a considerable sum in Interest on liens affecting said lands.

James M. Campbell

Attorney for the Plaintiff.

9121

The State of Ohio, Union County, ss.  
Abraham J. Kramer, the Plaintiff herein, being duly affirmed according to law, says that the facts stated and allegations made in his foregoing motion are, as he verily believes true.

Abraham J. Kramer

Affirmed to before me by the said Abraham J. Kramer, and signed by him in my presence, this 9<sup>th</sup> day of April, A.D. 1919.

seal

Edward W. Porter, Probate Judge.

9121

Journal Entry:  
In the Probate Court of Union County, Ohio, Case No. 9121  
Wednesday, April 4<sup>th</sup> 1919.  
Journal Entry  
Order On Abraham J. Kramer, as Administrator, of the Estate of Henry Kaufman, Deceased, Plaintiff.

Order On Abraham J. Kramer, as Administrator, of the Estate of Henry Kaufman, Deceased, Plaintiff, and ordering Private Sale of lands.

Fannie Kaufman et al., Defendants.

Order setting aside Order for Public Sale, and ordering Private Sale, of lands.

This day this cause came on to be heard upon the Plaintiff's motion to set aside the order for the public sale of the lands in the petition described, heretofore issued by the Court, and to grant an order to sell said lands at private sale, and the evidence submitted in support of said motion; and the same was submitted to the Court. Whereupon, the Court, being fully advised in the premises, considered and finds that the said motion is well made, and that it will be manifestly to the advantage of the estate of said Henry Kaufman, deceased, at this time and for the

9121



Final Record, Union County Probate Court

9121 reasons set forth in said motion, to sell said lands at private sale rather than at public sale as heretofore ordered; and the said motion, therefor, is sustained. Wherefore, it is considered and ordered by the Court that the order for the public sale of the lands in the petition described, heretofore issued in this cause, be, and the same is hereby set aside and ordered returned to this Court unexecuted.

And it is further ordered that said Administrator proceed to sell the said lands of said estate at private sale, free of the down estate of Harmon Kaufman, therein, for not less than the appraised value thereof and for the best price he can obtain therefor, for cash; and that an order for the private sale of said lands issue as prayed.

And said Administrator is ordered to report to this Court his proceedings under said order for private sale forthwith upon the execution thereof; and this cause stands adjourned for a report as ordered.

Edward W. Porter, Probate Judge.

Administrator's Sale.

9121 Pursuant to an Order of Sale, to me directed by the Probate Court of Union County, I will offer at public Auction, on Saturday, the 3<sup>rd</sup> day of May, 1919, at One O'clock P.M. upon the premises about one-half mile from Arnold Station in Jerome Township of said County, the following described real estate, to-wit: Situated in the County of Union, in the State of Ohio and in the Township of Jerome and bounded and described as follows: Bring in Survey No. 5-137, and (1<sup>st</sup> tract) - Beginning at a stone in the center of the Barlow and Mitchell road and the West line of said Survey and at the North west corner of J. L. Currys land; Thence with the said road and Survey line N. 33° W. 2 poles to a stone at the South west corner of Jesse C. Gill's land; Thence with two consecutive lines of said land N. 57° 10' min. E. 42 poles, and N. 33° W. 48.60 poles to a stone; Thence with a South line of a division of the Andrew Gill land N. 57° E. 248 poles to a stone in the East line of said Survey; Thence with said land S. 33° E. 51.40 poles to a stone at the North east corner of said J. L. Currys land; Thence with the North line of said land S. 57° 10' N. 290 poles to the beginning, containing 78.40 acres, more or less.

(2<sup>nd</sup> tract) Situated in the County, State, Township, and Survey, aforesaid and bounded and described

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Final Record, Union County Probate Court

9121

as follows: Begin in Survey No. 5122 and Beginning at a stone in the center of the Barlow and Mitchell road and S. 32° 15' E. 51 rods from the North west corner of said Survey; Thence with three consecutive lines of the lands of Andrew Gill as formed by this conveyance. N. 57° 45' E. 42 poles to a stone; Thence south 32° 15' E. 54.10 poles to a stone; Thence south 57° 45' west 42 poles to a stone in the center of said road; Thence with the center of said road N. 32° 15' min. W. 53.80 poles to the place of beginning, containing 14.10 acres, more or less.

Appraised at \$ 8000.00; Terms of sale: cash.

Abraham J. Kramer, Administrator

of the estate of Henry Kaufman, deceased.

James McLaughlin, Atty for said Administrator,

Apr. 2, 1919. - H.W.

State of Ohio,

Union County, ss.

Personally appeared before me John H. Shearer, and made solemn oath, that the notice, a copy of which is hereto attached was published for one consecutive week on and next after April 2- 1919, in the Mansfield Tribune, a newspaper of general circulation in the county aforesaid.

John H. Shearer

Known to before me and signed in my presence, this 11<sup>th</sup> day of April, A.D. 1919.

J. M. Huber, Notary Public,

Printer's fees. \$ 70.00

9121

Fees

Apr. 25 - 1919

Abraham J. Kramer, as Administrator of the estate of Henry Kaufman, deceased, Plaintiff.

In the Probate Court of Union County, Ohio. Case No. 9121

Motion.

Fannie Kaufman et al. Defendants.

Now comes the Plaintiff and represents to the Court that one Elizabeth Kaufman, an infant, is a posthumous child of the said Henry Kaufman, deceased, born since the beginning of this action, is a necessary party to a complete determination of the questions involved in this case.

Wherefore, the Plaintiff moves the Court that the said Elizabeth Kaufman be made a party defendant herein, and that process issue



Final Record, Union County Probate Court

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for her in the premises, pursuant to law,  
Abraham J. Kramer, Plaintiff  
By James M. Campbell, his attorney.

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Journal Entry:  
In the Probate Court of Union County, Ohio,  
Abraham J. Kramer, as Administrator  
of the Estate of Henry Kaufman deceased, Plaintiff.  
Friday, April, 25 - 1919.  
Journal Entry.

Order  
making  
new  
party

Lammie Kaufman, et al;  
Defendants.

Order making  
new party.

It appearing to the Court that Elizabeth Kaufman is a  
posthumous child of the said Henry Kaufman, deceased,  
born since the beginning of this action, and is a  
necessary party to a complete determination of the  
questions involved in this case, she is, on motion,  
hereby made a party defendant herein; and it  
is ordered that process issue for her.

Edward H. Porter, Probate Judge.

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The State of Ohio, Union County, ss.  
To Abraham J. Kramer, Plaintiff, Greeting:  
You are commanded to notify Elizabeth Kaufman, an  
infant, minor, making service of this summons upon  
her and also, if either of them can be found, upon  
her guardian or her father, or, if neither her guardian  
nor her father can be found, then upon her mother,  
or the person having the care of such infant,  
or with whom she lives, that she has been  
sued by Abraham J. Kramer, as Administrator of the  
estate of Henry Kaufman, deceased, in the Probate Court  
of Union County, and that unless she answer by  
the 24<sup>th</sup> day of May, 1919, the petition of said  
Plaintiff against her filed in said Court, such  
petition will be taken as true, and judgment  
rendered accordingly.

You will make due return of this summons on  
the 5<sup>th</sup> day of May, 1919.

Witness my hand and the seal of said Court,  
this 25<sup>th</sup> day of April, 1919.

Edward H. Porter Probate Judge  
and Ex-Officio Clerk of the Probate Court of said County.

9/21

Cash

The State of Ohio, Union County ss.  
I, Abraham J. Kramer, being duly affirmed, say  
that I served this writ by delivering a copy  
thereof with the endorse ments thereon personally  
to the within named defendants, on the days

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Final Record, Union County Probate Court

9121

Hereafter named, viz: April 26- 1919, to Elizabeth Kaufman, an infant and also on the same day, the said Elizabeth Kaufman, infant, having no legal guardian and no father living, I served this writ by delivering a copy thereof with the endorsements thereon personally to Fannie Kaufman, as the mother of the said Elizabeth Kaufman and the person having the custody and care of said infant.

Abraham J. Kramer.

Affirmed to before me and signed in my presence this 26- day of April 1919.

J. E. Strayer, Notary Public

9121

Order Of Sale Free from Dower

Order of Sale

The State of Ohio, Union County, ss. Probate Court, To Abraham J. Kramer as Administrator of the Estate of Henry Kaufman, Deceased. Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Administrator of the estate of Henry Kaufman, deceased, are Plaintiff and Fannie Kaufman et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than the appraised value thereof free from the dower of Fannie Kaufman, widow of Henry Kaufman, deceased, the following described premises, to-wit:

First Tract: Situate in the County of Union, in the State of Ohio and in the Township of Jerome, and bounded and described as follows: Being in Surry, No. 5-132, and

Beginning at a stone in the center of the Barlow and Mitchell road and the West line of said Surry and at the North west corner of C. L. Cury's land; thence with said road and Surry line N. 33° W. 2 poles to a stone at the south west corner of Jesse C. Gill's land; thence with two consecutive lines of said land N. 57° 10' E. 42 poles, and N. 33° W. 48.60 poles to a stone; thence with a south line of a division of the Andrew Gill land, N. 57° E. 248 poles to a stone in the east line of said Surry; thence with said land S. 33° E. 51.40 poles to a stone at the Northeast corner of said C. L. Cury's land; thence with the North line of said land S. 57° 10' N. 290 poles to the beginning, containing 78.40 acres more or less.

9121

Second Tract: Situated in the County State,



Final Record, Union County Probate Court

9121 Township and Survey aforesaid, and bounded and described as follows: - Beginning in Survey No. 5132, and Beginning at a stone in the center of the Barlow and Mitchell road, and S. 32° 15' E. 51 poles from the North-west corner of said Survey; thence with three consecutive lines of the lands of Andrew Rice as formed by this conveyance N. 57° 45' E. 42 poles to a stone; thence S. 32° 15' E. 54.10 poles to a stone; thence S. 57° 45' W. 42 poles to a stone in the center of said road; thence with the center of said road N. 32° 15' W. 53.50 poles to the place of beginning, containing 14.10 acres, more or less.

Said Sale to be upon the premises in Jerome Township, and to be free from doubt, and to be upon the following terms: Lease in hand on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court at Marysville, Ohio, this 29<sup>th</sup> day of April 1919.

Edmund N. Porter Probate Judge

9121 Return  
 Return To the Probate Court of Union County, Ohio:  
 In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
 Dated the 30<sup>th</sup> day of April, 1919.  
 Abraham J. Kramer, Plaintiff  
 Administrator &c.

9121 Report of Sale  
 Report of Sale.  
 In obedience to the within order, I sold said premises on the 29<sup>th</sup> day of April, 1919 to James Brown and Ollie F. Brown, for the sum of Eight Thousand and Forty seven and 50/100 Dollars, said sum being more than the appraised value of the same.  
 Abraham J. Kramer Plaintiff,  
 Administrator &c.  
 Dated the 30<sup>th</sup> day of April, 1919.

9121 The State of Ohio, Union County, ss.  
 The above named Abraham J. Kramer, Administrator of the estate of Benny Kaufman, deceased, being duly affirmed, says, that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.  
 Abraham J. Kramer,  
 affirmed to before me and signed in my presence, this 30<sup>th</sup> day of April, 1919.  
 Edmund N. Porter Probate Judge

9121 Appl  
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Final Record, Union County Probate Court

9121 Application for appointment of Guardian ad litem,  
 Probate Court, Union County, Ohio,  
 Abraham J. Kramer, as Administrator,  
 of the Estate of, Henry Kaufman, Deceased,  
 Plaintiff,  
 v.  
 Fannie Kaufman, et al.  
 Defendants.

Application  
 for  
 appointment  
 of  
 Guardian  
 ad litem

To the Hon. Edward W. Porter, Judge of said Court,  
 The undersigned Abraham J. Kramer, the plaintiff,  
 makes application for the appointment of a Guardian  
 ad litem for the minor defendants in the above  
 entitled case.

The Defendants Abraham Kaufman, Anna Kaufman,  
 Katherine Kaufman, Harley Kaufman, and Elizabeth  
 Kaufman, (posthumous child of said Henry Kaufman,  
 deceased), are all under the age of fourteen years,  
 and have been duly served with summons herein.

The undersigned suggest, that Miss L. Myers  
 who is a suitable person be appointed as such  
 Guardian ad litem.

Respectfully,  
 Abraham J. Kramer Plaintiff,  
 By James M. Campbell,  
 His Attorney of Record.

9121 Journal Entry:  
 Appointment of Guardian ad litem,  
 Probate Court, Union County, Ohio,  
 Abraham J. Kramer, as Administrator of  
 The Estate of Henry Kaufman,  
 Deceased, Plaintiff,  
 v.  
 Fannie Kaufman, et al.,  
 Defendants.

Journal Entry  
 Or application  
 for

Appointment of Guardian ad litem.

This day, Abraham J. Kramer, the Plaintiff by  
 James M. Campbell, his Attorney of Record, appeared  
 in open court, and made application for the  
 appointment of a Guardian ad litem for the  
 minor defendants in this case.

And it appearing to the Court that the  
 defendants Abraham Kaufman, Anna Kaufman,  
 Katherine Kaufman, Harley Kaufman, and  
 Elizabeth Kaufman, whom the Court finds to be  
 a posthumous child of said Henry Kaufman,  
 deceased, are all under the age of fourteen  
 years, and have been duly and legally served



Final Record, Union County Probate Court

9121

with summons herein, and, it further appearing to the court that Milo L. Myers, of Marysville, Ohio, suggested for appointment herein as Guardian ad litem of the said minor Defendants by the Plaintiff, is a suitable and competent person for such appointment, it is ordered that the said Milo L. Myers be and he hereby is, appointed Guardian for the suit, for said minor defendants.

And now comes the said Milo L. Myers and in open court accepts said appointment.

Edward H. Porter, Judge.

Answer of Guardian Ad Litem.

9121  
Answer of  
Guardian  
ad litem

The State of Ohio, Union County ss. In the Probate Court of said County  
Abraham J. Kaufman as Administrator Case No. 9121  
of the Estate of  
Henry Kaufman, deceased, Plaintiff.

Answer of  
Minor Defendants.

Fannie Kaufman, et al.

Defendants. Sale of Lands  
to pay debts.

And now come the said Abraham Kaufman, Anna Kaufman, Katherine Kaufman, Harley Kaufman, and Elizabeth Kaufman, the minor defendants to the petition in said cause, by Milo L. Myers, their Guardian ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations therein contained, prejudicial to said minor defendants; and further say, that they are of tender years, and not acquainted with the law in such cases. They therefore pray the court to protect their rights in this case, and for such relief as may be just.

Abraham Kaufman, Anna Kaufman, Katherine Kaufman, Harley Kaufman and Elizabeth Kaufman  
By Milo L. Myers, Guardian ad litem

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Journal Entry:

In the Probate Court of Union County, Ohio.

Confirmation  
of Sale  
Distribution

Abraham J. Krarner as Administrator Case No. 9121  
of the Estate of Henry Kaufman,  
Deceased,  
Plaintiff.

Wednesday April, 30<sup>th</sup> 1919  
Journal Entry.

Fannie Kaufman, et al.

Confirmation of Sale  
Distribution etc.

Defendants.

This day this cause coming on to be heard further upon the pleadings, and especially upon the answer of Milo L. Myers as the Guardian ad litem of the infant defendants herein, including Elizabeth Kaufman, the posthumous child and heir of the said Henry Kaufman, deceased, the court finds

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Final Record, Union County Probate Court

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that the said Elizabeth Kaufman, as well as the others of said minor defendant, has been duly served with summons, and that all steps taken, and orders issued, in this cause both prior and subsequent to the birth of said Elizabeth Kaufman, have been without prejudice to the rights of the said minor defendants, or either of them.

And this cause coming on to be heard further this day upon the return of said Administrator of his proceedings and sale under the former order of this court; and upon his motion to confirm the same and distribute the proceeds thereof, was submitted to the court; and upon consideration thereof, the court, after having carefully examined said return and being satisfied that such sale has been made in all respects pursuant to law, does hereby approve and confirm the same, and order that said Administrator make to the purchasers, James Brown and Ollie F. Brown, a proper deed for the real estate so sold.

It is further ordered that satisfaction of the mortgages of The Buckeye State Building and Loan Company and D. J. Miller, set forth in their respective cross-petitions herein filed, be entered upon the respective records thereof in the office of the Recorder of Union County, Ohio, where they are recorded.

The defendant, Fannie Kaufman, widow of said decedent, having by her answer elected to receive in lieu of her dower in the real estate sold as aforesaid, the value thereof in money, the court finds the reasonable value thereof to be the sum of \$ 2151.74, and that said widow joined in executing said mortgages.

And the Court coming now to distribute the proceeds of said sale, amounting to the sum of \$ 8047.50, it is ordered that said Administrator, out of the money in his hands, pay as follows, to wit:

1. To the Treasurer of said county, the taxes, penalties, and interest thereon against the real estate, to wit, \$ ---;
2. The costs and expenses incurred in the sale of said property, pursuant to the statute for such case provided, taxed at \$ ---;
3. To the Buckeye State Building and Loan Company, on the note and mortgage set forth in its cross-petition herein, the sum of \$ 4370.41, which sum the court finds due it, the same

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Final Record, Union County Probate Court

9121

bring a valid first lien upon said property:

4. To D. J. Miller, on the note and mortgage set forth in his cross-petition herein the sum of \$ - - - which sum the court finds due him, the same being a valid second lien upon said property:

5. To Fannie Kaufman, widow as aforesaid, if so much of said proceeds remain, the value of her dower interest in said property, found as aforesaid, the sum of \$ 2151.74; otherwise, the balance of said proceeds; and:

6. That said Administrator account for, and distribute, the balance of said proceeds of sale, if any remain, pursuant to law.

It is further ordered that complete record in the premises be made, and that said Administrator pay the costs, taxed as aforesaid, in ten days.

Edward H. Porter, Probate Judge

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Petition

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Filed  
March 28 1919

Petition for Sale of Real Estate to Pay Debts,  
Probate Court, Union County, Ohio,  
Edmund P. Carey, Administrator  
of the Estate of James J. Carey, Deceased,  
Plaintiff,  
vs.  
Amy J. Carey, Charles Carey,  
Josephine Carey, Hugh Carey,  
Rush Carey, and James Carey,  
and "The Buckeye State Building and  
Loan Company" (Columbus, O.)  
Defendants.

No. 9141  
Civil Action  
Petition to  
Sell Real Estate  
Petition

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of James J. Carey, deceased, late of Allen Township, Union County, Ohio, deceased; that the amount of debt due from the deceased is Two Thousand (\$2000.) Dollars, as near as can be ascertained, that the charges of Administration of said estate will amount to about Three Hundred Dollars; and that the total value of the personal estate and effects of said deceased is but Three Hundred Dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said James J. Carey died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit: in the Township of Allen, Part of Survey # 2598, Beginning at a stone, at the North-westerly corner of said Survey; Thence with the North line of said Survey.

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Final Record, Union County Probate Court

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N. 57° 30' E. 162.80 poles to a stone at the North-east corner of said Survey:-

Thence with the east line of said Survey S. 37° 17' E. 25.78 poles to a stone at the North corner of Laura M. Bangor's land:- Thence with the North line of said land S. 57° 35' W. 162.70 poles to a stone in the West line of said Survey:- Thence with said Survey line N. 32° 30' W. 25.22 poles to the beginning, containing 25.65 acres more or less.

And being the same land conveyed by D. S. Danforth Guardian of Charles E. Courtwright, to James Carey, May 8<sup>th</sup> 1914. See vol. 95 page 203 record of Deeds Union County, Ohio.

Petition

The said decedent died leaving the defendant Amy J. Carey his widow, who is entitled to dower in said premises; that the defendants Charles Carey, Josephine Carey, Hugh Carey, Ruth Carey, and James Carey, are the only children and heirs of said decedent, having the next estate of inheritance from said James J. Carey, deceased, in said premises; that the Defendants The Buckeye State Building and Loan Company, claim to have a lien upon said premises.

The Plaintiff therefore prays that the dower of said Amy J. Carey, in said premises may be assigned and set off to her; that the rights, interests and liens of the said Charles Carey, Josephine Carey, Hugh Carey, Ruth Carey, James Carey and of The Buckeye State Building and Loan Co., may be fully determined, adjusted and protected according to equity and that your petition may be authorized and ordered to sell said real estate free of said dower, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

9141

The State of Ohio, Union County, ss.

Oath

Edmond P. Carey the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Edmond P. Carey.

Sworn to before me and signed in my presence this 28<sup>th</sup> day of March, 1919.

Edward H. Porter Probate Judge

Probate Court, Union County, Ohio.



Final Record, Union County Probate Court

9141 Edmund P. Carey, Admin<sup>r</sup>.  
of James J. Carey, Deceased.  
Plaintiff,  
against  
Amy J. Carey, et al.  
Defendants.  
Amy J. Carey, Charles Carey, Josephine Carey, Hugh Carey,  
Ruth Carey, James Carey, directed to Edmund P. Carey  
the Administrator) returnable according to law  
Also issue summons for said "The Buckeye State  
Building and Loan Company" (of Columbus, Ohio)  
to Sheriff of Franklin County, Ohio, returnable according  
to law.  
John B. Kinkadee, Plaintiff's Attorney.

9141 Journal Entry:  
In the Probate Court of Union County, Ohio,  
March 28<sup>th</sup> 1919  
Case No. 9141  
Journal Entry.

Filing Petition  
To Sell  
Real Estate  
Edmund P. Carey Admin-  
James J. Carey.  
Plaintiff  
vs.  
Amy J. Carey, et al.  
Defendants.  
Filing Petition To Sell  
Real Estate.

This day came the Plaintiff Edmund P. Carey,  
Administrator of the estate of James J. Carey, deceased,  
and presented to this Court his petition, duly verified,  
praying an order for the sale of real estate of  
the said James J. Carey, deceased, to pay the  
debts and the costs of administering the estate,  
of the said decedent.  
Whereupon, it is considered and ordered by this  
Court that the said petition be filed, and that  
due and legal notice of the filing, pendency and  
prayer of the said petition, and of the time in  
which they are required by law to answer the  
same, be given to each of the said defendants;  
and this cause is continued.  
Edward H. Porter, Probate Judge.

9141 Summons.  
The State of Ohio, Union County, ss,  
To the Sheriff of Franklin County, Ohio,  
You are commanded to notify The Buckeye Building and  
Loan Company, that on the 28<sup>th</sup> day of March, A.D. 1919  
Edmund P. Carey, Administrator of the estate of James  
J. Carey, Deceased, filed his petition in the Probate  
Court of said Union County, Ohio, against them  
and others; the object and prayer of which  
petition is to obtain an order for the sale of  
certain Real Estate belonging to said decedent.

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Final Record, Union County Probate Court

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in said petition described. for the purpose of paying debts and that unless they answer by the 26<sup>th</sup> day of April 1919, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 7<sup>th</sup> day of April A. D. 1919.

Witness my hand and the seal of said Court, this 28<sup>th</sup> day of March A. D. 1919.

Edmund H. Porter.

Judge <sup>and</sup> Ex-officio Clerk of the Probate Court of said County.

9141

Sheriff's Return Franklin County.

The State of Ohio, Union County, ss.

Received this writ April 1<sup>st</sup> 1919, at 11 O'clock A. M.

Return

and pursuant to its command on the 1<sup>st</sup> day of April A. D. 1919. I served the within named defendant The Buckeye Building and Loan Company by personally handing a true copy of this writ with all the endorsements thereon to J. E. Kinney, President.

William M. Slack,

Sheriff of Franklin County, O.

By Barn Barnett, Deputy Sheriff.

Sheriff's Fees.

Service <sup>and</sup> Return .75-

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Total \$ 1.21.

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Answer and Cross-Petition of The Buckeye State Building and Loan Company.

In the Probate Court of Union County, Ohio.

Answer <sup>and</sup>

Cross-Petition

of The

Buckeye

State

B. & L. Co.,

Edmund P. Carey, Administrator

of the estate of James J. Carey, Deceased.

Plaintiff.

v.

Amey J. Carey, et al.,

Defendants.

no. 9141

Answer <sup>and</sup> Cross-Petition

of The Buckeye State

Building and

Loan Company.

The defendant, The Buckeye State Building and Loan Company, is a corporation duly organized under the laws of the State of Ohio, with headquarters at Columbus, Ohio. On May 8<sup>th</sup> 1914, James J. Carey (now deceased), and Amey J. Carey, his wife, executed and delivered to this answering defendant their certain promissory note of which the following is a true and correct copy:-

\$ 1700.00

Columbus, Ohio, May 8<sup>th</sup> 1914.

On or before five years after date for value received, I, we, or either of us, promise to pay

9141



Final Record, Union County Probate Court

9141

The Buckeye State Building and Loan Company of Columbus Ohio, the sum of Seventeen Hundred (\$1700.00) Dollars, with interest at the rate of 5 1/2 per cent per annum, payable semi-annually on or before the 5<sup>th</sup> days of November and May of each year. Payments of One Hundred Dollars or more in addition to the interest may be made at any time, and the same shall cease to bear interest on the day paid. It is further understood and agreed that if this note be not paid when due; or if any installment of interest hereon be not paid when due, or within thirty days thereafter; or if the maker hereof, or the owner of the real estate mortgaged to secure the repayment of this note with the interest hereon, or any one for them, fail to keep all taxes and Assessments levied on said real estate paid as they become due and payable; or fail to keep the premises so mortgaged insured in some reliable fire insurance company in a sum of not less than \$850, with a clause providing that the loss, if any, shall be payable to said company according to its mortgage interest; or fail to keep the building on the real estate mortgaged to secure this loan in good and proper repair; then and on such default in whole or in part, all the indebtedness so secured by such mortgage and owing on this note shall thereupon become due and payable at the option of said company or the legal owner thereof; and said company or owner may enforce the repayment of all said indebtedness, including all accrued interest and money expended for taxes, insurance and assessments as provided for in said mortgage according to law. All of the principal of this note not paid when due and any installment of interest not paid when due shall draw interest at the rate of 8 per cent per annum until paid.

James J. Carey  
 Amy J. Carey

There is now due and payable on said note the sum of \$817.<sup>73</sup> with interest from April 3<sup>rd</sup> 1919, which said sum with said interest and costs, this answering defendant claims.

To secure the payment of said note, the said James J. Carey, (now deceased) and Amy J. Carey his wife, executed and delivered to this answering defendant, their certain mortgage deed, thereby to it conveying the following real estate,

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Final Record, Union County Probate Court

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situated in the Township of Allen, County of Union, in the State of Ohio, and described as follows:

Being part of Survey No. 25-98 and beginning at an iron pin in the center of a County Road in the westerly line of said Survey No. 25-98 and north 36° 12' West 16.87 poles from the south-westerly corner of said Survey No. 25-98 and the north-westerly corner of Survey No. 3752; thence north 54° east 161.84 poles to an iron pin in the easterly line of said Survey No. 25-98 and north 36° east 16.87 poles from the south-easterly corner of said Survey No. 25-98 and north-easterly corner of said Survey No. 3752; thence with the easterly line of said Survey No. 25-98 north 36° west 33.73 poles to a stone; thence south 54° west 161.92 poles to a stone in said County Road and in the westerly line of said Survey No. 25-98; thence with said Survey line and the center of said Road south 36° 12' east 38.57 poles to the beginning. Containing thirty-four (34) acres, more or less.

Also the following premises situate in the State of Ohio, County of Union and Township of Allen, being part of Survey No. 25-98 and bounded and described as follows:

Beginning at a stone at the north-westerly corner of said Survey; thence with the north line of said Survey north 57° 30' east 162.80 poles to a stone at the northeast corner of said Survey; thence with the east line of said Survey south 32° 17' east 25.75 poles to a stone at the north corner of Laura W. Vaughn's land; thence with the north line of said land south 57° 35' min. west 162.70 poles to a stone in the west line of said Survey; thence with said Survey line north 32° 30' west 25.22 poles to the beginning, containing 25.65 acres, more or less.

Said mortgage is conditioned as follows:

That the said mortgagors have executed and delivered to the said mortgagees their one certain promissory note of even date herewith due as herein after mentioned and in amounts as follows: \$1700.00 due on or before five years from the date hereof;

Together with the interest thereon at the rate of 5 1/2 per cent per annum, payable semi-annually on or before the 8th days of November and May of each year. That if said note be not paid when due; or if any installment of interest thereon be not paid when due, or within thirty days thereafter, then all of said note, together with all accrued interest thereon shall

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Final Record, Union County Probate Court

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thereupon become due and payable at the option of the owner of said note and mortgage.

That the said mortgagors further agree as follows: to pay all taxes, assessments and other charges that may be assessed against the property herein conveyed promptly as they become due and payable; to keep the buildings on the real estate hereby mortgaged in good and proper repair; to keep said property insured in some responsible fire insurance company satisfactory to said mortgagor in a sum of not less than \$150.00 with the loss, if any, payable to said mortgagor as its mortgage interest may appear; and to leave said policy of insurance in the possession of said mortgagor until this mortgage is fully paid.

That if the said mortgagors, their heirs or assigns, shall fail to pay promptly as they or either become due and payable, said taxes, insurance, assessments or other charges that may be levied against said property, the said mortgagor may pay the same, which sum so paid shall be charged against the said mortgagors, and bear interest from date of payment thereof at eight per cent per annum, payable semi-annually, and be a lien upon the property herein conveyed, and be secured by this mortgage as a part of the consideration hereof; and on such default: for thirty days or if said buildings be not kept in good and proper repair, all the money secured by this mortgage shall thereupon become due and payable.

Now if the said mortgagors shall pay to said company, its successors, or assigns the said sums of money when due, as provided for in said note and shall faithfully keep each and all of the above stipulated conditions, then these presents shall be void.

Said Mortgage was filed for record May 8<sup>th</sup> 1914, at 2:35 O'clock P.M., with the Recorder of Union County, Ohio, and was thereafter recorded in Book 70, page 421 of the records of said County, and is now the first and best lien upon the real estate herein described.

Wherefore this assuring defendant prays that upon a sale of said real estate, its rights herein may be fully protected, its liens first paid out of the proceeds of such sale, and that it may have all other relief to which it is entitled.

Wilson and Rector Attorney  
For Defendant, The Buckeye State Building and Loan Company.

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The State of Ohio, Franklin County, ss:—

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Final Record, Union County Probate Court

9141

J.E. Kinney, being first duly sworn, says that he is the President of The Buckeye State Building and Loan Company, the answering defendant herein, and that the facts stated and allegations contained in the foregoing answer and cross-petition are true as he verily believes.

J.E. Kinney

known to before me and subscribed in my presence this fourth day of April, A.D. 1919.

Fred C. Pector,

Notary Public, Franklin County, Ohio. (Tax Fee)

9141

Summons On Petition To Sell Real Estate

The State of Ohio, Union County ss.

To Edmund P. Carey, Admin. of James J. Carey:

Summons.

You are commanded to notify Amy J. Carey, Charles Carey, Josephine Carey, Hugh Carey, Ruth Carey, and James Carey, that on the 28<sup>th</sup> day of March, A.D. 1919, Edmund P. Carey, Administrator of the estate of James J. Carey, Deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others, the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts and that unless they answer by the 16<sup>th</sup> day of April, 1919, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 7<sup>th</sup> day of April A.D. 1919.

Witness my hand and the seal of said court, this 28<sup>th</sup> day of March A.D. 1919.

Edmund W. Porter,

Judge and Ex-Officio Clerk of the Probate Court of said County

Pliff - Return.

9141

The State of Ohio, Union County ss.

Return

Recind this writ March 28<sup>th</sup> 1919 at 2 O'clock P.M., and pursuant to its command I served the within named defendant Amy J. Carey on the 28<sup>th</sup> day of March, 1919, by personally handing unto her a true copy of this writ with all endorsements thereon.

Edmund P. Carey Pliff

9141

The State of Ohio, Union County ss.

oath

I, Edmund P. Carey, being duly sworn say, that on the 28<sup>th</sup> day of March, 1919, I served this writ by delivering a copy thereof personally to the following named person, to-wit: Amy J. Carey  
Edmund P. Carey



Final Record, Union County Probate Court

9141 known to before me and signed in my presence, this 7<sup>th</sup> day of April, 1919.

Edward H. Porter, Probate Judge  
Summons.

9141

The State of Ohio, Union County, ss.

To Edmund P. Carey, Administrator; Greeting:

Summons

you are commanded to notify Charles Carey, Josephine Carey, Hugh Carey, Ruth Carey, and James Carey, minors making service of this summons upon them and also, if either of them can be found, upon their guardian or their father, or, if neither their guardian nor their father can be found, then upon their mother, or the person having the care of such infants, or with whom they live, that they have been sued by Edmund P. Carey, Administrator of the estate of James J. Carey, deceased, in the Probate Court of Union County, and that unless they answer by the 26<sup>th</sup> day of April, 1919, the petition of said Plaintiff against them filed in said Court, such petition will be taken as true, and judgment rendered accordingly.

you will make due return of this summons on the 7<sup>th</sup> day of April, 1919.

Witness my hand and the seal of said Court,

this 28<sup>th</sup> day of March, 1919.

Edward H. Porter, Probate Judge.

at my Office Clerk of the Probate Court of said County.

9141 The State of Ohio, Union County, ss.

Caith

I, Edmund P. Carey, Admin- bring duly sworn say that I served this writ by delivering a copy thereof with the endorsements thereon personally to the within named defendants, on the days hereafter named, viz: Mch. 28<sup>th</sup> 1919, to Charles Carey, Josephine Carey, Hugh Carey, Ruth Carey, and James Carey, and also as to the within named minor defendant - To Amy J. Carey the mother in whose care and custody such infant defendants were.

Edmund P. Carey.

known to before me and signed in my presence, this 7<sup>th</sup> day of April, 1919.

Edward H. Porter, Probate Judge

Answer of Widow.

In the Probate Court of Union County, Ohio  
no. 9141

Answer of Widow

Edmund P. Carey, Administrator

James J. Carey, the Estate of Plaintiff

Amy J. Carey, et al., Defendants.

Answer of Widow

Proceedings to Sell Real Estate.

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Application  
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Final Record, Union County Probate Court

9141

And now comes Amy J. Carey, one of the defendants in the above entitled cause and voluntarily enters her appearance herein, and for her answer to the petition in this case filed, says: that she is the widow of said James J. Carey, deceased, and as such is entitled to dower in the premises described in said petition; that her age is 36 years; that she consents to the sale of the real estate of said decedent, as prayed for, and that she waives the assignment of her dower in said premises by metes and bounds, or increments and profits; and asks the court that said premises may be sold free from her dower estate therein and that the value of such dower estate may be allowed and paid her in money out of the proceeds of such sale, as the court may deem reasonable.

Amy J. Carey.

9141

The State of Ohio, Union County ss.

Amy J. Carey, being duly sworn, makes oath that the facts stated in the foregoing answer are as she believes true.

Amy J. Carey.

sworn to by said Amy J. Carey, before me, and signed by her in my presence, this 26<sup>th</sup> day of April A.D. 1919.

Edward H. Porter, Probate Judge.

9141

Application for Appointment of Guardian ad litem Probate Court, Union County, Ohio.

Edmond P. Carey, Administrator of the Estate of James J. Carey, Deceased, Plaintiff. vs. Amy J. Carey, Defendant.

no. 9141

Application.

To the Hon. E. W. Porter, Judge of said Court.

The undersigned Edmond Carey, Administrator of the estate of James J. Carey, dec'd, makes Application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The Defendants Charles Carey, Josephine Carey, Hugh Carey, Ruth Carey, and James Carey, are minors under the age of 14 years and have been served with summonses according to law herein.

The undersigned suggests that James McLaughlin who is a suitable person be appointed as such.



Final Record, Union County Probate Court

9141

Guardian ad litem.

Respectfully,

Edmund P. Carey, Admin.

9141

Journal Entry: Appointment of Guardian ad litem.

Probate Court Union County, Ohio.

April 26<sup>th</sup> 1919.

No. 9141

Appt. of Guardian ad litem

Edmund P. Carey, Admin.  
Plaintiff.

vs.  
Amy J. Carey et al.

Appointment of Guardian ad litem.

This day Edmund P. Carey appeared in open court, and made application for the appointment of a Guardian ad litem for the minor defendants in this case.

And it appearing to the court that the defendants Charles Carey, Josephine Carey, Ruth Carey, Hugh Carey, and James Carey are minors under the age of fourteen years and have been duly and legally served with summonses herein, it is ordered that James M. Campbell be and he hereby is, appointed Guardian for the suit, for said minor defendants;

And now comes the said James M. Campbell, and in open court accepts said appointment.

Edward H. Porter, Probate Judge

Affirm of Guardian ad litem.

9141

Affirm of Guardian ad litem

The State of Ohio, Union County, ss. In the Probate Court of said County,

Edmund P. Carey, Administrator,

Of the Estate of James J. Carey, Decd.

Pltffs.

vs.  
Amy J. Carey et al.

Defts.

Affirm of Minor Defendants.

And now come the said Charles Carey, Josephine Carey, Hugh Carey, Ruth Carey, and James Carey the minor defendants to the petition in said cause, by James M. Campbell, their Guardian ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations therein contained, prejudicial to said minor defendants; and further say, that they are of tender years and not acquainted with the law in such cases. They therefore pray the court to protect their rights in this case, and for such relief as may be just.

Charles Carey, Josephine Carey, Hugh Carey, Ruth Carey, James Carey.

By James M. Campbell - Guardian ad litem.

Order For Appraisement

Probate Court Union County, Ohio April 30<sup>th</sup> 1919.

9141

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Edmund P. Carey

Admin.

Order For Appraisement

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Final Record, Union County Probate Court

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Edmond P. Carey, Administrator  
of the estate of James J. Carey, deceased.  
Plaintiff.

No 9141

Journal Entry.

v.

Amy J. Carey et al.  
Defendants.

Order for Appraisement

Order  
for  
Appraisement

This day this cause came on to be heard upon the petition, proofs, and exhibits the court find that all the defendants have been duly served with process, or have voluntarily entered their appearance in the case; and that as set forth in the petition, it is necessary to see the real estate therein described, to pay the debts of the said James J. Carey, deceased.

And Amy J. Carey the widow of the said James J. Carey, deceased, having by her answer, waived the assignment of her dower by metes and bounds; it is therefore ordered and adjudged by the court that the said premises be appraised free of dower, by the oaths of J. Bump, R. J. Barnes and Ed. Fletcher, judicious and disinterested free holders of the vicinity, whom the court hereby appoint for that purpose, and that they return their proceedings to this court for confirmation.

Edward H. Porter, Probate Judge.

Order of Appraisement

9141

Order  
of  
Appraisement

The State of Ohio, Union County, ss. Probate Court,  
To Edmond P. Carey, Administrator of the estate of James J. Carey, deceased, Greeting:  
In obedience to an order and decree of the Probate Court within and for said County, made this day in a certain cause, wherein you are Administrator of the estate of James J. Carey, deceased, are Plaintiff and Amy J. Carey, et al. are Defendants, you are commanded that by the oaths of J. Bump, R. J. Barnes, and Ed. Fletcher judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free of the dower estate of Amy J. Carey, therein, to wit:

Situate in the County of Union, State of Ohio, and Township of Allen Part of Survey # 2598. Beginning at a stone, at the North-west corner of said Survey; thence with the North line of said Survey N. 57° 30' E. 162.50 poles to a stone at the North-east corner of said Survey;

9141

bill 30" 1919



Final Record, Union County Probate Court

9141

Thence with the East line of said Survey S. 32° 17' E. 25.25 poles to a stone at the corner of Laura M. Bangler's land. Thence with the North line of said land S. 57° 35' N. 162.70 poles to a stone in the West line of said Survey. Thence with said Survey line N. 32° 30' W. 25.22 poles to the beginning. Containing 25.65 acres more or less. Being the same land conveyed by D. S. Danforth, Guardian of Chas. E. Courtwright to James Carey May 8<sup>th</sup> 1914 See vol. 95 page 203 record of deeds Union County, Ohio.

You will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and shew you then and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the Seal of said Court at Marysville, Ohio, this 30<sup>th</sup> day of April, 1919.  
 Edward M. Porter, Probate Judge

Return

9141

Return

To the Probate Court of Union County, Ohio:  
 In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
 Dated the 3<sup>rd</sup> day of May, 1919.

Edmond P. Carey, Administrator

Oath of Appraisers

9141

Oath of Appraisers

The State of Ohio,  
 Union County, ss.  
 We, the undersigned appraisers, do make solemn oath that we will upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

John C. Bump, R. J. Burns, Ed. Fletcher, Appraisers.  
 Sworn to before me, and signed in my presence, this 3<sup>rd</sup> day of May, 1919.  
 Edward M. Porter, Probate Judge.  
 Appraisers' Return.

9141

Appraisers' Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at Seven Hundred and Twenty-five Dollars, free of said down estate. Given under our hands, this 3<sup>rd</sup> day of May, 1919.

John C. Bump, R. J. Burns, Ed. Fletcher, appraisers -  
 Free of Appraisers - no charge

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Order Approving Appraisement and for Bond

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Application to Sell Real Estate at Private Sale

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Final Record, Union County Probate Court

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Journal Entry: Orders Approving Appraisement and for Bond, Probate Court, Union County, Ohio.

Orders Approving Appraisement and for Bond

Edmond P. Carey, Administrator of the Estate of James J. Carey, Dec'd Plaintiff, v. Amy J. Carey et al. Defendants.

May 5<sup>th</sup> 1919. Petition To Sell Real Estate

Orders For Bond, etc.

This day came the said Plaintiff by his attorney, and produced to the court, the report of an appraisement herein made by J. G. Bump, R. J. Barnes, and Ed. Fletcher in pursuance of a former order of this Court; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and hereby is approved and confirmed. It further appearing to the court that an additional Bond should be given by said Edmond P. Carey, (his administrative bond being for \$600, only) to secure the further assets arising from the sale of said real estate.

It is further ordered that said Edmond P. Carey, as said Administrator execute within 10 days, to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the court, in the sum of Three Thousand (\$3000.) Dollars, conditioned according to law, and this cause is continued.

Edward W. Porter, Probate Judge.

9141

Application To Sell Real Estate at Private Sale - Probate Court, Union County, Ohio.

Application To Sell Real Estate at Private Sale

Edmond P. Carey, Administrator of the Estate of James J. Carey, Deceased. Plaintiff, v. Amy J. Carey, et al. Defendants.

No 9141. Petition To Sell Real Estate.

Application.

The said Plaintiff represents that it would be for the best interest of the said estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

Because the appraisement is full high and the land at public sale would not bring the appraisement and also because of saving the expense of advertisement etc. also because the Plaintiff now has the offer of the widow to take said land at private sale at the appraisement as made. And he therefor asks for an order authorizing him



Final Record, Union County Probate Court

9141 to sell said real estate at private sale.  
Edmond P. Barry, Administrator of Estate of James P. Barry, Deceased.

9141 The State of Ohio Union County, ss.  
Edmond P. Barry, being duly sworn, says that the various  
Cath matters set forth in the foregoing Application are true as  
he verily believes.  
Edmond P. Barry  
Sworn to before me, and signed in my presence, this  
5<sup>th</sup> day of May, 1919.

9141 Affidavit of Disinterested Person -

Affidavit of Disinterested Person  
The State of Ohio Union County, ss.  
J. C. Elliott, and H. M. Epps, being duly sworn, say  
that they know the facts set forth in the application  
to which this affidavit is attached; that they have no  
interest whatever in the matters therein referred to,  
and that it will be more for the interest of the said  
estate to sell said real estate at private sale than at  
public sale for the reasons given in said application  
because it would bring less money at public sale  
and less expense, as they verily believe.  
J. C. Elliott, H. M. Epps  
Sworn to before me, and signed in my presence, this  
5<sup>th</sup> day of May, 1919.

Edward H. Porter, Probate Judge  
Bond.

9141 Bond  
Know all men by these presents that we, Edmond P. Barry,  
H. M. Epps, and J. C. Elliott, are held and firmly bound  
unto the State of Ohio, in the sum of Three Thousand  
Dollars, for the payment of which we hereby jointly  
and severally bind ourselves, our heirs, executors and  
administrators.

Signed by us, and dated at Mansfield, Ohio, this 5<sup>th</sup>  
day of May, 1919.

The Condition of the above Obligation is such, that whereas,  
the above bound Edmond P. Barry was heretofore duly  
appointed and qualified by the Probate Court of Union  
County, Ohio, Administrator of the estate of James P.  
Barry, deceased,

And whereas, the said Edmond P. Barry, as  
such Administrator has filed a petition in said  
Probate Court, asking an order for the sale of  
certain Real Estate of said decedent described in  
said petition; And whereas, said Court, on the 5<sup>th</sup>  
day of May, 1919 made an order requiring said  
Administrator to execute a bond according  
to the statute in such cases made and provided,

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Final Record, Union County Probate Court

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Now if the said Edmund P. Carey, Administrator as aforesaid, shall account for all the further assets arising from the sale of said Real Estate and that shall remain after payment of the debts and charges for which the land shall be sold, and to dispose of the same according to law; then this obligation to be void, otherwise to remain in full force.

Edmund P. Carey, W.M. Epps, J. C. Elliott

This Bond approved in open court, this 7<sup>th</sup> day of May, 1919.

Edward H. Porter, Probate Judge

9141

Journal Entry: Order Approving Bond for Private Sale, etc Probate Court, Union County, Ohio, May 7<sup>th</sup> 1919

Order of the Estate of James J. Carey, Dec'd. Plaintiff

Petition to Sell Real Estate

for Private Sale, Amy J. Carey, et al. Defendants

Order of Sale - etc.

This day this cause came on further to be heard, and it appearing to the Court, that the said Edmund P. Carey, Administrator etc. the plaintiff above named has given bond as heretofore ordered, in the sum of Three Thousand (\$3000) Dollars, with J. C. Elliott and W.M. Epps freeholders as sureties, it is ordered that said bond be and hereby is approved.

And it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale. It is thereupon further ordered that said Edmund P. Carey, as such Administrator proceed to sell said real estate free of the dower of said Amy J. Carey, at private sale, for not less than the appraised value thereof, on the following terms, to wit, one third cash in hand on day of sale, one third in one year and one third in two years from the day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge

Order of Sale - Free of Dower

9141

Order of Sale

The State of Ohio,

Probate Court

Union County ss,

# 9141.

To Edmund P. Carey, Administrator of the estate of James J. Carey, deceased. Greeting;



Final Record, Union County Probate Court

9141

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Administrator of the estate of James J. Carey deceased, are Plaintiff and Army J. Carey, et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than the appraised value thereof free of the dower of Army J. Carey, widow of James J. Carey, deceased, the following described premises, to-wit:

In the State of Ohio, County of Union, and in the Township of Allen. Part of Survey # 25-98. Beginning at a stone, at the North-westerly corner of said Survey N. 57° 30' E. 162.50 poles to a stone at the North-east corner of said Survey; Thence with the East line of said Survey S. 32° 17' E. 25.25 poles to a stone, at the North corner of Laura M. Baughman's land;

Thence with the North line of said land S. 57° 35' W. 162.70 poles to a stone in the West line of said Survey; Thence with said Survey line N. 32° 30' W. 25.22 poles to the beginning, containing 25.65 acres more or less. Being the same land conveyed by D. B. Danforth, Guardian of Chas. E. Courtwright to James Carey, May 8-1914 See Vol. 95 page 283 record of deeds Union Co., Ohio.

Said sale to be free of the dower of Army J. Carey widow of James J. Carey dec'd and to be upon the following terms: Cash -

you will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Marysville, Ohio this 12<sup>th</sup> day of May 1919

*seal* Edward H. Porter, Probate Judge.

9141

Return

To the Probate Court of Union County, Ohio:

Return

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 4<sup>th</sup> day of August 1919

Edmond P. Carey, Admin. estate of James J. Carey.  
Report of Sale.

9141

Report

In obedience to the within order, I sold said premises on the 4<sup>th</sup> day of August 1919 to Army J. Carey for the sum of Eleven hundred and Twenty five (\$1125.00) Dollars, said sum being the appraised value of the same.

Edmond P. Carey.  
Dated the 4<sup>th</sup> day of August 1919.

The State of Ohio, Union County, ss.

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The above named Edmund P. Carey being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Edmund P. Carey,

sworn to before me and signed in my presence, this 4<sup>th</sup> day of August 1919.

Edward H. Porter, Probate Judge

9141

Journal Entry: Orders Approving and Confirming Sale, Etc., Probate Court, Union County, Ohio.

Adms  
Approving  
and  
Confirming  
Sale.

Edmund P. Carey, Administrator  
of the estate of James J. Carey, deceased,  
Plaintiff.

August 4 - 1919  
Petition to Sell  
Real Estate.

Army J. Carey, et al Defendants, Orders Approving and Confirming Sale.  
This day this cause coming on to be heard on the return of Edmund P. Carey, Administrator of the estate of James J. Carey, deceased, of his proceedings and sale under the former order of this court: the court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made. It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said Edmund P. Carey, as such Administrator, make to the purchaser Army J. Carey a good and sufficient deed for the premises so sold, cause continued.

Edward H. Porter, Probate Judge

9141

Order  
of  
Distribution

Journal Entry: Order of Distribution Probate Court, Union County, Ohio.

Edmund P. Carey, Administrator  
of the Estate of James J. Carey, deceased,  
Plaintiff

August 4 - 1919  
Petition to Sell  
Real Estate

Army J. Carey, et al Defendants. Order of Distribution.  
This day this cause came on to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Eleven Hundred and Twenty-five (\$1125.) Dollars; and the said Army J. Carey, widow having by answer herein waived the assignment of dower in said premises by metes and bounds, or in rents and profits, and asked that the value of such dower be accorded and paid her out of the proceeds of said sale: the Court finds the just and reasonable value of her dower interest in said real estate to be the sum of Two



Final Record, Union County Probate Court

9141

Rounded eight and 4/100 (\$280.48) Dollars. The Court finds that there is nothing now due "The Buckeye State Building and Loan Co. upon the note set forth in its Answer and cross-petition from the estate of said James J. Carey, deceased, for reason that the same was paid in full on May 6-1919, by the Administrator, and the mortgage cancelled and so entered satisfaction on the mortgage records.

It is therefore ordered that the said Answer and cross-petition of said "The Buckeye State Building and Loan Co. be and the same is hereby dismissed.

It is further ordered that said Administrator, out of the money in his hands, pay: First: To the treasurer of this County the sum of \$- - being the taxes, penalty and interest thereon, against said property. Second: The costs and expenses incurred in the sale of said property including an attorney fee of \$50. to John C. Kirkade. Third To Amy J. Carey widow, the sum of \$280.48 which the Court finds to be the value of her dower interest in said premises.

It is further ordered that the balance of said proceeds, amounting to the sum of \$- -, be accounted for by said Administrator according to law.

And it is further ordered that this proceeding be recorded, and that said petitioner pay the cost herein, taxed at \$- - out of the proceeds of said sale, within ten days.

Edward H. Potter Probate Judge

8679

Petition To Sell Personal Property.

Probate Court, Union County, Ohio.

No. 8679

In the matter of The Estate of W. C. Conroy, Deceased.

Petition To Sell Personal Property Petition.

To the Judge of said Court:

The undersigned respectfully represents that she is the duly appointed and qualified Administratrix of the estate of W. C. Conroy, deceased, late of said County; that the personal property of said estate has been duly appraised and the inventory and appraisal thereof filed in said Court.

Your petitioner makes application for authority to sell at private sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said inventory and appraisal, to-wit:

Shares of The Richmond Tri-County Fair Company stock - 50.00 Said authority is asked for the following reasons:

Petition

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Final Record, Union County Probate Court

8679

That there is no dividend or interest being paid on the  
the said stock, and that I have a chance to see the  
same for twice the amount of the appraised value.

The State of Ohio, Union County, ss.

Fannie B. Conroy, being duly sworn, says, that the facts  
stated in the foregoing petition are true, as she truly  
believes.

Fannie B. Conroy.

Known to before me and signed in my presence, this 28<sup>th</sup>  
day of April, 1919

Seal D. W. Van Winkle, Notary Public.

8679

Journal Entry: Order for Private Sale

Probate Court, Union County, Ohio,

May 2, 1919.

Order

In the matter of  
The Estate of  
W. H. Conroy, deceased.

Petition to Sell Personal Property.

Order of Sale, etc.

for

Private Sale.

This day this cause came on to be heard upon  
the petition herein filed and the testimony and  
the court being fully advised in the premises finds  
that the statements and allegations in said  
petition are true, and that the property therein  
described ought to be sold as prayed for. And  
the court being satisfied upon good and sufficient  
proof that it will be to the advantage of said  
estate to sell said personal property at private sale,  
it is therefore ordered that Fannie B. Conroy, as  
Administratrix of said estate of W. H. Conroy, deceased,  
proceed to sell said personal property at private sale,  
for not less than the appraised value thereof.

It is further ordered that said sale be made  
upon the following terms, to wit: Cash in hand at  
time of sale.

It is further ordered that said Administratrix  
make return of her proceedings herein, within 60 days  
from this date, and forthwith after such sale is  
made, and this cause is continued.

Edward H. Porter, Probate Judge.

8679

Order of Sale.

Probate Court, Union County, Ohio,

No. 8679

Order

In the matter of  
The Estate of  
William H. Conroy, deceased.

Petition to Sell Personal Property.

Order of Sale.

of

Sale.

To Fannie Conroy, Administratrix of the Estate of  
William H. Conroy, deceased.

In obedience to an order and decree of the Probate  
Court within and for said county, made this day,  
in the matter of said estate you are hereby



Final Record, Union County Probate Court

8679

authorized and required to proceed according to laws to sell at Private Sale, at not less than the appraised value thereof the following goods and chattels belonging to said Estate to-wit:

3 Shares of "The Richmond Tri County Fair Company" stock, \$5.000. Said sale to be upon the following terms: Cash in hand at time of sale. You will return this order within two months from this date, and forthwith upon the execution of the same together with your report thereon endorsed.

Witness my hand and the seal of said Court, this 2<sup>nd</sup> day of May, 1919.

Edmund H. Porter Probate Judge

Return

8679

Probate Court, Union County, Ohio

Petition to Sell Personal Property Report Of Sale.

Return

In the Matter of The Estate of William W. Corby, deceased.

The undersigned, Fannie Corby, Administratrix of the estate of William W. Corby, deceased, says that in obedience to the order of said Court, hereto attached, she sold said personal property, commencing on the 26<sup>th</sup> day of May, 1919 A.D. and closing on the 26<sup>th</sup> day of May A.D. 1919 for the sum of One Hundred and 20/100 Dollars and no cents, said sum being twice the appraised value of the same. A detailed Bill of said sales is hereto attached. Dated this 3<sup>rd</sup> day of June - A.D. 1919.

Fannie B. Corby

8679

3 Shares of "The Richmond Tri County Fair Company" Stock,

Bill of Sales

\$ 50.00 B. F. Beem

\$ 100.00

Bill of Sales

The State of Ohio, Union County, ss.

Fannie Corby, Administratrix of the Estate of William W. Corby, deceased, being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price she could get for the property.

Fannie B. Corby

Sworn to before me and signed in my presence, this 3<sup>rd</sup> day of June, A.D. 1919.

S. H. Van Winkle Notary Public

8679

Journal Entry, Order Approving and Confirming Sale

Probate Court, Union County, Ohio

Tuesday, June 10<sup>th</sup> 1919

Drawn up and Conf. Date.

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Filed May 3-1919

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Petition

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Final Record, Union County Probate Court

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In the matter of  
The estate of  
William H. Conroy, deceased.

Petition to Sell Personal Property,  
Order Approving and  
Confirming Sale

This day this cause came on to be heard on the report of Larrison Conroy, as Administrator of the estate of W. H. Conroy, deceased, of her proceedings under the former order of this court; the court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal. It is ordered that the same be and hereby is approved and confirmed. It is further ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \$ - within ten days.

Edward W. Porter, Probate Judge.

9160

Petition for Sale of Real Estate to Pay Debts.

Probate Court Union County, Ohio

Filed

May 3-1919

Arline Allen, Administrator  
of the Estate of Harriett Allen,  
Deceased; Plaintiff.

No. 9160

Civil Action.

v:

Maud Kramers, May Rish,  
Beatrice Andrews, Arthur Allen,  
David Allen, Harry Allen,  
Martha Allen, Ada Smith,  
Max Allen, Wilma Allen,  
Hilda Allen, Elizabeth Allen,  
Garnett Allen.

Petition to Sell  
Real Estate

Petition

Petition

John Allen (widower)  
Milo Strosvider and  
Grace Allen.

Defendants

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of Harriett Allen late of Union County, Ohio, deceased; that the amount of debts from the deceased is Eight Hundred Dollars as near as can be ascertained not including costs of Administration and that the charges of Administration of said estate will amount to about One hundred dollars; and that the total value of the personal estate and effects of said deceased is but -- nothing --, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said Harriett Allen died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit:

9160

the County of Union and State of Ohio, to-wit:



Final Record, Union County Probate Court

9160

Bring all of 2d lot number three hundred seventy (370) in Beatty's Addition to the Village of Richmond in said County and State. For a more specific description, see recorded plat of said Addition in the Recorder's Office at Mansfield, Ohio.

The said decedent died leaving the defendant John Allen her widow, who is entitled to dower in said premises; that the defendants, Maud Cramer, May Fish, Beatrice Andrews, Arthur Allen, David Allen, Harry Allen, Martha Allen, Ada Smith, Max Allen, Wilma Allen, Bieda Allen, Elizabeth Allen and Garnett Allen, are the only heirs of said decedent, having the next estate of inheritance from said Harriett Allen, deceased, in said premises; that the Defendant Milo Strosvider has a mortgage lien upon the said premises, the exact amount of which is unknown to the plaintiff.

The Plaintiff therefore prays that the dower of said John Allen in said premises may be assigned and set off to him; that the rights, interests and liens of the said Milo Strosvider may be fully determined, adjusted and protected according to equity, and he be required to make answer setting up his claim or be forever barred of the same, and that your petitioner may be authorized and ordered to sell real estate subject to said dower, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

9160

The State of Ohio, Union County, ss.

Oath

Arthur Allen, the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Arthur Allen

Known to before me and signed in my presence this 3 day of May, 1919.

D. Van Winkle, Notary Public

9160

Arthur Allen Administrator  
Of the Estate of  
Harriett Allen, Deceased,  
Plaintiff.

v.

Probate Court, Union County, Ohio  
No. 9160  
Civil Action  
Petition to See Real Estate  
Participate

Maud Cramer, et al. Defendants To the Probate Judge:  
Issue summons for said Milo Strosvider, Bieda Allen, Elizabeth Allen, and Garnett Allen and <sup>Wilma Allen</sup> defendants minor heirs directed to Arthur Allen, returnable according to law.  
D. W. Van Winkle - Plaintiff's Attorney

9160

Journal  
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Final Record, Union County Probate Court

9160

Journal Entry: Filing Petition To Sell Real Estate

In the Probate Court of Union County Ohio,

Arthur Allen, Administrator

Saturday, May 3- 1919

of the estate of

No. 9160

Filing

Harriett Allen, deceased, Plaintiff

Petition To

v.

See Real Estate Maud Carman, May Risk,

Beatrice Andrews, Arthur Allen

Journal Entry.

David Allen, Barmy Allen,

Filing Petition To Sell Real Estate.

Martha Allen, Ada Smith,

Max Allen, Wilma Allen,

Bieda Allen, Elizabeth Allen,

Garnett Allen, John Allen (widow)

and Mrs. Milo Strossmider,

Defendants,

This day came the Plaintiff Arthur Allen, as Administrator of the estate of Harriett Allen, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Harriett Allen, deceased, to pay the debts, and the costs of administering the estate of the said decedent.

Whereupon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice of the filing, pendency and prayer, of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants; and this cause is continued.

Edward H. Porter, Probate Judge.

9160

Waiver of Process and Consent To Sell.

In the Probate Court of Union County Ohio,

Arthur Allen, Administrator

No. 9160

Waiver

of the Estate of

Petition To Sell Real Estate.

Harriett Allen, Deceased,

Plaintiff.

v.

Maud Carman, et al.,

Waiver of Process and Consent To Sell

Defendants

We, the undersigned parties defendant, in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts, hereby waive service of process, and consent to the sale, of the Real estate in said Petition mentioned, as herein prayed for, and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be by the Court ordered. May Risk, Mrs. Grace Allen, Maxine J. Allen, Ada Smith, David B. Allen, Beatrice Andrews.



Final Record, Union County Probate Court

9160

Widow

In The Probate Court of Union County, Ohio.

Arthur Allen Administrator

No. 9160

Of the Estate of

Petition To Sell Real Estate

Widow

Kenneth Allen Deceased Plaintiff

v.

Maud Kramer, et al.  
Defendants.

Widow of Arusa and  
Consent To Sell.

We the undersigned parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent to pay debts hereby main service of process, and consent to the sale of the Real Estate in said Petition mentioned, as herein prayed for and the statutory time for pleading is hereby waived and we consent that said Petition may be heard at such time as may be heard at such time as may be by the Court ordered.

Martha Allen.

Karry Allen.

Maud Kramer

Arthur Allen.

9160

Answer Of Widow

In The Probate Court of Union County, Ohio.

Arthur Allen Administrator

No. 9160

Of the Estate of

Answer Of Widow

Kenneth Allen deceased.

Groundings To Sell Real Estate.

Plaintiff.

v.

Maud Kramer, et al.  
Defendants.

Answer  
of  
Widow

And now comes John Allen, one of the defendants in the above entitled cause and voluntarily enters his appearance herein, and for his answer to the petition in this case filed, says: that he is the widow of said Kenneth Allen deceased, and as such is entitled to dower in the premises described in said petition; that his age is seventy five years; that he consents to the sale of the real estate of said decedent, as prayed for, and that he waives the assignment of his dower in said premises by mite and bounds, or in rents and profits; and asks the Court that said premises may be sold free from his dower estate therein, and that the value of such dower estate may be allowed and paid him in money out of the proceeds of such sale, as the Court may deem reasonable, if there be a surplus after the costs of Administration and the debts are paid; if there be no surplus he relinquishes his dower interest and asks that it may be used to pay the debts of the estate.

John Allen.

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Final Record, Union County Probate Court

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The State of Ohio, Union County, ss.

John Allen bring duly sworn, makes oath that the facts stated in the foregoing answers are as he believes true.

John Allen,

Known to by said John Allen before me, and signed by him in my presence, this 7<sup>th</sup> day of June, A.D. 1919.

S. W. Van Winkle, Notary Public

9160

Summons

The State of Ohio, Union County, ss.

Summons

To Arthur Allen - Plaintiff:

You are commanded to notify Milo Strossides and Wilma Allen, Hilda Allen, Elizabeth Allen and Garnet Allen minors making service of this summons upon them and also, if either of them can be found upon their guardian or their father, or if neither their guardian nor their father can be found, then upon their mother, or the person having the care of such infants, or with whom they live, that they have been sued by Arthur Allen, Administrator of the estate of Harriett All. deceased, in the Probate Court of Union County, and that unless they answer by the 31<sup>st</sup> day of May, A.D. 1919, the petition of said Plaintiff against them filed in said Court, said petition will be taken as true, and judgment rendered accordingly.

You will make due return of this summons on the 12<sup>th</sup> day of May, A.D. 1919.

Witness my hand and the seal of said Court, this 3<sup>rd</sup> day of May, A.D. 1919.

Edward H. Porter

Probate Judge and Ex. Officer of the Probate Court of said County

9160

The State of Ohio, Union County, ss.

Oath

I Arthur Allen, bring duly sworn say that I served this writ by delivering a copy thereof with the endorsements thereon personally to the within named defendants, on the days hereafter named, viz: May 8<sup>th</sup> 1919 to Milo Strossides, Wilma Allen, Hilda Allen, Elizabeth Allen and Garnett Allen, and also as to the within named minor defendants, May 8<sup>th</sup> A.D. 1919, to Grace Allen the mother such infants, the person with whom they live, their father being dead and their being no guardian.

Arthur Allen,

Known to before me and signed in my presence, this 9<sup>th</sup> day of May, A.D. 1919.

S. W. Van Winkle, Notary Public



Final Record, Union County Probate Court

9160 Order for Appraisement  
 Probate Court Union County, Ohio.  
 June 9<sup>th</sup> 1919  
 No. 9160  
 Journal Entry

Order for Appraisement  
 Archim Allen Administrator  
 of the estate of  
 Harriett Allen deceased  
 Plaintiff

vs.  
 Grand Granger et al.  
 Defendants.

Order for Appraisement

This day this cause came on to be heard upon the petition, proofs and exhibits the court find that all the defendants have been duly served with process, or have voluntarily entered their appearance in the case, and that as set forth in the petition, it is necessary to sell the real estate therein described to pay the debts of the said Harriett Allen deceased. And that John Allen, the widow of the said Harriett Allen deceased, having by his answer, waived the assignment of his dower by metes and bounds; it is therefore ordered and adjudged by the court that the said premises be appraised free of dower by the oaths of A. D. Parish, James Enlow and B. C. Humphrey judicious and disinterested freeholders of the vicinity whom the court hereby appoint for that purpose, and that they return their proceedings to this court for confirmation.

Eduard H. Porter, Probate Judge

9160 Order of Appraisement  
 The State of Ohio,  
 Union County, ss.

vs. Archim Allen Administrator of the estate of  
 Harriett Allen deceased.

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Administrator of the estate of Harriett Allen deceased, are Plaintiff and Grand Granger et al. are Defendants, you are commanded that by the oaths of A. D. Parish, James Enlow and B. C. Humphrey judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free the dower estate of John Allen, Widower of Harriett Allen, deceased, therein to wit:

Bring all of In. lot number Three hundred seventy

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Final Record, Union County Probate Court

9160 (27) in Beath's Addition to the Village of Richmond in said county and State. For a more specific description see recorded plat of said Addition in the Recorder's Office in Marysville, Ohio.

You will make return of your proceedings herein to our said Probate Court forth with upon execution of said order, and have you then and there this writ.

Witness my signature as Judge and Ex-Officio Clerk of our said Probate Court and the seal of said Court, at Marysville, Ohio, this 9<sup>th</sup> day of June, 1919.

*Eduard K. Porter, Probate Judge.*

9160 Return

To the Probate Court of Union County, Ohio.

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceeding hereto attached.

Dated the 14<sup>th</sup> day of June, A.D. 1919.

*Arthur Allen, Administrator*

9160 Cash Of Appraisers

The State of Ohio,  
Union County, ss.

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order.

*A. D. Parish, Jas. T. Enlow, B. C. Humphrey - Appraisers,*  
known to before me, and signed in my presence, this 13 day of June, 1919.

*S. H. VanWinkle - Notary Public.*

9160 Appr Return

In obedience to the foregoing order, after being first duly sworn and upon actual view of the premises therein described, we the undersigned appraisers, estimate the value of said real estate at eight hundred seventy-five and <sup>25</sup>/<sub>100</sub> Dollars, free from the said decedent's estate of John Allen, widower of Harriett Allen, deceased.

Given under our hands, this 13<sup>th</sup> day of June A.D. 1919.

*A. D. Parish, Jas. T. Enlow, B. C. Humphrey - Appraisers,*  
Fees of Appraisers \$1.00 per day each.

9160 Appl. to sell at Private Sale

Application to sell Real Estate at Private Sale Probate Court, Union County, Ohio.

*Arthur Allen, Administrator, of the Estate of Harriett Allen, Deceased, Plaintiff* vs. *Beath's Addition Real Estate mandator. Defendants* | Application



Final Record, Union County Probate Court

9160

The said Plaintiff represents that it would be for the best interest of the said estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

- 1- That the Administrator has a purchaser that will pay as much or more for the said premises as they can be sold for at public sale.
- 2- That the said premises can be sold at private sale at less expense to the estate than they can be sold for at Public Sale.

And he therefor asks for an order authorizing him to sell said real estate at private sale.

Arthur Allen Administrator of the estate of Harriett Aller, deceased.

9160

for the said estate Verily

sworn before me 14-

Notary

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June 14<sup>th</sup> 1919  
Confirming Appraisement  
Arthur Allen  
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The State of Ohio, Union County ss.

Arthur Allen being duly sworn, says that the various matters set forth in the foregoing Application are true as he verily believes.

Arthur Allen,

Sworn to before me, and signed in my presence, this 14<sup>th</sup> day of June A.D. 1919.

S. W. Van Winkle - Notary Public

Affidavit for Private Sale

In the Probate Court of Union County, Ohio,  
No. 9160

Arthur Allen, Administrator of the estate of Harriett Aller, deceased, Plaintiff.

Wm and Emma, et al. Defendants Affidavit for Private Sale - The State of Ohio, County of Union, ss.

Personally appeared before me, a Notary Public within and for the said County and State S. R. Sanders and George Y. Arthur who bring first duty sworn, depose and say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to; and that it will be more for the interest of the estate of Harriett Aller, deceased, and of all parties interested therein, to sell the real estate of said decedent at private sale, as they verily believe.

S. R. Sanders - Geo. Y. Arthur who bring first duty sworn depose and say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to; and that it will be more

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affidavit  
for  
Private Sale

Final Record, Union County Probate Court

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for the interest of the estate of Barnett Allen deceased, and of all parties interested therein, to sell the real estate of said decedent at private sale, as they verily believe.

S. R. Sanders - Geo. G. Arthur,  
known to by said S. R. Sanders and Geo. G. Arthur before me, and signed by them before me this 14<sup>th</sup> day of June, A.D. 1919.

S. W. Rawlin  
Notary Public - Union County, Ohio.

9160

Decree  
confirming  
Appraisement  
and  
Ordering Sale

Journal Entry: Decree Confirming Appraisement and Ordering Sale  
In the Probate Court of Union County, Ohio.  
June 14<sup>th</sup> 1919.

Archur Allen, Administrator  
of the estate of  
Barnett Allen, Deceased,  
Plaintiff.

Journal Entry,  
No. 9160

Maud Cramer et al.  
Defendants.

Decree Confirming Appraisement  
and Ordering Sale.

This day this cause came on further to be heard on the return of the plaintiff, of the appraisement herein, and it appearing to the court that said appraisement heretofore ordered has been made and reported to this court; and the court having carefully examined the same, finds that said appraisement has been made, in all respects in conformity to law, and the former order of this court, the same is now here, by the court, approved and confirmed.

The court further find that the said plaintiff as such administrator has given bond in sufficient amount with approved sureties, conditioned according to law.

And this cause coming on further to be heard on the application of the plaintiff for an order to sell said real estate at private sale, and the same being submitted to the court on the said application and the evidence adduced in support thereof, on consideration whereof the court finds that it would be for the best interests of said Estate and all parties interested therein that said real estate be sold at private sale.

It is thereupon by the court ordered that said Archur Allen, Administrator as aforesaid, proceed to advertise and sell the real estate aforesaid free of down, at private sale, at not less than the appraised value thereof on the following terms, to wit: Cash in hand on day of sale



Final Record, Union County Probate Court

9/60 And if a return is by the court ordered that said plaintiff make due return of his proceeding herein forthwith upon compliance with the terms thereof

Edward H. Porter, Probate Judge

9/60 Order Of Sale From Dross

The State Of Ohio Probate Court  
Union County ss.  
To Arthur Allen Administrator of the estate of  
Harriett Allen deceased. Greeting:

In obedience to an order and decree of the Probate Court within and for said County made this day in a certain cause wherein you as Administrator of the estate of Harriett Allen deceased are Plaintiff and Maude Laramer et al are Defendants you are commanded to proceed according to law to sell at private sale for not less than the appraised value thereof the following described premises to wit: Being all of Tract Number Three Hundred Seventy (370) in Beatty's Addition to the Village of Richmond, in said County and State. For a more specific description see recorded plat of said Addition in the Recorder's Office at Marysville Ohio.

Said sale to be free the dross of John Allen widower of said Harriett Allen deceased and to be upon the following terms: Cash in hand on day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court at Marysville Ohio this 19<sup>th</sup> day of June 1919

Edward H. Porter Probate Judge.

9/60 Return

To the Probate Court of Union County Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.

Dated the 19<sup>th</sup> day of June, A. D. 1919

Arthur Allen Admin. Estate of Harriett Allen, Deceased

9/60 Report Of Sale

In obedience to the within order, I sold said premises on the 19<sup>th</sup> day of June A. D. 1919 to Rev. Fox and Mary M. Fox for the sum of Eight Hundred seventy-five and no/100 Dollars, said sum being the appraised value of the same.

Arthur Allen Admin. Estate of Harriett Allen Deceased

Dated the 19<sup>th</sup> day of June A. D. 1919

The State of Ohio, Union County ss.  
The above named Arthur Allen being duly

9/60 sworn made for a High Court

9/60 Order Confirming and Appraising Sale

9/60 Journal

9/71 Files May 31-1919

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Final Record, Union County Probate Court

said herein of Judge court Probate is day. of the mand ed to down he follow- lot number he village a mon d dilion our of following to this said mer. 1919 Judge. caused ey appear

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sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Arthur Allen

Sworn to before me and signed in my presence this 19. day of June. A.D. 1919.

S. W. Van Winkle, Notary Public

9160

Journal Entry:

Orders

Probate Court, Union County, Ohio,

Confirming

June, 19<sup>th</sup> 1919.

and

Arthur Allen, Administrator

Approving

Of the estate of Harriett Allen, deceased.

Petition to sell Real Estate

Sale.

Plaintiff

v.

Maud Kramer, et al.

Orders Approving

Defendants.

and Confirming Sale

This day this cause coming on to be heard on the return of Arthur Allen, Administrator of the estate of Harriett Allen, deceased, of his proceedings and sale under the former order of this Court; the Court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made. It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said Arthur Allen as such Administrator make to the purchasers Len Fox and Mary M. Fox a good and sufficient deed for the premises so sold, upon the receipt of \$875.00 to him in hand paid.

It is further ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \$ within ten days  
Edward H. Porter Probate Judge

9171

Guardian's Petition to Sell Real Estate.

Filer

Probate Court, Union County, Ohio,

May 31- 1919.

George W. Knotts, as Guardian of Ada Knotts, a minor.

No. 9171

Plaintiff.

Petition

v.

Petition

Re: said Ward, Mrs. The Citizens Home and Savings Company, Defendants.

To Sell Real Estate

Petition.

The Plaintiff represents that he is the duly appointed and qualified Guardian of Ada Knotts, of the age of fifteen years on the 18<sup>th</sup> day of April, 1919.

Deceased aid to her hundred of Deceased. duly



Final Record, Union County Probate Court

9171

and residing with the Plaintiff her father, at Mansville, Ohio, R. D. # 5. The Plaintiff further represents; That no personal estate belonging to his said Ward has come to his knowledge or possession; that said Ward has no personal estate dependent upon the settlement of a decedent's estate, or the execution of a trust; that the annual value of the real estate of said Ward is approximately \$150.00; that the rent received is applied annually to the payment of taxes, insurance, repairs, interest on mortgage loan, and maintenance of said Ward; that the proposed manner of re-investing the net proceeds of a sale of said Ward's real estate, if the same be approved by the Court, is in first mortgage loans, or in bonds of the United States Government; and that the chief item of said Ward's indebtedness, and for the payment of which, primarily, a sale herein is prayed, is one-half of the sum of \$1400.00, to-wit: \$700.00, payable to the Citizens Home and Savings Company of Mansville, Ohio, and secured by mortgage on said Ward's real estate herein sought to be sold.

Petition

That said Ward is the owner in fee simple of the undivided one-half of the following described real estate, situated in the County of Union, State of Ohio, and in the Townships of Paris and Allen and Surrus No's 3742 and 5728, and bounded and described as follows:

Beginning at a stone in the center of the Parr road and with the North East corner to said Surrus No. 3742; thence with the North line of said Surrus No. 3742 S. 52 1/2° W. 98 5/8 poles to a stone with the North East corner to John Parr's land; thence with his East line S. 37 1/2° E. 40 4/100 poles to a hickory tree corner to the land of Royce Poling; thence with the North line of said land N. 52° E. 97 poles to a stake in the East line of said Surrus and in the center of said Parr road; thence with the center of said road N. 34 1/2° W. 40 4/100 poles to the beginning, containing 24 1/2 acres more or less.

(2 Tract) Situate in (said) Paris Township and Surrus # 5728, Beginning at a stone, a corner to the lands of George Worline in the center of the Parr road; thence with the South line of said Worline's land N. 85° E. 33 poles to a stone at the North West corner of R. H. Snedeker's land; thence with the West line of said land S. 32° 45' E. 131 1/100 poles to a stone at the North West corner of R. M. Henderson's land; thence with the North line of said land S. 65° 45' N. 31 1/100 poles to a stone in the center of said road; thence with the center of said road

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N 32° 30' W. 141 9/100 poles to the beginning, containing  
 Muty. five (25) acres, more or less.

The Plaintiff has the apparent next estate of  
 inheritance, from his said Ward, in her said undiv-  
 ided one-half of said 49 1/2 acres, more or less,  
 described in the foregoing two tracts of land; and  
 the Plaintiff is the owner in fee simple of the other  
 undivided one-half of said 49 1/2 acres as co-tenant  
 thereof with his said minor ward.

The Plaintiff further represents that, in view of the  
 natural decay and decrease in value of the  
 buildings upon said lands which are old and  
 which will soon require a considerable outlay  
 of money to maintain the same, it will be  
 manifestly to the best interest and advantage of  
 his said Ward to sell the same, pay the said  
 encumbrance thereon, and invest the net proceeds  
 of such sale, belonging to said Ward, in first-mortgage  
 loans, or loans, or in bonds of the United States  
 Government.

The Plaintiff therefore prays that said Ada Knotts, minor  
 as aforesaid, and said The Citizens Home and Savings  
 Company, may be made Defendants, to this petition,  
 and notified of the pendency thereof according to law;  
 and that Plaintiff may be ordered to sell said  
 real estate for the reasons and purposes herein  
 before proposed, and for other proper relief.

George W. Knotts, as Guardian  
 of Ada Knotts, a minor, by his Attorney, James McLaughlin

9171

The State of Ohio, Union County, ss.

Oath

George W. Knotts, being duly sworn, says that he is  
 the Plaintiff mentioned in the foregoing petition, and  
 that the facts stated therein are true, as he verily  
 believes.

George W. Knotts.

Sworn to before me and signed in my presence, this  
 31<sup>st</sup> day of May, 1919.

Edward H. Porter, Probate Judge

9171

Orders  
 Fixing  
 Time of  
 Hearing  
 and  
 for Notice

Journal Entry: Orders Fixing Time of Hearing <sup>and for Notice</sup>  
 Probate Court, Union County, Ohio.

George W. Knotts, as Guardian of Ada Knotts, a minor. Plaintiff.	Saturday, May 31, 1919. Petition to sell Real Estate.
--	--

His Ward, Defendants. Order for Notice.  
 This day George W. Knotts, as Guardian of Ada  
 Knotts, a minor appeared in open Court and  
 filed his petition duly verified, asking for the



Final Record, Union County Probate Court

9171

sale of real estate therein described, belonging to his Ward, Whumpson: It is ordered that the time of hearing said petition be and hereby is fixed for the 13<sup>th</sup> day of June 1919, at One O'clock P.M.

It is further ordered that said Guardian cause notice thereof, and of the filing and demand of said petition, to be given to said Ada Knotts, his Ward, and to The Citizens Home and Savings Company, and all persons entitled to the next estate of inheritance in such real estate, Defendants in writing to be served upon them personally, and by leaving copies thereof at the usual place of residence of each of those who cannot be served personally ten days before said day of hearing, and this cause is continued,

Edward W. Porter, Probate Judge

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Notice to Defendants.

The State of Ohio, Union County, ss.

Notice

To Ada Knotts a minor. You are hereby notified, that on the 31<sup>st</sup> day of May 1919 the undersigned as Guardian, files in the Probate Court of Union County, Ohio, a petition, the object and prayer of which is to procure said Court to order the sale of the Real Estate of the said Ada Knotts, minor as aforesaid, situated in the County of Union, in the State of Ohio, and in the Township of Paris and allen, and described as follows to-wit:

In surveys No 3742 and 5728 and being the undivided one-half of two tracts of land, the first containing 24 1/2 acres, more or less, and the second containing 25 acres more or less, a total acreage of 49 1/2 acres more or less, bounded and described as in a certain deed of conveyance from Mary Knotts to H. H. Knotts dated August 31<sup>st</sup> 1912 and recorded at Vol. 101, page 153, of the Deed Records of said County of Union, and likewise described in the said petition, reference to which deed and petition is here made for further description.

The object and purpose of the said petition is to procure an order of said Court to sell said minor's said real estate to pay the encumbrance thereon, and to reinvest the net proceeds of such sale, for the benefit of said minor - ward in bonds, or bonds, or first mortgage, or in Bonds of the United States Government.

Said petition will be for hearing by said Court on the 13<sup>th</sup> day of June, 1919, at One O'clock P.M., at which time an order will be asked, as prayed for in said petition.

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9171 Dated this 31- day of May, 1919.  
George W. Knotts,  
Guardian of Ada Knotts, minor.  
9171 Affidavit of Service.  
The State of Ohio, Union County, ss.  
Affidant I, George W. Knotts, being duly sworn, say that on  
of the 31- day of May, 1919, I served this writ by delivering  
Served a true copy thereof personally to the following named  
persons, to-wit: Ada Knotts, a minor, plaintiff being  
the legal guardian and father of said minor, and  
the person with whom she resides.  
George W. Knotts,  
known to before me and signed in my presence  
this 2- day of June, 1919.  
Agnes D. Potter, Deputy Clerk  
9171 W. J. Wainor  
In the Probate Court of Union County, Ohio,  
No. 9171  
Wainor  
of George W. Knotts, as Guardian  
of Ada Knotts, a minor. Plaintiff.  
vs  
His Ward and  
The Citizens Home and Savings Company.  
Defendants.  
Wainor of Process  
and  
Consent to Sell  
vs. The undersigned, parties defendant in the  
above entitled cause for the sale of Real Estate  
of the estate of said minor Ward to pay debts  
and invest net proceeds of sale. hereby wainor  
service of process, and consent to the sale of the  
Real Estate in said Petition mentioned, as  
herein prayed for, and the Statutory time for  
pleading is hereby waived and we consent  
that said Petition may be heard at such time  
as may be by the Court ordered.  
The Citizens Home and Savings Co. By C. A. Hoopes  
Journal Entry: Order On Hearing, of Appraisement, etc.  
Probate Court, Union County, Ohio.  
Friday, June, 13- 1919  
9171 no. 9171  
Order On  
Hearing  
of  
Appraisement  
George W. Knotts, As Guardian  
of Ada Knotts, A minor,  
Plaintiff.  
vs  
His said Ward, Defendants. Order Of Appraisement.  
This day this cause came on to be heard upon the  
petition, evidence and testimony; and the Court  
being fully advised in the premises finds: That all  
the defendants herein have been duly and legally  
served with process or have voluntarily entered their  
appearances herein, and are now properly



Final Record, Union County Probate Court

9171 before the Court and that the statements and allegations in said petition are true. And the Court being satisfied that it is necessary to sell the real estate of said Ada Knotts, minor, described in the petition, to pay her debts, and the most proceeds remaining, as being to the best interest of said minor, as prayed.

It is ordered that R. A. Pyers, C. D. Webb, and George A. Worline, three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, be and they hereby are appointed to appraise the undivided one-half of said lands, at their true value in money, free from down.

It is further ordered that said appraisers be sworn as required by law, and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, on or before the 1st day of July 1919, and this cause is continued.

Edward W. Porter, Probate Judge

Order Of Appraisement

9171  
Order  
Of  
Appraisement

The State of Ohio Union County Probate Court.  
To George W. Knotts as Guardian of Ada Knotts, a Minor, Greeting:  
In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as Guardian of Ada Knotts, a Minor, are Plaintiff and your said Ward et al are Defendants, you are commanded that by the oaths of R. A. Pyers, C. D. Webb, and George A. Worline judicious disinterested men of the vicinity, not of kin to the petitioner who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the undivided one-half of the following described premises, free from down, to-wit:

Situated in the County of Union, State of Ohio, and in the Townships of Paris and Allen and Surry's 45<sup>th</sup> 3742 and 5728, and bounded and described as follows:

Beginning at a stone in the center of the Parr road and with the North East corner to said Surry no. 3742; thence with the North line of said Surry no. 3742, S. 52 1/2° W. 98 5/8 poles to a stone with the North East corner to John Parr's land; thence with his East line S. 37 1/2° E. 40 1/8 poles to a hickory tree, corner to the land of Roger Poling; thence with the North line of said land N. 52° E. 97 poles to a stake in the East line of said Surry and in the center of said Parr road; thence with the center of said road N. 34 1/2° W. 40 1/8 poles to the beginning, containing 24 1/2 acres, more or less.

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Final Record, Union County Probate Court

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Situate in (said) Paris Township and Surry No. 3728.  
 Beginning at a stone, a corner to the lands of George  
 Worline in the center of the Parr road; thence with the  
 South line of said Worline's land N. 85° E. 33 poles to a  
 stone at the North West corner of R. H. Smediker's land;  
 thence with the west line of said land S. 32° 45' E. 131 <sup>17</sup>/<sub>100</sub>  
 poles to a stone at the Northerly corner of R. M. Henderson's  
 land; thence with the North line of said lands S. 65° 45'  
 W. 31 <sup>17</sup>/<sub>100</sub> poles to a stone in the center of said road;  
 thence with the center of said road N. 32° 30' W. 141 <sup>96</sup>/<sub>100</sub>  
 poles to the beginning. Containing Tractly five (25) acres,  
 more or less.

You will make return of your proceedings herein to our  
 said Probate Court forthwith upon execution of said  
 order, not later than July 1<sup>st</sup> 1919 and have you  
 then and there this writ.

Witness my signature as Judge and Ex-officio Clerk  
 of our said Probate Court and the seal of said Court  
 at Marysville, Ohio, this 13 day of June, 1919.

*Edward H. Porter*, Probate Judge  
 Return

9174

To the Probate Court of Union County, Ohio:  
 In obedience to the foregoing order, I have caused the  
 same to be duly executed, as will fully appear by  
 the proceedings hereto attached.

Dated the 14<sup>th</sup> day of June - 1919.  
*George H. Knotts* - Guardian.

9171

Oath of Appraisers

The State of Ohio, Union County ss.  
 We, the undersigned appraisers, do make solemn oath  
 that we will, upon actual view, honestly and impar-  
 tially appraise the within described real estate at  
 its fair cash value, and perform the duties required  
 of us, in pursuance of the foregoing order.

L. D. Webb, H. A. Pyers, George A. Worline, Appraisers,  
 known to before me, and signed in my presence, this  
 14<sup>th</sup> day of June, 14<sup>th</sup> 1919.

*Edward H. Porter*, Probate Judge.  
 Appraisers' Return.

9171

Appraisers' Return

In obedience to the foregoing order, after being first duly  
 sworn and upon actual view of the premises therein  
 described, we, the undersigned appraisers, estimate the  
 value of said real estate at Twenty four hundred and  
 twenty five (\$ 2425<sup>00</sup>) Dollars, free from dues.

Given under our hands, this 14<sup>th</sup> day of June, 1919.  
 L. D. Webb, H. A. Pyers, George A. Worline, Appraisers,  
 Fee of Appraisers \$ 2<sup>00</sup> per day each.



Final Record, Union County Probate Court

9171 Journal Entry: Order Approving Appraisement <sup>and</sup> for Bond, Probate Court, Union County, Ohio

Order Approving Appraisement <sup>and</sup> for Bond, George W. Knotts, Guardian of Ada Knotts, a Minor, Plaintiff, vs. His said Ward, Defendants.

Saturday, June 14<sup>th</sup> 1919.  
Petition to sell Real Estate  
Order For Bond, etc.

This day came the said Plaintiff by his attorney, and appeared to the Court, the report of an appraisement herein made by C. D. Webb, R. A. Pyles, <sup>and</sup> George A. Worline in pursuance of a former order of this Court, and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be <sup>and</sup> hereby is approved and confirmed.

It is further ordered that said George W. Knotts execute within 15 days to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the Court in the sum of forty eight hundred and fifty <sup>and</sup> <sup>no</sup>/<sub>100</sub> Dollars, conditioned according to law, and this cause is continued.

Eduard H. Porter, Probate Judge,  
Bond.

9171 Know all Men by these Presents, that we, George W. Knotts, and the United States Fidelity <sup>and</sup> Trust Company, are here and firmly bound unto the State of Ohio, in the sum of forty eight hundred <sup>and</sup> fifty <sup>and</sup> <sup>no</sup>/<sub>100</sub> Dollars for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, 15<sup>th</sup> day of June, 1919.

The condition of the above Obligation is such, that whereas, the above bound George W. Knotts, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, guardian of Ada Knotts, a minor, and whereas the said George W. Knotts, as such Guardian, has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Ward, described in said petition, which under proceedings in said Court duly had, has been appraised at the sum of Twenty-four hundred <sup>and</sup> Twenty-five dollars.

And whereas said Court, on the 14<sup>th</sup> day of June, 1919, made an order requiring said Guardian to execute a bond according to the Statute in such cases made and provided.

Now if the said George W. Knotts, as Guardian, aforesaid, shall faithfully discharge his duties as such Guardian, and faithfully pay over and account

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Order Approving Bond for Private Sale George As Ada His and George the here Union surety is of An satis inter estate It Knotts real not the for day 1920 A to the and

9171 Order of Sale The St To Ge In or Court, a ce Court

9171 for, all moneys arising from the sale of said Real Estate according to law, then this obligation to be void, otherwise to remain in full force.

George W. Knotts,  
United States Fidelity and Guaranty Co., F.M. Gilcrest, agt.

This Bond approved in open Court this 18<sup>th</sup> day of June, 1919.

9171 Journal Entry: Order Approving Bond for Private Sale

Order Approving Bond for Private Sale

George W. Knotts,  
As Guardian of  
Ada Knotts, a minor.  
Plaintiff  
vs  
His said Ward.  
Defendant.

Order of Sale

This day this cause came on further to be heard, and it appearing to the court that the said George W. Knotts, as Guardian of Ada Knotts, a minor, the plaintiff above named has given bond as heretofore ordered, in the sum of Forty eight hundred and Fifty <sup>and 20/100</sup> Dollars with the United States Fidelity and Guaranty Company, as surety, it is ordered that said bond be and hereby is approved.

And it being made to appear to the court, upon satisfactory evidence, that it would be more for the interest of said minor ward, to sell the real estate described in the petition at private sale.

It is therefore further ordered that said George W. Knotts, as such Guardian proceed to sell said real estate, free from dower, at private sale, for not less than the appraised value thereof, on the following terms, to wit: \$150.00 cash in hand on day of sale, and the balance on or before March 1<sup>st</sup> 1920, and on delivering of Deed of said Guardian.

And said petitioner is ordered to make return to this court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge.

9171 Order of Sale

The State of Ohio, Union County ss. Probate Court.

To George W. Knotts, Guardian of Ada Knotts, a minor, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause No. 9171 now pending in said Court wherein you as Guardian of Ada Knotts,



Final Record, Union County Probate Court

9171

a Minor are Plaintiff and your Ward et al are Defendants  
you are commanded to proceed according to law, to  
sell at private sale, for not less than the appraised  
value thereof free from down.

The undivided one-half of the following described premises, to-wit:  
Situating in the County of Union, State of Ohio, and in the  
Townships of Paris and Allen Survey No. 3742 and 5728, and  
bounded and described as follows:

Beginning at a stone in the center of the Parr Road  
and with the North east corner to said Survey No. 3742; thence  
with the North line of said Survey No. 3742, S. 57 1/2° W. 98 5/100  
poles to a stone with the North East corner to John Parris land;  
thence with his East line S. 37 1/2° E. 40 4/100 poles to a  
hickory tree corner to the land of Roger Poling; thence with  
the North line of said land N. 52° E. 97 poles to a stake  
in the East line of said Survey and in the center of  
said Parr road; thence with the center of said road  
N. 34 1/2° W. 40 4/100 poles to the beginning, containing  
24 1/2 acres more or less.

(2-tract) Situate in (said) Paris Township and  
Survey No. 5728. Beginning at a stone, a corner to  
the lands of George Worline in the center of the Parr  
road; thence with the South line of said Worline's land  
N. 85° E. 33 poles to a stone at the North West corner  
of R. H. Snedeker's land; thence with the West line  
of said land S. 32° 45' E. 131 1/100 poles to a stone  
at the North West corner of R. M. Cundess's land; thence  
with the North line of said lands S. 65° 45' W. 31 1/100  
poles to a stone in the center of said road; thence  
with the center of said road N. 32° 30' W. 141 9/100  
poles to the beginning, containing Tract (25)  
acres, more or less.

Said sale to be free from down and to be upon the  
following terms: \$1500.00 Cash in hand on day of  
sale, and the balance on or before March 1-1920,  
or on delivery of deed of said Guardian

You will make return of your proceedings to this  
Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate  
Court at Mansville, Ohio, this 19<sup>th</sup> day of June, A.D. 1919,  
Eduard H. Porter, Probate Judge.

Return

9171

Return

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused  
the same to be duly executed, as will fully  
appear by the proceedings hereto attached.

Dated the 20<sup>th</sup> day of June 1919. - George H. Knotts,  
Guardian of Ada Knotts. - a minor.

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Final Record, Union County Probate Court

9171

Report of Sale

In obedience to the within order, I sold said premises on the 20<sup>th</sup> day of June A.D. 1919, to Elwood Brightler for the sum of Twenty Four Hundred and Seventy five <sup>and 20/100</sup> Dollars, said sum being more than the appraised value of the same.

Report of Sale

George W. Knotts, Guardian of Adm. of Adm. Knotts Minor

Dated the 20<sup>th</sup> day of June, A.D. 1919.

The State of Ohio, Union County, ss.

The above named George W. Knotts, Guardian of Adm. Knotts, a minor, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

George W. Knotts.

Known to before me and signed in my presence. This 20<sup>th</sup> day of June, A.D. 1919.

Edward H. Porter, Probate Judge

9171

Journal Entry: Orders Approving and Confirming Sale

Probate Court, Union County, Ohio.

Friday, June 20<sup>th</sup> 1919.

Petition to Sell Real Estate

Orders Approving and Confirming Sale

George W. Knotts, As Guardian of Adm. Knotts, a minor, Plaintiff

vs. His said Ward

Order Approving and Confirming Sale

Defendants.

This day this cause coming on to be heard on the return of George W. Knotts, as Guardian of Adm. Knotts, a minor, of his proceedings and sale under the former order of this court; the court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made. It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said George W. Knotts, as such Guardian, make to the purchaser, Elwood Brightler, a good and sufficient deed for the premises so sold, and this cause is adjourned for the hearing as to a distribution of the proceeds of said sale.

It is further ordered that this proceeding be recorded, and that said Guardian pay the costs here in taxed at \$ -- within ten days.

Edward H. Porter

Probate Judge



Final Record, Union County Probate Court

9169  
Filed  
June 6-1919

In the Matter of the Estate of Elizabeth Buckner, deceased.  
Petition To Sell Personal Property  
No. 9169  
The Estate of Elizabeth Buckner, deceased.  
Petition To Sell Personal Property  
Petition

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified Administrator of the estate of Elizabeth Buckner, deceased, late of said County; that the personal property of said estate has been duly appraised, and the inventory and appraisement thereof filed in said Court.

Your petitioner makes application for authority to sell at private sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said inventory and appraisement to-wit:

1 Bay mare	\$135.	Cow	5.00
1 Sorel gelding	58.	Grass seed	2.50
1 Dry cow	65.	Carpenter's tools	5.00
1 Dry cow	75.	Cross cut saw	1.50
1 Mucking cow	90.	Axes	1.00
1	100.	Barrels, boxes, and chest	1.00
1 Three year old heifer	85.	Lincus oil and grease	1.00
1 Disk harrow	15.	shaping	10.00
1 Breaking plow	3.	Gas engine	25.00
1 Corn planter	55.	Pump jack	1.00
1 Mower	2.	50 ft piping	8.00
1 Wagon for rack	20.	200 ft matched lumber	6.00
1 Team harness collar	40.	3-0 gal oil can	3.00
1 Three horse hitch	1.50	40 " Kerosine oil	5.40
1 Forks, shovels, rakes, spades &c.	4.	34 lumbered ft lumber	1.00
1 Feed Cutter	2.50	1 ton horse cultivator	5.00
1 Concrete mixer	25.00	outside pump	4.00
1 One horse cultivator	1.75	Stock tank	2.50
1 Lawn mower	4.00	40 hens + one rooster	4.
1 Barrel sack	2.50	1/2 bu. wheat	3.35
1 Fertilizer and feed bags	50	1 bedstead	
1 Top buggy	7.	Spring	
1 Single buggy harness	6.	bureau	
1 Top grand stone and frame	3.00	Commode	3.30
1 Lanning mill	10.00	6 chairs	3.
1 Corn sheller	2.00	Book cabinet	6.
1 Sewn grain bags	2.00	center stand	1.50
1 One spool wire	4.00	level heater	2.
1 90 lbs. nails	4.50	9-12 rug	6.50
1 1/2 bu. grass seed	12.50	Walnut book case	6.00
1 Cylinder oil and can	3.00	Corner cupboard	6.00

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Final Record, Union County Probate Court

Property

9169	Wood heater	3.00	Ironing board	2.00
	Extension Table	2.25	Chair	2.00
	2 stands	1.	1 iron bed mattress	5.00
	1 clock		valuation of growing wheat	200.00
	3 rockers	.75	" " " chair	35.
	1 Kitchen cupboard	2.		
	sewing machine	3.		
	1 Kitchen range	60.		
	2 lbs. tinned	4.		

Said authority is asked for the following reasons:

1. can be disposed of readily and save time in settling estate;
2. Will save costs of administration;
3. Administrator has bona fide offers for all of said property at not less than the appraisement thereof; and
4. The appraisement of said property is reasonable and fair.

William M. Buckner, Admin.  
By James McLaughlin, his atty.

9169 The State of Ohio, Union County ss.  
William M. Buckner, being duly sworn, says: that the facts stated in the foregoing petition are true, as he verily believes.

William M. Buckner

Sworn to before me and signed in my presence, this 6<sup>th</sup> day of June 1919.

Edward H. Porter Probate Judge

9169 Journal Entry: Order for Private Sale.  
Probate Court, Union County, Ohio.  
Friday, June 6<sup>th</sup> 1919.  
In the matter of  
The Estate of  
Elizabeth Buckner, Deceased, Order of Sale etc.

Spk This day this cause came on to be heard upon the petition therein filed and the testimony; and the court being fully advised in the premises finds that the statements and allegations in said petition are true, and that the property therein described ought to be sold as prayed for. And the court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale; it is therefor ordered that William M. Buckner, as Administrator of said Elizabeth Buckner, deceased, proceed to sell said personal property at private sale, for not less than the appraised value thereof.

9169 It is further ordered that said sale be made upon the following terms, to-wit: Cash in hand at time of sale.

5.00  
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1.00  
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1.00  
25.00  
1.00  
8.00  
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3.30  
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Final Record, Union County Probate Court

9169

It is further ordered that said Administrator make return of his proceedings herein, within 60 days from this date, and forthwith after such sale is made and this sale is made and this cause is continued.

Edward H. Porter, Probate Judge

9169

Order of Sale

Probate Court Union County, Ohio

No. 9169

Order of Sale

In the matter of  
The Estate of  
Elizabeth Buckner, Deceased

Petition to Sell Personal Property

Order of Sale

To William M. Buckner, as Administrator of the estate of Elizabeth Buckner Deceased.

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in the matter of said estate you are hereby authorized and required to proceed according to law to sell at Private Sale, at not less than the appraised value thereof the following goods and chattels belonging to said estate to-wit:

Said sale to be upon the following terms:  
Cash in hand at time of sale -

You will return this order within two months from this date, and forthwith upon the execution of the same, together with your report thereon indorsed.

Witness my hand and the seal of said Court, this 6<sup>th</sup> day of June, 1919.

Edward H. Porter, Probate Judge

9169

Return

Probate Court Union County, Ohio

Petition To Sell Personal Property

Report of Sale

Return

In the matter of  
The Estate of  
Elizabeth Buckner, Deceased.

The undersigned William M. Buckner, as Administrator of the estate of Elizabeth Buckner, deceased, says that in obedience to the order of said Court, hereto attached, he sold said personal property, commencing on the 6<sup>th</sup> day of June, 1919, and closing on the 24<sup>th</sup> day of June, 1919, for the sum of Fourteen Hundred and Forty Dollars and ninety cents, said sum being more than the appraised value of the same.

A detailed Bill of Sales is hereto attached  
Dated this 24<sup>th</sup> day of June, 1919.

William M. Buckner, Adm'r.

Bill of Sale

9169

Bill of Sale

1 Bay Mare  
1 Saddle Gelding  
1 Dry Cow

\$ 135.00  
58.  
65.

Mary R. Poling  
"  
"

\$ 135.00  
58.00  
65.00

9169

Final Record, Union County Probate Court

make	9169	1 milking cow	90.00	Mary R. Poling	90.00
from this		1 " "	100.00	" "	100.00
and this		1 Three yr old heifer	85.00	" "	85.00
Probate Judge		1 Disc. Harrow	15.00	" "	15.00
		1 Breaking plow	3.	" "	3.
Ohio		1 Corn Planter	55.	" "	55.
Property		1 Wagon	20.	" "	20.
the estate		2 Iron harness collars	40.	" "	40.
the Probate		1 Three horse hitch	1.50	" "	1.50
this day,		Forked shovel, rakes etc	4.	" "	4.
authorized		Feed cutter	2.50	" "	2.50
sell at		Concrete mixer	25.	" "	25.
to value		One horse cultivator	1.75	" "	1.75
going to		Sawn mowers	4.	" "	4.
		Panel saw	2.50	" "	2.50
months		Fertilizer and feed bags	.50	" "	.50
description		Top Buggy	7.	" "	7.
on indorsement,		Single Buggy harness	6.	" "	6.
aid court,		Two grind stones & frame	3.	" "	3.
Judge,		Fanning mill	10.	" "	10.
Ohio		Loom Shells	2.	" "	2.
Property		Seven grain bags	2.	" "	2.
Adminis		One spool wire	4.	" "	4.
l. says		9 lbs. nails	4.50	" "	4.50
to heirs		1/2 bu. grass seed	12.50	" "	12.50
corn		Cylinder oil and can	3.	" "	3.
of closing		Power washer and mixer	5.	" "	5.
of		Grass seed	2.50	" "	2.50
city cuts,		Carpenter tools	5.	" "	5.
ed value		Iron cut saw	1.50	" "	1.50
ed		Axes	1.	" "	1.
Adminis.		Barrels etc	1.	" "	1.
		Linsed oil and queen	1.	" "	1.
		Shafting	10.	" "	10.
		Gas engine	25.	" "	25.
		Pump jack	1.	" "	1.
		80 ft. pipe	8.	" "	8.
		200 ft. matches lumber	6.	" "	6.
		50 gal. oil can	3.	" "	3.
		40 " Kerosine oil	5.40	" "	5.40
		34 hundred ft. lumber	100.	" "	100.
		1 Two horse cultivator	5.	" "	5.
		Outside junk	4.	" "	4.
		Stork tank	2.50	" "	2.50
		40 hens and one rooster	41.	" "	41.
		1/2 bu. wheat	3.35	" "	3.35
\$ 138.50	9169				
58.50					
25.00					



Final Record, Union County Probate Court

9/69

1 brass bed spring etc	3.30	Mary R. Poling	5.00
6 chairs	3.	"	3.
Book cabinet	6.	"	10.
benches stand	.50	"	.50
wood heater	2.	"	2.
9-12 rug	6.50	"	8.00
Walnut book case	6.	"	8.
corner cupboard	6.	"	10.
wood heater	3.	"	3.
Extension table	2.25	"	2.25
2 stands	1.	"	5.
1 stool	3	"	3.
3 rocks	1.75	"	1.75
1 kitchen cupboard	2.00	"	4.00
Sewing machines	3.	"	3.
1 kitchen range	60.00	"	60.
2 lbs. tins	4.	"	4.
Dinning board	2.	"	2.
chairs	2.	"	2.
1 iron bed, mat. & springs	8.	"	8.
val. growing wheat.	200.	"	200.
" " clover	35.	"	35.

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The State of Ohio, Union County, ss.  
 William M. Buckner, as Administrator of the Estate of Elizabeth Buckner, deceased, being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could get for the property.

William M. Buckner, Adm'r,  
 sworn to before me and signed in my presence,  
 this 24<sup>th</sup> day of June, 1919.  
 Agnes D. Porter, Deputy Clerk

9/69

Journal Entry:  
 Probate Court, Union County, Ohio June 24-1919  
 In the matter of  
 The Estate of  
 Elizabeth Buckner, Deceased.  
 Petition To Sell Personal Property  
 Order Approving and  
 Confirming Sale

Order  
 approving  
 and  
 confirming Sale

This day this cause came on to be heard on the report of William M. Buckner, Administrator of the estate of Elizabeth Buckner, deceased, of his proceedings under the former order of this Court; the Court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal. It is

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Final Record, Union County Probate Court

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ordered that the same be and hereby is approved and confirmed. It is further ordered that this proceeding be recorded, and that said Administrator pay the Costs herein taxed at \$-- within ten days.  
Edward W. Porter, Probate Judge.

9146

Filed

Apr. 26-1919

In the matter of the Estate of Albert Hoque, Deceased.

Petition To Sell Personal Property.

In the matter of the Estate of Albert Hoque, Deceased.

Petition to Sell Personal Property.

Petition.

To the Judge of said Court.

The undersigned respect fully represents that he is the duly appointed and qualified Administrator of the estate of Albert Hoque, deceased, of said County; that the personal property of said estate has been duly appraised, and the inventory and appraisement thereof filed in said Court. Your petitioner makes application for authority to sell at Private Sale, as provided by law, and upon such terms as the Court may order, the following personal property of said estate, as described in said inventory and Appraisement, to-wit:

2 Tons Hay

300 Bu. Corn more or less \$1.75 per bu \$ 525.00

100 Bu. Oats 62 cts per bu. 62.00

Said authority is asked for the following reasons: First: It would save the price of advertising. Second: Because the number of articles is too small to justify the expense of a public sale.

9146

The State of Ohio, Union County ss.

Ed Price being duly sworn, says, that the facts stated in the foregoing petition are true, as he verily believes.

Ed Price

Known to inform me and signed in my presence, this 26- day of April, 1919.

Edward W. Porter, Probate Judge.

9146

Journal Entry: Order for Private Sale.

Probate Court, Union County, Ohio,

Saturday, April 26-1919

In the matter of the Estate of Albert Hoque, Deceased.

Petition To Sell Personal Property.

Order of Sale, etc.

This day this cause came on to be heard upon the petition herein filed and testimony, and the Court being fully advised in the premises finds



Final Record, Union County Probate Court

9146

that the statements and allegations in said petition are true, and that the property therein described ought to be sold as prayed for. And the Court being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale, it is therefore ordered that said Price as Administrator of said estate of Albert Hoque, deceased, proceed to sell said personal property at private sale for not less than the appraised value thereof.

It is further ordered that said sale be made upon the following terms to-wit: Cash in hand at time of sale.

It is further ordered that said Administrator make return of his proceedings herein, within 60 days from this date, and forthwith after such sale is made, said his cause is continued.

Edward H. Porter, Probate Judge.

Order Of Sale.

Probate Court Union County, Ohio.

No. 9146

Petition To Sell Personal Property

Order Of Sale.

In the matter of

The Estate of Albert Hoque, Deceased.

To said Price, Administrator of the estate of Albert Hoque, Deceased.

In obedience to an order and decree of the Probate Court within and for said County, made this day in the matter of said estate you are hereby authorized and required to proceed according to law to sell at Private Sale, at not less than the appraised value thereof, the following goods and Chattels belonging to said estate to-wit:

2 Tons of hay

300 bu. Corn more or less \$1.75 per bu. \$ 525.00

100 bu. Oats 62 cts per bu. 62.00

Said sale to be upon the following terms: Cash in hand at time of sale. You will return this order within two months from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court, this 26<sup>th</sup> day of April, 1919.

Edward H. Porter, Probate Judge.

Return

Probate Court Union County, Ohio.

Petition To Sell Personal Property

Report of Sale

In the matter of The Estate of Albert Hoque, Deceased.

The undersigned said Price, Administrator of the estate of Albert Hoque, deceased, says that in obedience to the order of said Court, hereto attached, he sold said personal property commencing on the

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Final Record, Union County Probate Court

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9146 26<sup>th</sup> day of April 1919, and closing on the 7<sup>th</sup> day of October 1919 for the sum of Five Hundred and Sixty Three Dollars and Sixty-one cents. said sum being more than the appraised value of the same. A detailed Bill of Sales is hereto attached. Dated this 7<sup>th</sup> day of October 1919  
Lead Price Administrator

9146

Bill of Sales

1 hog	Hulls <sup>2</sup> / <sub>4</sub> Reynolds	42.35
100 bu. oats	\$ 62. <sup>00</sup> L. G. M <sup>2</sup> claim	70.00
732 bu. <sup>2</sup> / <sub>4</sub> 42 pounds corn	1.75 Kinnison order \$ 1. <sup>00</sup>	451.26
Total		\$ 563.61

9146 The State of Ohio, Union County, ss.  
Lead Price, Adm<sup>r</sup>, of the estate of Albert Hergue deceased, being duly sworn, says that the foregoing report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could get for the property.  
Lead Price.

Known to before me and signed in my presence, this 7<sup>th</sup> day of October, 1919.

9146 Journal Entry: Probate Court, Union County, Ohio.  
In the matter of  
The Estate of  
Albert Hergue, Deceased.  
Tuesday, Oct. 7<sup>th</sup> 1919.  
Petition To Sell Personal Property  
and Approving and Confirming Sale

Orders Approving and Confirming Sale  
This day this cause came on to be heard on the report of Lead Price Administrator of the estate of Albert Hergue, deceased, of his proceedings under the former order of this court; the court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal. It is ordered that the same be and hereby is approved and confirmed. It is further ordered that this proceeding be recorded, and that said Administrator pay the costs herein taxed at \$--  
Edward M. Porter, Probate Judge.

895-4 Petition for Sale of Real Estate to Pay Debt.  
Filed Probate Court, Union County, Ohio.  
May 11 1918. Blaine Carpenter, Adm<sup>r</sup>. De Bonis has with the bill annexed  
of the Estate of  
Georgiana Carpenter  
Deceased.  
Plaintiff.  
vs.



Final Record, Union County Probate Court

8954

Jessie Carpenter,  
Mrs Ethel M. Carty,  
Opal Dumban,  
Marie Dumban,  
Isaac Jolliff, minor  
and Citizens Home  
and Savings Company,  
Defendants.

No. 8954

Civil Action  
Petition To See Real Estate

Petition.

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The Plaintiff represents that he is the duly appointed and qualified of the Estate of George and Carpenter, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Six Hundred fifty dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about One Hundred fifty Dollars, and that the total value of the personal estate and effects of said deceased is but Two Hundred Dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said George and Carpenter died seized in fee simple of the following described real estate, situate in the County of Union, and State of Ohio, to-wit: In the Village of Marysville, Beginning at the North east corner of the In lot No. 21, and south east corner of In lot No. 16; Thence running south with the west margin of main street 27 1/2 feet; Thence west 8 poles to the alley parallel with the south line of said lot No. 21; Thence North 27 1/2 feet to the North west corner of said lot No. 21 and south west corner to said lot No. 16; Thence east with the line of said lot No. 21 8 poles to the place of beginning and being part of In lot No. 21.

Also a strip three feet wide off the south side of In lot No. 16, adjoining the above described part of In lot No. 21, being same property conveyed by the said George and Carpenter to the said H. D. Blum Jan. 25<sup>th</sup> 1908.

The said decedent died leaving the defendants, that the defendants, Jessie Carpenter, Blaine Carpenter, Ethel M. Carty, Opal Dumban, Marie Dumban, a minor, and Isaac Jolliff, a minor, are the only heirs, and only heirs at law of said decedent, having the next estate of inheritance from said George and Carpenter deceased, in said premises, that the Defendants,

The Plaintiff therefor prays that the rights, interests and liens of the said The Citizens Home and Savings Co. may be fully determined, adjusted and protected according to equity and that your petition may be authorized and ordered

8954

Final Record, Union County Probate Court

8954 to sell real estate of said Georgiana Carpenter, Deceased, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

8954 The State of Ohio, Union County, ss. Blaine Carpenter, the within named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true to the best of his knowledge and belief. Blaine Carpenter, Adm<sup>r</sup> &c known to before me and signed in my presence, this 11<sup>th</sup> day of May, 1918. Blaine Carpenter, Executor. A. H. Kallepach, Notary Public.

8954 Probate Court, Union County, Ohio, No. 8954. Blaine Carpenter, Executor, Plaintiff Against Jesse Carpenter et al. Defendants. Civil Action. Petition To Sell Real Estate. Verdict. To The Probate Judge: Issue summons for said Blaine Carpenter, Jesse Carpenter, Echl M. Carty, Opal Dumber, Marie Dumber, a minor, Isaac Julliff, a minor, and The Citizens Home and Savings Co., Defendants, directed to Blaine Carpenter of said County, returnable according to law. A. H. Kallepach Plaintiff's Attorney.

8954 Journal Entry: In the Probate Court of Union County, Ohio, May 11<sup>th</sup> 1918. Case no. 8954. Filing Petition To Sell Real Estate. Blaine Carpenter, Adm<sup>r</sup> &c of the Estate of Georgiana Carpenter, Dec'd. Plaintiff vs Jesse Carpenter, Echl M. Carty, Opal Dumber, Marie Dumber, a minor, Isaac Julliff a minor and Citizens Home and Savings Co., Defendants.

8954 This day came the Plaintiff Blaine Carpenter, Adm<sup>r</sup> of the estate of Georgiana Carpenter, deceased and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Georgiana Carpenter, deceased



Final Record, Union County Probate Court

8954 to pay the debts, and the costs of administering the estate of the said decedent.

Whereupon, it is considered and ordered by this Court that said petition be filed, and that due and legal notice of the filing, pending and prayer of the said petition, and of the time in which they are required by law to answer the same, be given to each of the said defendants, and this cause is continued.

Edward H. Porter, Probate Judge.

8954

Summons.

The State of Ohio, Union County ss.

To Blaine Carpenter, of said County:

Summons.

You are commanded to notify Jesse Carpenter, Blaine Carpenter, Ebel Dumbor Mcarty, Opal Dumbor, and Marie Dumbor, a minor, and Isaac Joliff, also a minor, that on the 11<sup>th</sup> day of May, A.D. 1918, Blaine Carpenter as Adm<sup>r</sup> of the estate of Georgiana Carpenter, Deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts, and that unless they answer by the 8<sup>th</sup> day of June, 1918, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 20<sup>th</sup> day of May, A.D. 1918.

Witness my hand and the seal of said Court, this 11<sup>th</sup> day of May, A.D. 1918.

Edward H. Porter.

Judge and Ex-officio Clerk of the Probate Court of said Co.

8954

Blaine Carpenter Application of Jesse Carpenter at Private Sale

8954

Cash Various

8954

Affidavit

8954

The State of Ohio, Union County ss.

I, Blaine Carpenter, being duly sworn, say, that on the 18<sup>th</sup> day of May, 1918, I served this writ by delivering a copy thereof personally to the following named persons, to wit:

Cash.

Jesse Carpenter, Blaine Carpenter, Ebel Dumbor Mcarty, Opal Dumbor, and Marie Dumbor - a minor, and Isaac Joliff, also a minor, and also upon Ebel Dumbor Mcarty, with whom said Marie Dumbor resides she having no father, mother, or guardian; also upon Samuel Joliff, the father of said Isaac Joliff, minor, said minor not having a guardian.

Blaine Carpenter, Adm<sup>r</sup> of the estate of Georgiana Carpenter, Deceased, sworn to before me and signed in my presence, this 20<sup>th</sup> day of May, 1918.

A. H. Kelleprath, Notary Public

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Journal

Final Record, Union County Probate Court

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Application  
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Real Estate  
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Private Sale  
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Journal Entry

Application To Sell Real Estate at Private Sale  
Probate Court, Union County, Ohio,  
Blaine Carpenter, Adm'r & Co. vs. 1918  
Of The Estate of Georgiana Carpenter, Deceased, Plaintiff  
Petition To Sell Real Estate  
Jesse Carpenter, et al. Defendants Application  
The said Plaintiff represents that it would be for the best interest of the said Estate to sell the real Estate described in the petition in this case at private sale, for the following reasons:  
That there are mortgages on the premises.  
1. Because it can be sold for the full appraisement and without the risk of being sold at two-thirds the appraisement, if sold at public sale.  
2. Also because it will save the expense of advertising.  
And he therefore asks for an order authorizing him to sell said real estate at private sale.  
Blaine F. Carpenter, Adm'r & Co.  
of The Estate of Georgiana Carpenter, Deceased.  
The State of Ohio, Union County ss.  
Blaine Carpenter, being duly sworn, says that the various matters set forth in the foregoing Application are true as he verily believes.  
Blaine F. Carpenter, Adm'r & Co.  
Sworn to before me, and signed in my presence, this 3<sup>rd</sup> day of May, 1918.  
A. H. Kellefirth, Notary Public.  
Affidavit, of Disinterested Person.  
The State of Ohio, Union County ss.  
F. W. Gurney, Walter M. Otto, O. L. Baker, being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said Estate to sell said real estate at private sale than at public sale, as they verily believe.  
F. W. Gurney, Walter M. Otto, O. L. Baker  
Sworn to before me, and signed in my presence, this 13<sup>th</sup> day of May, 1918.  
A. H. Kellefirth, Notary Public.  
Journal Entry:  
Advs. On Hearing, for Private Sale - etc



Final Record, Union County Probate Court

8954

Probate Court, May 20<sup>th</sup> 1918.

Blaine Carpenter, Adm<sup>r</sup>  
of the Estate of  
Georgeanna Carpenter, Deceased,  
Plaintiff.

Petition To  
sell Real Estate

v.

Jesse Carpenter, et al.  
Defendants.

Order Of Sale.

This day this cause came on to be heard upon the petition, evidence and testimony and the Court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance herein, and are now properly before the Court. That the statements and allegations in said petition are true. That said Georgeanna Carpenter, deceased, did not leave a will or a widow entitled to dower in the estate to be sold, and an appraise of such estate is contained in the inventory.

It is ordered that another appraisement be and hereby is dispensed with. And the Court being satisfied that it is necessary to sell the real estate of said estate, described in the petition, to pay her debts. And it being made to appear to the Court upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale.

It is therefore further ordered that said Blaine Carpenter as such Adm<sup>r</sup> proceed to sell said real estate, free of dower, at private sale for not less than the appraised value thereof, on the following terms, to wit: One third, Cash in hand on day of sale. One third in one year and one third in two years from day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually, and said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

Edward H. Porter, Probate Judge

Errors Petition Of The Citizens Home & Savings Co.,  
In The Probate Court of Union County, Ohio,  
No. 8954

8954

Errors.  
Petition of The  
Citizens  
Home and  
Savings  
Company.

Blaine Carpenter, Adm<sup>r</sup>  
Of the Estate of  
Anna Carpenter, Deceased,  
Plaintiff.

Errors Petition Of  
The Citizens Home and  
Savings Co.

Jesse Carpenter, et al.  
Defendants.

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Final Record, Union County Probate Court

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The defendant, The Citizens' Home and Savings Co., say that it is a corporation duly organized and existing under the laws of the State of Ohio with its principal place of business at Mansville, Ohio.

That on the 19<sup>th</sup> day of November 1908, the said Anna Carpenter executed and delivered to the said The Citizens' Home and Savings Company her promissory note in the words and figures following to-wit:

" \$500.00.

Mansville, Ohio, November 19<sup>th</sup> 1908.

Received as a loan from The Citizens' Home and Savings Company of Mansville, Ohio, the sum of Eight Hundred Dollars, which sum I agree to repay with 6 per cent interest thereon, payable as follows: I hereby subscribe for 8 shares of stock in said Company of One Hundred Dollars each, book No. 338, which I hereby assign to said Company as collateral security for said loan, and I agree to pay to said Company, weekly, on said stock not less than two dollars, and I hereby authorize and direct the secretary of said Company on the last day of March and the last day of September of each year to withdraw from my stock all payments credited thereon and apply the same:

First: - To the payment of sums advanced by said Company for insurance, taxes and assessments which it is hereby authorized to so advance. Second: - To the payment of the interest due on said loan on the first day of April and the first day of October of each year. Third: - The balance to be credited on the principal of said loan.

Said weekly payments of \$2.00 shall be continued until said loan with the interest thereon has been fully paid.

On failure of the signed thereof to make said weekly payments for the period of eight weeks, the whole amount then remaining due and unpaid on said loan shall forthwith become due and payable at the option of said Company, notice of such option being hereby expressly waived.  
Anna Carpenter.

That upon said date to secure a payment of said note the said Anna Carpenter executed a mortgage deed to said The Citizens' Home and Savings Company and thereby conveyed to said The Citizens' Home and

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Final Record, Union County Probate Court

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Saving Company, in the words and figures following, to wit:  
(Here follows a copy of the note above described)

Now if the said Anna Carpenter shall pay to said The Citizens Home and Savings Company, its successors, or assigns, the said sums of money as set forth in said note and contract as they respectively become due and payable, and shall further pay all taxes and assessments on said premises, and shall keep the building thereon insured in favor of the said The Citizens Home and Savings Company, to the acceptance of the Company, then these presents shall be void; otherwise to remain in full force and effect.

Provided, that if said Anna Carpenter shall fail to make said weekly payments for the period of eight weeks, in accordance with said Contract, or shall fail to make any of said payments when due, or shall fail to pay said taxes or assessments or keep said premises insured for the benefit of the grantee, as aforesaid, then the whole amount of said loan then remaining unpaid shall forthwith become due and collectible, and this mortgage shall become absolute.

Said mortgage was duly filed at the Recorder's office of Union County at 3:50 O'clock P.M. on the 19<sup>th</sup> day of November 1908 and was duly recorded in book 60 page 78 Union County Records of Mortgages, and is the first and best lien upon said real estate.

This assuring defendant further says that there is due and unpaid upon said note the sum of \$653.<sup>25</sup> with interest at 6% from the 7<sup>th</sup> day of June 1908.

Whereupon this Assuring defendant prays that said mortgage may be declared to be the first and best lien upon said premises and that upon the sale of said premises said the sum of \$653.<sup>25</sup> with interest as aforesaid be paid to said The Citizens Home and Savings Company out of the proceeds of said sale, and for such other relief as justice and equity may require.

Robinson and Hoopes. Attorney  
for the Citizens Home and Savings Company.

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State of Ohio, Union County, ss.

Oath.

Clarence A. Hoopes, being first duly sworn, says that he is one of the attorneys for The Citizens Home and Savings Company, that said The Citizens Home and Savings Company is a corporation, and that the facts stated and the allegations made in the foregoing petition are true as he verily believes.

Clarence A. Hoopes

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Due 7<sup>th</sup> day

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Ap

Application for Appointment of Guardian ad litem

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Final Record, Union County Probate Court

895-4

Sworn to before me and subscribed in my presence this 7<sup>th</sup> day of June, 1918.

J. L. Cameron, Notary Public.

895-4

Application for appointment of Guardian ad litem.  
Probate Court, Union County, Ohio.

Application of Blaine Carpenter, Administrator of the Estate of Georgiana Carpenter, Deceased, Plaintiff

vs. Jesse Carpenter - et al. Defendants.

No. 8954

ad litem

Jesse Carpenter - et al. Defendants.

Application.

To the Hon. E. W. Porter, Judge of said Court:  
The undersigned Blaine Carpenter, Plaintiff herein, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case. The Defendant Mary E. Denton is now the age of fourteen years, and has been duly served with summons herein, and the defendant, Isaac Jolliff, is under the age of fourteen years, and has been duly served with summons herein, according to law.

The undersigned suggests that John H. Langhrey who is a suitable person be appointed as such Guardian ad litem.

Respectfully, Blaine Carpenter,

Admin of Estate of Georgiana Carpenter, Deceased

895-4

Journal Entry:

Probate Court, Union County, Ohio.

Entry,

Blaine Carpenter, Administrator of the Estate of Georgiana Carpenter Deceased, Plaintiff.

June 8<sup>th</sup> 1918.

No. 8954

vs. Jesse Carpenter, et al. Defendants.

Appointment of Guardian ad litem

This day Blaine Carpenter, Plaintiff herein, appeared in open Court and made application for the appointment of a Guardian ad litem, for the minor defendants in this case. And it appearing to the Court that the defendant Mary E. Denton is now the age of 14 years, Isaac Jolliff under the age of fourteen years, have been duly and legally served with summons herein, and that said Mary E. Denton, has neglected for twenty days after the return of the summons served upon her to apply

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Final Record, Union County Probate Court

8954

for Guardian ad litem, it is ordered that John L. Longhrey  
be and he hereby is, appointed Guardian for the suit for  
said minor defendants.

And now comes the said John L. Longhrey and in  
open court accepts said appointment.

Edward H. Porter, Probate Judge.

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Affirmance of Guardian Ad litem.

The State of Ohio  
Union County ss.

In the Probate Court of said County

Affirmance of  
Guardian  
ad litem.

Blaine Carpenter, Adm<sup>r</sup> of  
of the Estate of Georgiana Carpenter,  
Deceased, Plaintiff.

Jesse Carpenter, et al.  
Defendants

Affirmance of Minor Defendants.

And now come the said Mary E. Deubar and Isaac  
Jelliff the minor defendants to the petition in said  
cause by John L. Longhrey their Guardian ad litem,  
heretofore appointed in said cause by said Court, and  
for answer to said petition, deny all the material  
allegations therein contained, prejudicial to said minor  
defendants; and further say, that they are of tender  
years and not acquainted with the law in such  
cases. They therefore pray the Court to protect their  
rights in this case, and for such relief as may be just.

Mary E. Deubar,  
Isaac Jelliff

By John L. Longhrey, Guardian ad litem,  
Order of Sale.

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Order  
of Sale

The State of Ohio Union County ss.

Probate Court.

To Blaine Carpenter, Adm<sup>r</sup> of the estate of Georgiana  
Carpenter, deceased, Plaintiff;

In obedience to an order and decree of the  
Probate Court, within and for said County, made  
this day, in a certain cause, wherein you as  
Adm<sup>r</sup> of Georgiana Carpenter, deceased are Plaintiff  
and Jesse Carpenter et al. are Defendants, you are  
commanded to proceed according to law, to sell  
at private sale, for not less than the appraised  
value thereof, the following described premises, to wit;

In the Village of Marysville, Union County, Ohio,  
Beginning at the North east corner of In Lot No. 21  
and South east corner of In Lot No. 16. Thence running  
south with the west margin of Main Street 27 1/2  
feet; Thence N. & S. poles to the alley parallel with the  
South line of said lot No. 21; Thence North 27 1/2  
feet to the North west corner of said lot No. 21 and  
South west corner to said lot No. 16; Thence east

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with the line of said lot No. 21. 8 poles to the place of beginning and being part of In lot No. 21. also a strip three feet wide off the south side of In lot No. 16. adjoining the above described part of In lot No. 21. being the same property conveyed by the said Arno Carpenter to the said W. D. Collins. Jan. 25<sup>th</sup> 1918. Said sale to be cash you will make return of your proceedings to this court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court, at Mansfield, Ohio, this 8<sup>th</sup> day of June, 1918.

Edward H. Porter, Probate Judge.

8954

Return

To the Probate Court of Union County, Ohio:  
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
Dated the 10<sup>th</sup> day of June, 1918.

Blaine Carpenter, Adm<sup>r</sup>

of the estate of Georgiana Carpenter, deceased.

Report of Sale.

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Report of Sale

In obedience to the within order, I did not sell said premises on the 10<sup>th</sup> day of June, 1918, for the reason that the property appears to be appraised too high.

Blaine Carpenter, Adm<sup>r</sup>

of the Estate of Georgiana Carpenter, Deceased.

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Motion

Motion.  
In the Probate Court, Union County, Ohio.  
Blaine Carpenter, Adm<sup>r</sup> of the Estate of Georgiana Carpenter, Deceased. Plaintiff.

Motion.

Jesse Carpenter et al. Defendants.  
Now comes the plaintiff herein by A. H. Kallupath, his Attorney, and moves the court to order the sale of the real estate described in the petition herein, at public sale, under authority of Section 10803 General Code, and for the following reasons, to-wit:  
1. Because the plaintiff herein has been unable after long continued and diligent effort, to sell said property at private sale.

Blaine Carpenter, Executor

Rev. A. H. Kallupath, his attorney.

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Entry:

In the Probate Court, Union County, Ohio.  
Wednesday, June 12 - 1918.



Final Record, Union County Probate Court

8954 Entry  
 Blaine Carpenter, Adm<sup>r</sup> & Co.  
 Of the Estate of Georgiana Carpenter.  
 Deceased - Plaintiff  
 vs.  
 Jesse Carpenter et al.  
 Defendants.

This cause coming on to be heard on the Motion of the plaintiff herein as Adm<sup>r</sup> & Co. of said estate to sell said property at public sale and the Court being fully advised in the premises, it is ordered:

That said real estate described in plaintiff's petition herein, be sold at public sale, as provided by law, and said motion is sustained.

Edward H. Postler Probate Judge.

8954 Order Receiving for Public Sale  
 Journal Entry: Order On Hearing for Public Sale  
 Probate Court, Union County, Ohio.  
 June 12<sup>th</sup> 1918  
 Blaine Carpenter, Adm<sup>r</sup> & Co.  
 Of the estate of Georgiana Carpenter.  
 Deceased, Plaintiff  
 vs.  
 Jesse Carpenter et al.  
 Defendants.

Order of Sale  
 Petition To Sell Real Estate

This day this cause came on to be heard upon the petition, evidence and testimony and the Court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance herein, and are now properly before the Court. That the statements and allegations in said petition are true. That said Georgiana Carpenter, deceased, did not leave a widow, entitled to dower in the estate to be sold, and an appraisement of such real estate is contained in the inventory. It is ordered that another appraisement be and hereby is dispensed with. And the Court being satisfied that it is necessary to sell the real estate of said Georgiana Carpenter described in the petition, to pay her debts.

It is therefore further ordered that said Blaine Carpenter as such Adm<sup>r</sup> & Co. proceed according to law to sell said real estate, free of dower, at public auction for not less than two-thirds the appraised value thereof, on the following terms, to wit: one-third cash in hand, on day of sale, one third in one year and one third in two years from the day of sale; deferred payments to be secured by mortgages on the premises sold and to bear interest from the day of sale, payable annually.

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Final Record, Union County Probate Court

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It is further ordered that said petitioner give notice four weeks consecutively of the terms and time and place of sale, prior thereto, in some newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate. It is further ordered, upon motion of the Administrator and for good cause shown, that publication of such notice in a German or Bohemian newspaper, by and the same hereby is dispensed with.

And said petitioner is ordered, to make return to this Court immediately after such sale is made, and this cause is continued.

Edward W. Porter, Probate Judge.

Order Of Sale Free of Dower.

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The State of Ohio, Union County, ss. Probate Court,

Order Of Sale To Blaine Carpenter, Administrator of the Estate of Georgeanna Carpenter, Deceased, Meeting;

In obedience to an order and decree of the Probate Court, within and for said County, made the day in a certain cause, wherein you as Administrator of the estate of Georgeanna Carpenter, Deceased, are Plaintiff and Jesse Carpenter et al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than two-thirds the appraised value thereof free of dower, the following described premises, to-wit:

Situate in the County of Union, in the State of Ohio, in the Township of Paris and Village of Marysville, Beginning at the North East Corner of In lot No. 21 and South East Corner of In lot No. 16; Thence running south with the west margin of Main Street 27 1/2 feet; Thence west 8 poles to the alley, parallel with the south line of said lot No. 21; Thence North 27 1/2 feet to the North West Corner of said lot No. 21 and South West Corner of said lot No. 16; Thence east with the line of said lot No. 21, 8 poles to the place of beginning and bring part of In lot No. 21.

Also a strip three feet wide off the south side of In lot No. 16 - adjoining the above described part of In lot No. 21 bring same property conveyed by the said Anna Carpenter to the said H. J. Collins Jan. 25 - 1908

Said sale to be free of dower, and to be upon upon the following terms: Cash in hand, and in full, on the day of sale.

You will make return of your proceedings to this Court forthwith upon execution of this order.

of the said advised petition w. and Judge. of Ohio. 918 Estate the petition advised to herein and statements that said be sold. te is that dispensed at it is geanna debts. Blaine g to law public appraised one-third in one the day mortgages from



Final Record, Union County Probate Court

8954 Witness my signature and the Seal of said Probate Court, at Mansfield, Ohio, this 12<sup>th</sup> day of June, 1918  
Edward S. Foster, Probate Judge

8954 Return To the Probate Court of Union County, Ohio:  
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.  
Dated the 3<sup>rd</sup> day of August, 1918.

8954 Report of Sale  
Adm<sup>r</sup> of estate of Georgiana Carpenter, Deceased.

Report of Sale In obedience to the within order I duly advertised the real estate therein described for sale, in the Mansfield Tribune a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situated for at least four consecutive weeks prior to the 3<sup>rd</sup> day of August 1918 the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour of One O'clock P.M., I attended the sale and offered said real estate for sale free of duty. The said real estate did not sell for the reason that no one bid on the same.

Blaine Carpenter Adm<sup>r</sup> & Co  
Of the Estate of Georgiana Carpenter, Deceased,  
Dated the 3<sup>rd</sup> day of August, 1918,  
Legal Notice.

8954 Legal Notice The State of Ohio,  
Union County ss. Village of Mansfield,  
Personally appeared before me, John B. Shearer and made solemn oath that the notice - a copy of which is hereto attached was published for four consecutive weeks on and next after July 2-1918, in the Mansfield Evening Tribune, a newspaper of general circulation in the village aforesaid.  
John B. Shearer

Known to before me and signed in my presence this 27<sup>th</sup> day of July A.D. 1918.  
J. M. Huber, Notary Public.

8954 Legal Notice  
In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale, at public auction, on August 3-1918 at One O'clock P.M., at the North door of the Court House, in the Village of Mansfield Ohio, the following described real estate, situate in the County of Union, State of Ohio, and in Paris

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Final Record, Union County Probate Court

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Township, Village of Marysville;  
 Beginning at the northeast corner of In-lot No. 21, and  
 southeast corner of In-lot No. 16, thence running south  
 with the west margin of Main Street 27 1/2 feet; thence  
 N. 8 poles to the alley parallel with the south line  
 of said lot No. 21; thence north 27 1/2 feet to the north  
 west corner to said lot No. 16, thence east with the line  
 of said lot No. 21, 8 poles to the place of beginning, and  
 bring part of In-lot No. 21; also a strip three feet wide  
 off the south side of In-lot No. 16, adjoining the above  
 described part of In-lot No. 21, bring the same property con-  
 veyed by the said Georgiana Carpenter to the said H. D.  
 Blinn, January 25<sup>th</sup> 1908.

Appraised at \$1433.00

Terms of sale - cash - Blaine Carpenter, Administrator,

of the estate of Georgiana Carpenter, deceased,

A. H. Kallefrank, Atty. for Administrator July 2-1918 - H. D.

Legal notice.

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Legal Notice

The State of Ohio.

Union County ss. Village of Marysville, ss.

Personally appeared before me John H. Shearer and  
 made solemn oath, that the notice, a copy of which  
 is hereto attached was published for four con-  
 secutive weeks on and next after August 6<sup>th</sup> 1918,  
 in the Marysville Evening Tribune, a newspaper of  
 general circulation in the village aforesaid.

John H. Shearer,

known to before me and signed in my presence.  
 This 31<sup>st</sup> day of August A. D. 1918.

A. H. Kallefrank,

Printers fees \$10.00.

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Legal Notice

Legal notice

In pursuance of an order of the Probate Court of  
 Union County, Ohio, I will offer for sale at public  
 Auction, on August 31-1918, at One O'clock P.M.,  
 at the north door of the Court House in the Village  
 of Marysville, Ohio, the following described real estate  
 situate in the County of Union, State of Ohio, and in  
 Paris Township, Village of Marysville:

Beginning at the Northeast Corner of In-Lot No. 21, and  
 southeast corner of In-lot No. 16, thence running south  
 with the west margin of Main Street 27 1/2 feet; thence  
 N. 8 poles to the Alley parallel with the south line  
 of said lot No. 21; thence north 27 1/2 feet to the  
 north west corner to said lot No. 16; thence east with  
 the line of said lot No. 21, 8 poles to the place  
 of beginning, and bring part of In-lot No. 21;  
 also a strip three feet wide off the south side



Final Record, Union County Probate Court

8954 of In lot 16, adjoining the above described part of In lot No. 21, being the same property conveyed by the said Georgiana Carpenter to the said W. D. Cline, January 25<sup>th</sup> 1908.  
Appraised at \$1433.<sup>00</sup>  
Terms of sale, cash.

Blaine Carpenter, Adm<sup>r</sup> of the estate of Georgiana Carpenter, deceased.  
A. H. Kallupack, Atty for Adm<sup>r</sup>, Aug. 6<sup>th</sup> 1918.  
Order of sale free from down

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Order of Sale

The State of Ohio  
Union County, ss.  
I, Blaine Carpenter Adm<sup>r</sup> of the Estate of Georgiana Carpenter, deceased, being:  
In obedience to an order and decree of the Probate Court within and for said County made this day, in a certain cause, wherein you as Adm<sup>r</sup> of the Georgiana Carpenter, deceased and Plaintiff and Jesse Carpenter et al are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than two-thirds the appraised value, thereof free from down the following described premises, to wit:

In the Village of Marysville, Ohio, County of Union:  
Beginning at the North east corner of In lot No. 21, and South East corner of In lot No. 16, thence running south with the west margin of Main street 27 1/2 feet; thence west 8 poles to the alley parallel with the south line of said lot No. 21; thence North 27 1/2 feet to the North west corner of said lot No. 21, and South west corner to said lot No. 16; thence East with the line of said lot No. 21, 8 poles to the place of beginning and bring part of In lot No. 21, also a strip three feet wide off the south side of In lot No. 16, adjoining the above described part of In lot No. 21, being same property conveyed by the said Georgiana Carpenter to the said W. D. Cline January 25<sup>th</sup> 1908.

Said sale to be free from down and to be upon the following terms: Cash on hand on day of sale.  
You will make return of your proceedings to this Court, forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court, at Marysville, Ohio, this 6<sup>th</sup> day of August, 1918.

Edward H. Porter, Probate Judge.

8954 Return

To the Probate Court of Union County, Ohio:  
In obedience to the foregoing order I have caused the same to be duly executed, as will

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Report of sale

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Application to sell Real Estate of deceased Private Sale

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Final Record, Union County Probate Court

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fully appear by the proceedings hereto attached.  
Dated the 3<sup>rd</sup> day of September, 1918.  
Blaine Carpenter, <sup>admiror</sup> as aforesaid.

8954  
Report of Sale.  
In obedience to the within order I duly advertised  
the real estate therein described for sale, in the  
Marysville Evening Tribune, a newspaper printed and  
of general circulation in Union County, Ohio, where  
said real estate is situated, for at least four con-  
secutive weeks prior to the 31<sup>st</sup> day of August 1918,  
the day of sale therein mentioned; stating in the  
notice the time, place and terms of sale; and  
on said day at the hour of One O'clock P. M. I  
attended at the north door of the Court House  
in the Village of Marysville, Ohio, and offered said  
real estate for sale free from down, when no  
bids were received, even after diligent efforts were  
put forth to get them.

Blaine Carpenter, Adm<sup>r</sup> &c, as aforesaid,  
Dated the 5<sup>th</sup> day of September, 1918.

8954  
Report of Sale.  
The State of Ohio, Union County ss.  
The above named, Blaine Carpenter, Adm<sup>r</sup> &c of  
the estate of Georgeana Carpenter, deceased,  
being duly sworn, says that no sale has been  
made after diligent endeavor to obtain the best  
price for said property, and that said failure  
to sell was for the want of bidder, on the ground  
that the appraised value is too high on said  
property.

Blaine Carpenter, Adm<sup>r</sup> &c, as aforesaid,  
known to before me and signed in my presence, this  
5<sup>th</sup> day of September, 1918.  
A. K. Kellefante, Notary Public

8954  
Application to sell real estate at reduced private sale -  
Probate Court of Union County, Ohio,  
No. 8954  
To sell Blaine Carpenter, Adm<sup>r</sup> &c,  
Real Estate of the Estate of  
at Georgiana Carpenter, Dec<sup>d</sup>,  
Plaintiff.  
Reduced Private Sale  
Jesse Carpenter, et al.  
Defendants.  
Now comes Blaine Carpenter Adm<sup>r</sup> &c of the estate of  
Georgiana Carpenter, deceased, by his attorney of  
record, and respectfully represents to the Court  
that the following described premises as

Application for order fixing price  
and order to sell Real Est. at Private Sale.



Final Record, Union County Probate Court

8954

fully described in petition. Beginning at the North east corner of In lot No. 21 and south east corner of In lot No. 16: thence running south with the west margin of main street 27 1/2 feet: thence west 8 poles to the alley parallel with the south line of said lot No. 21: thence North 27 1/2 feet to the north west corner of said lot No. 21 and south west corner to said lot No. 16: thence east with the line of said lot No. 21 8 poles to the place of beginning and bring part of In lot No. 21, also a strip three feet wide off the above described part of In lot No. 21, bring same property conveyed by the said Georgiana Carpenter to the said W. D. Selino. Jan. 25<sup>th</sup> 1908.

Appraised at \$1433.00 has been twice offered for sale at public vendue and has not been sold for want of bidders that after diligent effort he has been unable to find buyers for said lot at the appraisement thereof at private sale. that said lot in the judgment of this Applicant is excessively appraised, and by reason of that fact can not be sold, and that therefor further advertisement of said lot for sale at public vendue with the attendant large increase of costs is not warranted. But this Applicant represents that he has now a bonified offer in cash for said lot of the sum of \$... which sum this Applicant believes is a fair valuation of said premises, and the best price he can obtain therefor, and that his acceptance of said sum will enable him to close the administration of said estate as to said real property and to save a large amount of costs thereon. Wherefor this Applicant prays the Court grant him an order for the private sale of said premises and to direct the price at which the same may be sold, pursuant to the statutes for such case, and suggests the above mentioned sum as the amount at which such sale may be affected.

Blaine Carpenter, Adm<sup>r</sup> of the estate of Georgiana Carpenter, by  
A. H. Kallefrath his atty.

8954

The State of Ohio Union County ss.

Cash

A. H. Kallefrath, being duly sworn, says, that he is the attorney for said Blaine Carpenter Adm<sup>r</sup> Plaintiff in the above entitled cause, and duly authorized herein, and that the various matters set forth in the foregoing application are within his personal knowledge, and are true as he verily believes.  
A. H. Kallefrath,

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Blaine Carpenter

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Fixing price of the  
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Sworn to before me and signed in my presence this  
 5<sup>th</sup> day of September, 1919.

Edward H. Porter, Probate Judge

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Journal Entry:

Probate Court, Union County, Ohio.

Order

Blaine Carpenter, Adm'r, &c.

No. 8954

Fixing price of the Estate of

George and Carpenter, Deceased.

Journal Entry.

for private sale of real Estate.

Plaintiff

v

Jess Carpenter, Defendants.

Order fixing price for private sale of real estate etc.

This day this cause came on to be heard upon the plaintiff's application for an order to sell at private sale lot in Marysville, Ohio, as described in the petition and praying this Court to fix the price at which said lot may be sold and the evidence in support thereof.

Whereupon, the court being fully advised in the premises finds that the said lot has been twice offered for sale at public vendue and have failed to sell for want of bidders. That the appraisement of said lot is excessive, that the plaintiff has been offered the sum of \$830.<sup>79</sup> for said lot which the court finds to be reasonable value thereof and that in order to effect a sale of said lot it is necessary for the court to fix the price at which the same may be sold in the interest of economy in the administration of said estate.

Wherefore it is considered, ordered and adjudged by the court that said Executor &c. plaintiff herein proceed to sell said above described lot at private sale as a whole property at the sum of \$830.<sup>79</sup> which the court fixes as the price for the purpose of such sale.

It is further ordered that sale be made for cash and that an order of sale issue to said plaintiff authorizing the sale of said real estate upon the terms aforesaid.

And upon the execution of said order said plaintiff is ordered to report his proceedings thereunder forthwith to this court and cause adjourned.

Edward H. Porter, Probate Judge.

8954

Order of Sale

Probate Court.

Order

The State of Ohio, Union County ss.

of Sale.

To Blaine Carpenter, Executor of the Estate of George and Carpenter, deceased. Courting.

In obedience to an order and decree of the Probate Court within and for said County.

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Final Record, Union County Probate Court

8954

made this day, in a certain cause, wherein you as such Executor are Plaintiff and Jessed Carpenter et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$830.<sup>79</sup> Cash, the value fixed by the Court under section 10802 Gen. Code, the following described premises, to wit:

As described in the application fixing price, Beginning at the North east corner of in lot No. 21 and south east corner of in lot No. 16 thence running south with the west margin of main street 27 1/2 feet; thence west 8 poles to the alley parallel with the south line of said lot No. 21; thence North 27 1/2 feet to the North west corner of said lot No. 21, and south west corner to said Lot No. 16. Thence East with the line of said lot No. 21 8 poles to the place of beginning, and being part of in lot No. 21 also a strip three feet wide off the above described part of in lot No. 21, being same property conveyed by the said Georgiana Carpenter to the said H. D. Caline June 25<sup>th</sup> 1918.

Said sale to be for cash.

You will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Probate Court at Mansfield, Ohio, this 5<sup>th</sup> day of September, 1919.

Edward H. Porter, Probate Judge  
Return.

8954

Return

To The Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed as will fully appear by the proceedings hereto attached.

Dated the 5<sup>th</sup> day of September 1919.

Blaine Carpenter Adm<sup>r</sup> & C.

8954

Report of Sale

Report of Sale.

In obedience to the within order, I sold said premises on the 5<sup>th</sup> day of September 1919 to Carl W. and C. A. Hoopes for the sum of eight hundred thirty <sup>79</sup>/<sub>100</sub> Dollars, said sum being the value fixed by the Court under section of Ohio Code, 10802.

Blaine Carpenter Adm<sup>r</sup> & C.

Dated the 5<sup>th</sup> day of September 1919.

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Oral

The State of Ohio, Union County ss.

The above named Blaine Carpenter Adm<sup>r</sup> & C. of Estate of Georgiana Carpenter, dec, being duly sworn, says that the sale above reported had been made after diligent endeavor to obtain

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Final Record, Union County Probate Court

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the best price for said property, and that said sale is for the highest price he could get for said property.  
 Blaine Carpenter, Administrator  
 shown to before me and signed in my presence, this 5<sup>th</sup> day of September 1919.

*Seal* A. H. Hulepperts Notary Public

Journal Entry:

Probate Court Union County, Ohio.

September 5<sup>th</sup> 1919.

Blaine Carpenter,  
 Admstr. of Estate  
 of Georgeana Carpenter, Dec.  
 Plaintiff

Petition to  
 Sell Real Estate

Jesse Carpenter, et al,  
 Defendant,

Order Approving and  
 Confirming Sale.

This day this cause coming on to be heard on the return of Blaine Carpenter, Admstr. of the estate of Georgeana Carpenter, deceased, of his proceedings and sale under the former order of this court; the court having carefully examined said return, and being satisfied that said sale has in all respects, been regularly and legally made. It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said Blaine Carpenter as such Admstr. make to the purchaser C. W. Hoopes a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said Administrator do bond with the surety annexed pay the costs herein taxed at \$ within ten days.

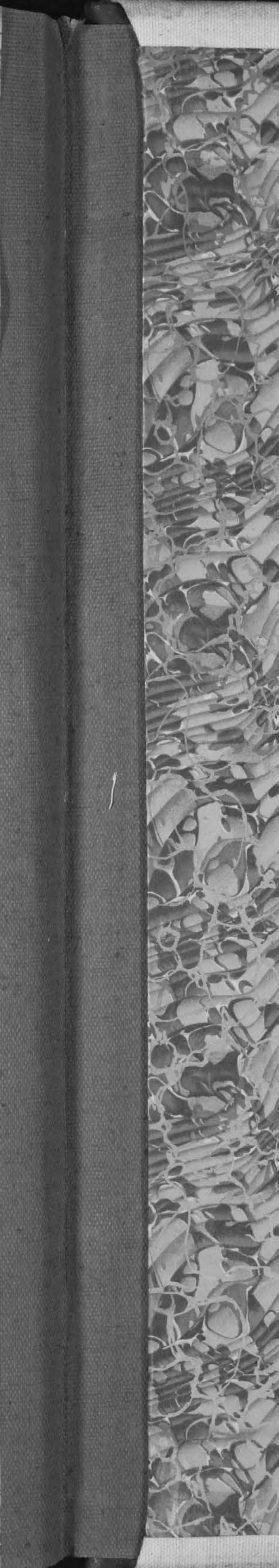
Edward H. Porter, Probate Judge.





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**FINAL  
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NO. 29**

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