

**FINAL
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NO. 32**

**FINAL
RECORD**

**NO.
32**

**PRO. COURT
UNION
COUNTY**

**FINAL
RECORD
NO. 32**

No. **F** 3676 **4**

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Jan. 17-1920
E. W. Polier
attorney.

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Jan. 17-1920
E. W. Poler
attorney.

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

No. 9757

Thomas Price, Executor,
of the Estate of
Elizabeth Kyle, deceased,
Plaintiff.

vs.
Flossy Griffith Gast;
Trustees Baptist Church;
American Baptist Home Mission Society;
American Baptist Foreign Mission Society;
Aid Society; all of Richmond, Ohio;
Anna James; Edward Griffith;
Richard Griffith; Howard Griffith;
Mabel Griffith; Erwin Griffith;
Charles Griffith; Wilbur Griffith;
Ernest Griffith; Lee Griffith;
Margaret Diedrich; Mattie Duffey;
Mary Alice Price; Maggie Burzymer;
Emery Burzymer; Jeannette Burzymer; Frank;
Mabel Burzymer; Curtis; Gladys Griffith;
Louise Griffith; Elizabeth Griffith;
Paul Kyle; Louise Kyle Compton;
Laura Lorcum; Lucy Park;
James Kyle; William Kyle;
Hosier Kyle; James Perry;
Charles Perry; Margaret McDaniel;
Ida Barr; Lactia Wisow;
David Elwood Petticord;
Elias S. Petticord & Arthur S.
Petticord; Douglass S. Petticord;
Maud Hellingworth; Mabel Petrus;
Sten Petticord; Marvin Wraylor;
Guy W. Petticord; Frank Hank;
Blanche Hank; Clarence Hank;
Ross Hank; Guy Williams;
Ila W. Firds; Helen Griffith;
Florence Griffith; Gravelle Afrom Minor;
William Afrom, minor; Ruth Lee; Elizabeth S. ...
Glossmeyer; Ellen Glossmeyer; Grace;
M^{rs}. Landish; Homer Little; Kyle Little;
David Griffith; Trustees Radnor Cemetery.

Civil Action

Petition
to
Sell Real Estate.

Petition.

Defendants.

The Plaintiff represents that he is the duly appointed and qualified Executor of the Estate of Elizabeth Kyle, late of Union County, Ohio, deceased; that the amount of debts legacies and bequests due from the decedent is thirty thousand (\$30,000) Dollars; as near as can

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be ascertained that the charges of administration of said estate will amount to about Twenty five hundred Dollars; and that the total value of the personal estate and effects of said dec'd. is but Eight thousand (\$8000⁰⁰) Dollars, being wholly insufficient to pay the debts, bequests, legacies and costs (aforesaid). The plaintiff further represents that said Elizabeth Kyle 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 Richmond and being Lot No. 510 in said village of Richmond, Ohio, and being a part of an old school house lot. For a more definite description see recorded plat of said village and additions.

also one other tract of land situated in the Township of Radnor County of Delaware, and State of Ohio; being lot No. 8, in the West tier of lots in Sec. 4 Twp. 6. Range 20, U. S. M. Land, beginning at a stone on a post at the S. E. Corner of lot No. 9 (formerly Geo. Wolfleys, now James Thomas) and N. E. corner of said Lot No. 8, at point "A" on plat of said Lot 8, made by James Eaton County Surveyor October 18 and 19 - 1847: Thence S. 84° N. 54' along the lot line between lots 8 and 9, 219.41 poles to a post and stone on Sec. line at point B. on said plat, passing branch 83 P. and State Road at 99 P. Thence S. 1° N. along Sec. line 81 3/4 P. to line between lots 7 and 8 at point C. on said plat, stone on post: Thence S. 84° 53' E. along line between lots 7 and 8 220. 2/10 P. to tier at point D. on said plat entering State Road, at 156 1/2 P. and leaving same at 201 P. stone on post: Thence N. 0° 10' E. along tier line 87 7/10 P. to place of beginning containing 112 acres and 26 6/100 Perches.

Also one other tract of land, situated in said Township of Radnor County of Delaware, State of Ohio, in range 20 Twp. 6. Sec. 3, U. S. M. Land, and being north part of lot No. 4 and south part of lot No. 5 in said Sec. 3 and bounded as follows: beginning at a stone on a post at the corner lots 7 and 8 in Sec. 4. Thence north 1° 41' E. along Sec. line 81 P. 3 links to a stone on post at corner of lots 8 + 9 Sec. 4. Thence west 97 perches to stone on post on line between lots 5 + 6. Thence S. 3° 5' N. along lot line 81 P. 5 links to stone on post at N. W. corner Humphreys' land: Thence East along said Humphreys line 99 P. 10 links to place of beginning, containing 29 acres 154 1/10 perches, in north part of lot 4 and 14 acres 127 3/10 P. in south part of lot 5 in all 43 acres and 122 perches of land: The whole of the said two described parcels of land containing 161 acres and 146 6/100 perches.

The said decedent died leaving nobody her widow, that the defendants, Anna James, Edward Kuffich,

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Richard Griffich, Flossy Griffich, East, Howard Griffich, Mabel Griffich, Evan Griffich, Charles Griffich, Wilbur Griffich, Ernest Griffich, Lee Griffich, Margaret Dildine, Mattie Durfy, Mary Alice Rice, Maggie Burget, Emery Burget, Jeannette Burget, Mary, Mabel Burget Curtis, Gladys Griffich, Louis Griffich, Paul Kyle, Louise Kyle Compton, Laura Larimer, Lucy Park, James Kyle, William Kyle, Hosea Kyle, James Perry, Charles Perry, Margaret M^cDonnell, Ida Barr, Latria Tolson, David Edward Petticord, Elias S. Petticord, Arthur K. and Douglas S. Petticord, Maud Bessingworth, and each and all others named in the title herein, as the only heirs at law, and next of kin, of said decedent, having the next estate of inheritance from said Elizabeth Kyle deceased, in said premises; that the Defendants the Trustees of the Baptist Church; American Baptist Home Mission Society; American Baptist Foreign Mission Society; and said Aid Society are all connected with said Baptist Church, at Richmond, Ohio, and are all named as legatees under the terms of the will of said Elizabeth Kyle, deceased, and as such are interested in the proceeds of the proposed sale herein.

The Plaintiff further prays that the rights, interests and heirs of the said heirs at law, and next of kin and of said Trustees of the Baptist Church; American Baptist Home Mission Society; American Baptist Foreign Mission Society; 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 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.

Thomas Rice, Executor as aforesaid 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. Thomas Rice, Executor.

I now do before me and signed in my presence, this 14-day of January 1922. Edward H. Porter, Notary Public, Union Co. Ohio.

Journal Entry: In the Probate Court of Union Co. Ohio. Jan 17 - 1922. Case no. Thomas Rice, Executor of the Estate of Elizabeth Kyle, deced. Plaintiff.

vs. Flossy Griffich East and others. Journal Entry, Filing Petition 7, Bill Real Estate. Defendants. This day carries the Plaintiff Thomas Rice, Executor

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of the Estate of Elizabeth Kyle, deceased, and, presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Elizabeth Kyle, deceased, to pay the debts, legacies and 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.

W. H. Husted Probate Judge.

Affidavit for Publication

Thomas Price, as Executor,
of the Estate of
Elizabeth Kyle, deceased.
Plaintiff
Flossy Griffith East, et al.
Defendants.

In the Probate Court, Union Co., Ohio
Affidavit
vs.

Thomas Price, the above named plaintiff, being sworn, says that Maggie Burghner, Emma Burghner, Jeannette Burghner Weaver, James Kyle, William Kyle, James Perry, Charles Perry, Margaret M^cDonnell, Ida Barr, Latha Kilson, David Elwood Petticord, Elias S. Petticord, Arthur H. Petticord, Douglass S. Petticord, Mand Callingsworth, Math Peters, Helen Petticord, Genie Maylor, Lucy V. Petticord, Frank Hank, Blanche Hank, Clarence Hank, Ark Hank, and, Ida H. Fields are not residents of the State of Ohio, and service of summons, can not be made upon them in this State, and, that this case is one of those mentioned in Section 11292 of the General Code of Ohio.

Thomas Price, Exr. of said Estate.

The State of Ohio,
Union County, ss.

Thomas Price being sworn, makes oath, and says that he is the plaintiff in the above entitled cause duly authorized in the premises; and, that the facts stated, and, the allegations made in this affidavit are true, as he believes.

Thomas Price, Exr.

Sworn to by said Thomas Price, before me, and signed by him in my presence, this 16th day of January, A. D. 1922.

Edward H. Porter, Notary Public, Union Co., Ohio.

Orders Service by Publication

Thomas Price, as Executor,
of the Estate of Elizabeth Kyle, deceased,
against
Flossy Griffith East, et al. Defendants.

In the Probate Court, Union Co., Ohio
Orders Service by Publication
January 16th 1922.

This day came the Plaintiff and filed herein

Edward H. Porter

9737

an affidavit under the statutes in that behalf for the purpose of producing service by publication; and, it appearing to the Court that the defendants, Maggie Burzner, Emory Burzner, Jeannette Burzner, Wm. James Kyle, William Kyle, James Perry, Charles Perry, Margaret M. Donnell, Ida Burr, Luba Wilson, David Wood Petticord, Elias S. Petticord, Arthur S. Petticord, Douglas S. Petticord, Maud Hollingworth, Mabel Peters, Glen Petticord, Benjamin Maylor, Lucy V. Petticord, Frank Bank, Blanche Bank, Clarence Bank, Ross Bank, and Ida W. Fiers, are non-residents of Ohio, and that service of summons on them cannot be made in this state; and that they are such as are authorized by statute to be served by publication, it is ordered that they be notified by publication as provided by law. W. H. Husted, Probate Judge.

Wain

In the Probate Court of Union Co. Ohio.

Thomas Price, Executor
of the Estate of
Elizabeth Kyle, Deceased.

vs.
Petition to Sell Real Estate.

Hessy Griffiths Gast et al.
Defendants

vs.
Wain of Process.
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 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 wain and we consent that said Petition may be heard at such time as may be by the Court ordered.

Mrs Anna James Elizabeth Starnmyer, Ellen Glassmyer, Per Griffith, Flossie E. Gast, Richard P. Griffith, D. E. Griffith, Ernest Griffith, E. D. Griffith, Elizabeth N. Griffith, Florence Griffith, Helen Griffith M^cKim, David Howard Griffith, Wilbert Griffith, Mary Alice Price, G. L. Eddy, Homer Richard, C. M. Board, A. L. Pansome, F. H. M Daniels, - G. V. Park = Trustee B. Church.

Hattie H. Harmon, Pres. For. and Home Missions,
Ellen Cox, Pres. Ladies Aid.

Consent

Thomas R. Price, The Trustee
M. M. M^cPlain Trustee R. Cemetery.

Mabel E. Griffith, Hosca E. Kyle, David R. Griffith,
Paul E. Kyle, Marvillie Abram, William Abram, J. K. Little,
Martha Duffey, M. E. Griffith, Margaret Dildine, Mrs Lucy Park.

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Entry.

In the Probate Court, Union County, Ohio,

no. 9757

Thomas Rice, Executor
of the Estate of
Elizabeth Kyle, Deceased.
against
Flossy Griffith Gast, ^{and others}
Defendants.

Entry.

This day came E. H. Porter, and delivered to the Clerk of this Court copies of the Richmond Gazette, a newspaper, of general circulation in Union County, Ohio, containing a publication of notice of the pending and time of hearing of this action, and one copy was this day mailed to each of the persons named persons by the Clerk of this Court, to wit: Maggie Burgher, Pepper Drive Los Angeles, Calif.; Ida Barr 2121 Highland Ave., Davenport, Iowa; Generous Maylor, R. D. #4 Perry Iowa; Helen Petticoat, R. D. #2, Perry Iowa; David Elmer Petticoat; Perry Iowa; James Perry Buse Canada; Douglas S. Petticoat, Perry Iowa; Ross Hank, Dawson, Iowa; David Callingsworth R. D. 2, Perry Iowa; Arthur K. Petticoat, Perry Iowa; Guy S. Petticoat, Dawson, Iowa; Mabel Peters Dawson, Iowa; William Kyle, Ostrom, Kansas; James Kyle, Ostrom Kansas; Charles Perry, Empfold, Canada; Blanche Hank, Des Moines, Iowa; Margaret Mc Donnell, Le Roy, Missouri; Elias S. Petticoat, Brookings S. Dakota; Frank Hank, Des Moines Iowa; Emory Burgher, Atlanta Iowa; Jeannette Burgher, Warr, Omaha, Neb.; Ida H. Fields, Argoria Indiana; and Latha Wilson R. D. #2 Box 27 A, Walla Walla, Washington.
January 26-1922.
H. B. Rusted Judge.

W. A. Rusted

In the Probate Court of Union County, Ohio,

no.

Petition to Sell Real Estate.

Thomas Rice, Executor of
the Estate of
Elizabeth Kyle, Deceased.
Plaintiff.

Warrant of Process

Flossy Griffith Gast, et al.
Defendants.

Consent to Sell.

The undersigned, party 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 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.

Mabel Burgher Curtis,
138 Kirkwood St.
Akron, Ohio.

9757

975-7

Wainor

Thomas Price, Executor of
The Estate of
Elizabeth Kyle, deceased,
Plaintiff

In the Probate Court of Union County, Ohio
no. 975-7
Petition to sell Real Estate.

Flossy Griffith East, et al.
Defendants.

Wainor of Process and
Consent to Sell.

The undersigned, party defendant in the above entitled
cause for the sale of Real Estate of the estate of said deceased
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.

Laura Larcomb

Wainor

Thomas Price, Executor
of the Estate of
Elizabeth Kyle, deceased,
Plaintiff

In the Probate Court of Union County, Ohio
no. 975-7
Petition to sell Real Estate.

Flossy Griffith East, et al.
Defendants.

Wainor of Process, and
Consent to Sell.

The undersigned, party defendant in the above entitled
cause for the sale of Real Estate of the estate of said
deceased 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
I consent that said Petition may be heard at
such time as may be by the Court ordered.

Louise Griffiths

Wainor

Thomas Price, Executor
of the Estate of
Elizabeth Kyle, deceased,
Plaintiff

In the Probate Court, of Union County, Ohio
no. 975-7
Petition to sell Real Estate

Flossy Griffith East et al.
Defendants

Wainor of Process and
Consent to Sell.

The undersigned party defendant in the above entitled
cause for the sale of Real Estate of the estate of said
deceased 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

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that said Petition may be heard at such time as may be by the Court ordered.

Mrs. Grace M. Sandisle.
Waint.

In the Probate Court of Union County, Ohio,
No. 9757

Thomas Price, Executor of
the Estate of
Elizabeth Kyle, Deceased.
Plaintiff
vs
Flossy Griffith East et al.
Defendants.

Petition To Sell Real Estate

Waint of Process
and

Consent To Sell.

The undersigned party defendant in the above entitled cause for the sale of Real Estate of the 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 consent that said Petition may be heard at such time as may be by the Court ordered.

Waint.

In the Probate Court of Union County, Ohio,
No. 9757

Thomas Price, Executor of
the Estate of
Elizabeth Kyle, deceased.
Plaintiff
vs
Flossy Griffith East et al.
Defendants

Petition To Sell Real Estate.

Waint of Process
and

Consent To Sell.

The undersigned, party 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.

Horner T. Little.

Waint

In the Probate Court of Union County, Ohio,
No. 9757

Thomas Price, Executor
of the Estate of
Elizabeth Kyle, deceased.
Plaintiff.
vs
Flossy Griffith East et al.
Defendants

Petition To Sell Real Estate.

Waint of Process
and
Consent To Sell.

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

9757

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Said Petition may be heard at such time as may be by the Court ordered.

Louise Compton, Box 22, Sta. B, Columbus, Ohio

Wainor

In the Probate Court of Union County, Ohio.

No. 9757

Thomas Price, Executor
of the Estate of
Elizabeth Kyle, Deceased.
Plaintiff.

Petition to Sell Real Estate.

v.

Wainor of Process
and.

Mossy Griffith East et al.

Defendants. Consent to Sell.

The undersigned party 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.

Mossy Griffith East.

Wainor

In the Probate Court of Union County.

No. 9757.

Thomas Price, Executor
of the Estate of
Elizabeth Kyle, deceased.
Plaintiff

Petition to Sell Real Estate.

v.

Wainor of Process and

Defendants

Consent to Sell.

Mossy Griffith East et al.

The undersigned party 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.

Guy H. Williams

Summons on Petition to Sell Real Estate.

The State of Ohio, In and for the County of Union.

To Thomas Price, Executor,

You are hereby commanded to notify Granville Akron and William Akron, who are minors, making service of this summons upon said minor, and also upon the guardian, or father, or if neither guardian nor father can be found, then upon the mother, or the person having the care of said minor, or with whom they live; that on the 17 day of January, A. D. 1922,

Thomas Price, Executor of the Estate of Elizabeth Kyle, deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others;

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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, legacies, legacies and costs, and that unless they answer by the 15 day of February, 1922, said petition will be taken as true, and an order granted accordingly.

The clerk will make due return of this writ on the 10-day of February, 1922. This writ to be served on each of said Defendants, by copy personally.

Witness my hand and the seal of said Court, this 27 day of January, 1922. *Wm. H. Busted* Probate Judge.

Return of Service

Received this writ on the 20th day of January, 1922, at one o'clock P.M. and on the days and in the manner hereafter named, I served the same on the within named defendants, January 30-1922, on Granville Akron and William Akron who are minors, by delivering to each of them a true copy hereof with all the endorsements thereon; and on the same day on Hugh Akron, father of said minors by delivering to said Hugh Akron, a true copy hereof with all the endorsements thereon, said minors having no guardian. *Thomas Price, Exr.*

The above named Thomas Price who has signed the same, being duly sworn, says the foregoing Return of Service is true as he really believes.

Done to before me and signed in my presence, this 18th day of February, 1922. *Edward H. Porter* Notary Public, Minn. Co. Mo.

Application for appointment of Guardian ad litem.

Thomas Price, Executor
of the Estate of
Elizabeth Kyle, deceased.
Plaintiff

Probate Court, Union County, Mo.
March 20-1922.
Application for
appointment of Guardian ad litem.

Flossy Suffitt East et al.
Defendants

To the Honorable *W. H. Busted* Judge of said Court:

The undersigned Thomas Price makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case. The defendants Granville Akron, and William Akron, who are minors, and whose ages are unknown, and have been duly served with summons herein, and have neglected for twenty days after the return of summons served upon them to apply for a guardian ad litem.

The undersigned suggests that Adelle M. Cheney who is a suitable person be appointed as such Guardian ad litem. Respy. *Thomas Price*

9757

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Journal Entry: on appointment of Guardian ad Litem.
Probate Court, Union County, O. March 20th 1922.

Thomas Price, Executor of
The Estate of
Elizabeth Kyle, deceased.
Plaintiff

no. 9757

Flossy Griffith East, et al.
Defendants.

Appointment of
Guardian ad Litem.

This day Thomas Price 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 Granville Akron and William Akron, are minors, have been duly and legally served with summons herein and have neglected for 20 days after return of summons served upon them to apply for a Guardian ad litem. It is ordered that Adele M. Cheney, her and she hereby is appointed Guardian for the suit for said minor defendants, and now comes the said Adele M. Cheney, and in open Court accepts said appointment.

W. B. Husted, Probate Judge.

Assessor of Guardian ad litem

Probate Court, Union County, Ohio,

no. 9757

Thomas Price, Executor of
The Estate of
Elizabeth Kyle, Decd.
Plaintiff

Petition To Sell Real Estate,
Assessor of minor Defendants.

Flossy Griffith East, et al.
Defendants.

Now comes the said Granville Akron and William Akron, the minor defendants to the petition in said cause, by Adele M. Cheney, their Guardian ad litem heretofore appointed in said cause by said Court, and for assessor 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.

Granville Akron, William Akron, By Adele M. Cheney, Edm. ad litem.

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio,

no.

Thomas Price, Executor
of the Estate of
Elizabeth Kyle, deceased.
Plaintiff

Petition To Sell Real Estate.

Flossy Griffith East, et al.
Defendants.

Application.

9757

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. It will save the expense of advertising.
2. Because if offered at public sale, it might be sold for $\frac{2}{3}$ the appraisement, whereas, if sold at private sale, it must bring at least as much as the appraisement.
3. It will save time.
4. Because a purchaser who will pay the full appraised value thereof has already been obtained for each tract herein described.

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

Thomas Price, Ex. of the estate of Elizabeth Kyle, deceased,
The State of Ohio, Union County ss.

Thomas Price, Ex. of the estate of Elizabeth Kyle, dec'd, being duly sworn, says that the various matters set forth in the foregoing Application are true as he verily believes.

Thomas Price.

Brought before me and signed in my presence, this 20 day of March, 1922. ~~Notary~~ Edward W. Porter, Notary Public, Union Co., Ohio

Affidavit of Disinterested Persons.

The State of Ohio, Union County ss.

H. P. Brighthead, L. B. Barry, and F. W. Freshwater, 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 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 and for the following reasons, to-wit: 1. Because it can be sold at its full appraised value, instead of $\frac{2}{3}$ as it might, if offered at public sale, as they verily believe.

H. P. Brighthead, L. B. Barry, F. W. Freshwater.

Brought before me and signed in my presence, this 20 day of March, 1922. ~~Notary~~ Edward W. Porter, Notary Public, Union Co., O.

Legal Notice

State of Ohio, Union County.

Personally appeared before me, O. A. Krigley and made oath, that the notice, a copy of which is hereto attached, was published for 7 consecutive weeks on and after Jan. 19, 1922, in the Richmond Gazette a newspaper of general circulation in the County aforesaid.

O. A. Krigley.

Brought before me, and signed in my presence this 27 day of May, A. D. 1922.

Paul B. VanWinkle.

Notary Public

\$ 40.00

~~Notary~~

9757

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Notice The Probate Court, Union County, Ohio.

Thomas Price, Executor of the estate of Elizabeth Kyle, deceased. Plaintiff against Flossy Griffith East and others, Defendants. Notice of Publication, vs.

Maggie Bayner, whose residence is Pepper Drive, Los Angeles Calif. Emery Bayner of Atlanta Iowa; Jeanette Bayner Mann of Omaha, Neb.; James Kyle, of Osborne Kansas; William Kyle, of Osborne Kansas; James Penny, of Pense Canada; Charles Penny, of Emfold, Canada; Margaret Mc Domey of Perry Iowa; Ida Barr, of R. D. # 2, Walla Walla, Washington; David Elmer Petticord; Perry Iowa; Elias S. Petticord of Brookings South Dakota; Arthur H. Petticord, Douglas S. Petticord, both of Perry Iowa; Maude Hulingsworth of R. D. # 2, Perry Iowa; Mabel Peters of Dawson Iowa; Glen Petticord of R. D. # 2, Perry, Iowa; Benjamin Mayner of R. D. # 4, Perry, Iowa; Guy V. Petticord; Dawson, Iowa; Frank Hank, of Des Moines, Iowa; Blanche Hank, Clara Hank, both of Des Moines, Iowa; Ross Hank of Dawson, Iowa; Ida W. Firds of Angoria, Indiana; will take notice that Thomas Price, Executor of the estate of Elizabeth Kyle, deceased, on the 16-day of January, A.D. 1922, 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, legacies, and charges adms. her estate; that she did seized in fee simple of the following described real estate, to wit:

Situate in the County of Union, in the State of Ohio, in the village of Richwood, and being Lot No. 12, and being a part of the old school lot. Also one other tract of land situated in the Township of Radnor, County of Delaware, State of Ohio, being Lot No. 8 in the west tier of lots in Sec 4 T.P. 6, Range 20, N. 3, W. Land, beginning at a stone on a post at the S. E. Corner of Lot # 9 (formerly Geo. Wolfley's, now James Thomas) and N. E. Corner of said Lot No. 8, at point "A" on plot of said Lot 8, made by James Eaton County Surveyor October 18 + 19 - 1847; thence S. 87° 54' W. along the lot line between lots 8 + 9 - 219.41 poles to a post and stone on Sec. line at point B. on said plat, passing branch 83, P. & State Road, at 99 P.; thence 1° W. along Sec. line 81 3-25-P. to line between lots 7 and 8 at point C, on said plat, stone on post; thence S. 89° 53' E. along line between lots 7 + 8 - 220 2/100 P. to tier at point D. on said plat entering State Road, at 106 1/2 P. and leaving same at 201 P. stone on post; thence N. 10° 10' E. along tier line 81 5/10 P. to the place of beginning containing 112 acres & 26 6/100 Acres.

Also one other tract of land, situated in said Township of Radnor, County of Delaware, State of Ohio, in Range 20

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7/6 Sec. 3. U.S. M. land, and being north part of lot No. 4 and south part of lot No. 5, in said Sec. 3, and bounded as follows: beginning at a stone on a post at the corner lots 7 & 8, in Sec. 4, thence north 1° 41' E. along Sec line 11 P. 3 links to a stone on post at corner of lots 5 & 6 Sec. 4. Thence west 97 perches to a stone on line between lots 5 & 6; thence S. 3° 5' W. along lot line 11 P. 5 links to a stone on post at N.W. corner Humphreys' land; thence east along said Humphreys line 99 P. 10 links to place of beginning containing 29 acres 15 1/2 perches in north part of lot 4 and 19 acres 17 1/2 P. in south part of lot 5, in all 49 acres and 122 perches of land: the whole of the said two described parcels of land containing 161 acres ^{and} 146 ⁵⁸/₁₀₀ perches. That there is no widow entitled to dower in said real estate. The prayer of the petition is that said property be sold to pay the debts, bequests, legacies, and charges aforesaid. The defendants are required to answer on or before Saturday the 17th day of March, 1922.

Thomas Price Adm. of said estate
Edward W. Porter attorney. Jan. 19 - 1922 - 7 Times Entry.

Thomas Price, Executor of the Estate of Elizabeth Kyle, deceased
Plaintiff
vs.
Florey Griffith East, et al.
Defendants.

Probate Court, Union County, Ohio.
March 25th 1922
Order for Private 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 Elizabeth Kyle, 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 sell the real estate of said Elizabeth Kyle, deceased, in the petition, to pay her debts, bequests and legacies. 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 Thomas Price as such Executor proceed to sell said real estate, first of dower at private sale, for not less than the appraised value thereof, on the following terms to-wit: as to the old

9757

Order of Sale

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School lot in Richmond, Ohio, cash in hand on or before April 1-1922. and as to the second and third tracts described herein, cash in hand on or before July 1-1922.

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

W. R. Busted, Probate Judge.

Order of Sale, Free of Down.

The State of Ohio, Union County, Probate Court.

Order
of
Sale

J. Thomas Rice, Executor of the estate of Elizabeth Kyle, dec'd. Petitioner.

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 Elizabeth Kyle, dec'd. are Plaintiff and Flossy Griffith West et al. are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than the appraised value, the following described premises, to wit:

Situate in the County of Union, State of Ohio, and in the Villages of Richmond, and in Claybourne Township, and being Lot # 610. in said Village of Richmond, and in Claybourne Township and being lot No. 610. in said Village of Richmond, Ohio, and being a part of the old school house lot. For a more definite description see Recorded Plat of said village and additions. Also one other tract of land situated in the Township of Radnor, County of Delaware, and State of Ohio, being Lot # 8. in the west tier of lots in Sec. 4 T.P. 6 Range 20. M. 3. 20. beginning at a stone on a post at the S.E. corner of Lot # 9. (formerly Mrs. Wolfenbarger now James Thomas) and N.E. corner of said Lot # 8. at point "A" on plat of said Lot 8. made by James Eaton County Surveyor October 18 and 19. 1847: Thence S. 59° 34' W. along the lot line between lots 8 and 9. 219. 41 poles to a post and stone on Sec. line at point B. on said plat crossing branch S.P. and State Road at 99 P. thence S. 1° W. along Sec. line 81 3/25 P. to line between lots 7 and 8. at point C. on said plat. stone on post: Thence S. 59° 53' E. along line between lots 7 and 8. 220 2/100 P. to tier at point D. on said plat entering State Road, at 156 1/2 P. and leaving same at 201 P. stone on post: thence N. 0° 10' E. along tier line 81 1/10 P. to the place of beginning containing 112 acres and 26 1/100 Acres.

Also one other tract of land, situated in said Township of Radnor, County of Delaware, State of Ohio, in Range 20 T.P. 6. Sec. 3. U.S.M. land, and being north part of lot # 4. and south part of lot No. 5. in said Sec. 3. and bounded as follows: beginning at a stone on a post at the corner Lots 7 and 8. in Sec. 4: thence north 1° 41' E. along Sec. line 81 P. 3. links to a stone on post at corner of lots 8 and 9 Sec. 4: thence West 97 perches. to stone on post

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line between Lots 5 and 6; thence S. 3° 5' W. along lot line 81 P. 5 links to stone mark at N.W. Corner Humphrey's land; thence East along said Humphrey's line 99 P. 10 links to place of beginning, containing 29 acres, 154 ⁷/₁₀ perches, in north part of Lot 4. and 19 acres 127 ³/₁₀ P. in south part of Lot 5; in all 48 acres and 182 perches of land. The whole of said two described parcels of land containing 161 acres, and 146 ⁶⁸/₁₀₀ perches. Said sale to be first of June, said sale to be free of debt and to be upon the following terms: Cash in full on or before April 1- 1922, on said Old School House lot, in Richwood, Ohio; and as to the second and third tracts described herein, cash in full on or before July 1- 1922.

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 25th day of March, A.D. 1922.
 H. B. Husted, Probate Judge.

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 31st day of March, 1922.
 Thomas Prier, Ex. as aforesaid.

Report of Sale

In obedience to the within order, I sold said premises, said Old School House lot, on the 31st day of March, 1922, to Ranken Stults and Eva Stults, his wife for \$3,100.00; the other two tracts described herein to Evan D. Griffith for the sum of Twenty seven thousand and five hundred Dollars, said sums being the appraised value of the same.
 Thomas Prier, Ex. of said Estate.
 Dated the 31st day of March, 1922.

The State of Ohio, Union County

The above named Thomas Prier 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.

Thomas Prier, Executor as aforesaid.
 Shown to before me, and signed in my presence, this 31st day of March, 1922.

Journal Entry:
 Thomas Prier, Executor.

of the Estate of
 Elizabeth Kyle, Deceased,
 vs. Plaintiff
 Flossy Griffith, Exec. et al.
 Defendants

Edward H. Potter, Notary Public, Union Co., O.
 Probate Court, Union County, Ohio,
 March, 31- 1922.

Petition To Sell Real Estate
 Order approving and Confirming Sale.

This day this cause coming on to be heard on the

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9530
 Filed
 March 25th
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of lot line 81 P.
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north part of
lot 5: in all
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to this Court.

said Probate
order A.D. 1922.
Probate Judge.

and the same
proceedings
made 1922.
aforesaid.

said premises
March 1922.
\$ 3,100.00;
Evan D. Griffie
and bound
the same.
said Estate.

sworn, says
after diligent
search, and that
for said
order as aforesaid.
this 31 day
Public, Union Co.,
County, Ohio.

Real Estate

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9757

report of Thomas Price, Executor of the Estate of Elizabeth Kyle, deceased, of his proceedings and sale under the former order of this Court: and upon the motion of said petitioner to confirm the sale made in obedience to said order: 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 order be and hereby is approved and confirmed. It is further ordered that said petitioner execute deeds of all the right, title and interest of the said Thomas Price, as such Executor, of said Estate of Elizabeth Kyle, deceased in said real estate, to the purchasers Ruben Stuels and Eva Stuels, his wife, as to the old School House lot, in Richwood Ohio, and Evan D. Griffie and Elma J. Griffie, his wife, for said other two tracts, upon the said purchase.

Ruben Stuels and Eva Stuels, pay the full purchase price, in cash, to said Executor on, or before April 1- 1922: and upon the purchase of said two other tracts, Evan D. Griffie and Elma J. Griffie, paying to said Executor the full purchase price in cash, on, or before July 1- 1922.

It is further ordered that this proceeding be recorded and that said petitioner pay the costs herein taxed at \$-.-
W.D. Husted, Probate Judge.

9830
Filed

March 20th 1922
Margaret Rogers, Guardian
of Robert P. Hicks
George Henry Hicks,
and Ruth Hicks - Minors.
Plaintiff.

Guardian's Petition to Sell Real Estate
Probate Court, Union County, Ohio
no. 9830.
Petition to
sell Real Estate.

Her said wards, and
Margaret Rogers widow
of Ray Hicks deceased,
and Elma Hicks Detmold,
Defendants.

Petitioner

The Plaintiff represents that she is the duly appointed and qualified Guardian of Robert P. Hicks of the age of 15 years, on the 17th day of June 1921 and George Henry Hicks of the age of 16 years, on the 13th day of September 1921, and Ruth Hicks of the age of 14 years, on the 13th day of March, 1922, all of said minors residing with Margaret Rogers their mother at Piquette Ohio, and Plaintiff further says that no personal estate of any kind belonging to said wards or either of them ever came to the knowledge or possession of Plaintiff, that there is no personal estate of her

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said wards or either of them dependent upon the settlement of any decedent's estate or the execution of any trust, nor in expectancy. That said wards the owner in fee simple of the undivided three-fourths interest in the following described real estate situated in the County of Union State of Ohio, and in the Township of Washington, to wit: Part of Surveys no. 7375 and 9896, Beginning at a stone in the line dividing surveys no. 7375 and 9896, and at the southeast corner of George O. Miller's land, thence with the west line of said land N. 35° W. 52 1/2 feet to a stake south east corner to Joseph F. Middlemore's land, thence with the south line of said land S. 72° W. 142 feet to a stake a corner to said Joseph F. Middlemore's land in the center of the Marysville and Kenton Road; thence with the center of said road S. 33° E. 240 feet to a stone, the north west corner to George B. Moody's land; thence with the north line of said land N. 64° 45' E. 206 feet to a stone, the southeast corner of said George B. Moody's land in the westerly line of Henry C. Lingard's land; thence with said line N. 20° 30' W. 140 feet to a stake in the said line dividing surveys no. 7375 and 9896; thence with said line S. 82° 30' W. 93 feet to the beginning.

Containing One and 10/100 acres, more or less,

One acre being in Survey no. 9596 and 1/100 acres being in Survey no. 7375.

Said real estate is worth annually about One Hundred Dollars.

That said Plaintiff has received no rents from the real estate of her wards.

Plaintiff further says that said minor wards are children and heirs at law of Tracy Hicks, deceased, who died intestate in said County of Union on May 17th 1917 leaving surviving him Margaret Hicks, his widow, who married Victor H. Rogers, July 25th 1921, and is now known as Margaret Rogers, and the said Tracy Hicks, also left Eunice Hicks, now Eunice Derriller, and Robert B. Hicks, George Berry Hicks, and Ruth Hicks, his children, and sole heirs at law.

That the sale of said real estate is necessary for the following reasons:

1. That said real estate being undivided plaintiff cannot manage the same conveniently for said wards.
2. That the proceeds of said sale are necessary for the support and education of said wards.
3. That said premises are an expense to said wards by reason of taxes, insurance, repairs, etc.

There is no indebtedness of said wards and there are no liens upon said lands, except current taxes and assessments, to the knowledge of this plaintiff.

The Plaintiff therefore prays that said Margaret Rogers, as widow of Tracy Hicks, deceased, and Robert B. Hicks, George Berry Hicks and Ruth Hicks and Eunice

9830

9830

Hicks Detwiler, the wife of Verne Detwiler, 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.

Margaret Rogers, Guardian.

The State of Ohio, Union County, ss.

Margaret Rogers, being duly sworn, says that he is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as she verily believes.

Margaret Rogers.

Sworn to before me and signed in my presence, this 25 day of March 1922.

H. H. Busted, Probate Judge.

Journal Entry: In the Probate Court of Union County, Ohio, Margaret Rogers, Guardian of Robert P. Hicks, George Henry Hicks, and Ruth Hicks, minors. Case No. 9830. Journal Entry.

Her said wards et al. Defendants.

Filing Petition to Sell Real Estate.

This day came the Plaintiff Margaret Rogers Guardian of Robert P. Hicks, George Henry Hicks, and Ruth Hicks, minors, presented to this Court her petition, duly verified, praying an order for the sale of real estate of her said Robert P. Hicks, George Henry Hicks, and Ruth Hicks, minors.

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.

H. H. Busted, Probate Judge.

Order for Notice.

Probate Court Union County, Ohio

Margaret Rogers, Guardian of Robert P. Hicks et al. Plaintiffs

No. 9830.

Proceeding to Sell Real Estate

Her said ward et al. Defendants.

Order for Notice.

To Margaret Rogers, Guardian

You are hereby ordered to give notice to Robert P. Hicks, George Henry Hicks, and Ruth Hicks, your wards, defendants to your petition, this day filed in said Probate Court for assignment of dower and sale of the following described real estate of said wards, of the filing of said petition and the time when the same will be heard: such notice

9830 to be given at least 5 days before the time hereinafter named for said hearing: The real estate so asked to be sold is described as follows, to-wit: Situate in the State of Ohio, County of Union and Township of Washington, being part of Surveys nos. 7375 and 9596, and bounded and described as follows: The undivided $\frac{3}{4}$ interest in the following premises: Beginning at a stone in the line dividing surveys nos. 7375 and 9596, and at the southeast corner of George O. Miller's land; thence with the west line of said land N. 35° W. 52 1/2 feet to a stake southeast corner to Joseph F. Middlemorth's land; thence with the south line of said land S. 72° W. 142 feet to a stake; a corner to said Joseph F. Middlemorth's land in the center of the Marysville and Kenton Road; thence with the center of said road S. 33° E. 240 feet to a stone; the northeast corner to George B. Moody's land; thence with the north line of said land N. 64° 45' E. 206 feet to a stone the northeast corner of said George B. Moody's land in the westerly line of Berry C. Lingrel's land; thence with said line N. 25° 30' W. 146 feet to a stake in the said line dividing surveys nos. 7375 and 9596; thence with said line S. 82° 30' W. 93 feet to the beginning containing One and $\frac{1}{10}$ acres, more or less.

One acre being in Survey no. 9596 and $\frac{1}{10}$ acres being in Survey no. 7375.

Said petition will be for hearing before said Probate Court, at the office of the Judge of said Court, in Marysville, Ohio, on the 29 day of April, A.D. 1922 at 10 o'clock, A.M.

Said Guardian will make due return showing how she served this order. ~~and~~ Witness my hand and the seal of said Court, at Marysville, Ohio, this 25 day of March, 1922.

W. B. Busted, Probate Judge

Return of Order.

Received this order the 25 day of March, 1922, and thereupon served the same as shown hereon.

Margaret Rogers, Adm.

Return

The State of Ohio, Union County,

I, Margaret Rogers, being duly sworn, say that on the 27 day of March, 1922, I served this writ by delivering a true copy thereof personally to the within named

Robert A. Bicks, George Henry Bicks, and Ruth Bicks

Margaret Bicks, Adm.

known to before me, and signed in my presence this 28 day of March, 1922.

W. B. Busted, Probate Judge

Assessor of Widow,

In the Probate Court of said County of Union, Ohio.

9830

Margaret Rogers, Guardian of
Robert P. Hicks, George Henry Hicks
and Ruth Hicks, minor.

No. 9830

Answer of Widow.

Plaintiff,

Her said wards, et al.

Proceedings to

Defendants.

sell Real Estate.

And now comes Margaret Rogers, 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 Tracy Hicks, dec'd. and, as such is entitled to dower in the premises described in said petition, that her age is 43 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, 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 Rogers.

The State of Ohio, Union County, ss.

Margaret Rogers, being duly sworn, makes oath that the facts stated in the foregoing answer are as she believes, true. Margaret Rogers.

Known to by said Margaret Rogers, before me, and signed by her in my presence this 25th day of March 1922.

W. H. Busted, Probate Judge.

Witness

In the Probate Court, of Union County, Ohio.

Margaret Rogers, Guardian of
Robert P. Hicks, Geo. Henry Hicks
and Ruth Hicks, Plaintiff.

No. 9830

Petition to sell Real Estate.

Warrant of Process, and

Her said wards, et al. Defts.

consent to bill.

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.

Ernie Hicks Detainer.

Vernor Sitwiler.

Application for Appointment of Guardian ad Litem

Margaret Rogers, Adm. of

Probate Court, Union County, Ohio.

Robert P. Hicks, George Henry Hicks, March 30 - A.D. 1922.

and Ruth Hicks, minor, Plaintiffs.

Her said wards, et al. Defendants. Guardian ad Litem.

9835

To the Hon. W. H. Husted, Judge of said Court:

The undersigned Margaret Rogers makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The defendants Robert P. Hicks, George Henry Hicks and Ruth Hicks the age of 14 years and over, and have been duly served with summons herein. The undersigned suggests that M. H. Reams who is a suitable person be appointed as such Guardian ad litem. Respectfully, Margaret Rogers.

Journal entry on appointment of Guardian ad litem.

Probate Court, Union County, O. March, 30th 1922.

Margaret Rogers, Guardian of Robert P. Hicks, George Henry Hicks, and Ruth Hicks minors

vs. Appointment of Guardian ad litem.

Plaintiff

Her said Wards, et al.

Defendants.

This day Margaret Rogers 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 Robert P. Hicks, George Henry Hicks, and Ruth Hicks all of whom are over the age of fourteen years, and have been duly and legally served with summons herein, it is ordered that M. H. Reams, be and she hereby is appointed Guardian for the suit for said minor defendant.

and now comes the said M. H. Reams and in open court accepts said appointment.

W. H. Husted, Probate Judge.

Answer of Guardian ad litem.

Probate Court, Union County, Ohio, March, 30 - 1922.

vs.

Petition to Sell Real Estate

Margaret Rogers, Guardian of Robert P. Hicks, George Henry Hicks, and Ruth Hicks, Minors

Plaintiff.

vs.

Her said Wards, et al.

Defendants.

Answer of Minor Defendants.

And now come the said Robert P. Hicks, George Henry Hicks, and Ruth Hicks, the minor defendants to the petition in said cause, by M. H. Reams, 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.

Robert P. Hicks, George Henry Hicks, Ruth Hicks.

9835,

By M. H. Reams, Esq. ad litem,

Journal Entry: Orders on Hearing of appraisement, etc.

Probate Court, Union County, Ohio.

Margaret Rogers, Guardian of

April 29 - 1922.

Robert P. Hicks, Geo. Henry Hicks,

Petition to Sell Real Estate

and Ruth Hicks, minors, Plaintiff

versus said 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 find 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 Margaret Rogers, widow of said Frank Hicks, is entitled to dower in said real estate; that said widow by her answer herein waives the assignment of dower in said premises by miles 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 it is necessary to sell the real estate of said minors, described in the petition as prayed for.

It is ordered that H. E. Gray, H. C. Borydell and F. S. Hager, 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 to whole, at their true value in money, free from the dower estate of said Margaret Rogers, therein.

It is further ordered that said appraisers do so 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 29 day of April, 1922, and this cause is continued. H. H. Custed, Probate Judge.

Order of appraisement.

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

To Margaret Rogers, Esq. of Robert P. Hicks, et al. Parties;

do 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 Esq. of Robert P. Hicks, et al. are Plaintiff and said Wards et al. are Defendants, you are commanded that by the oaths of H. E. Gray, H. C. Borydell, and F. S. Hager, 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

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Real Estate

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following described premises free the down estate of Margaret
 Heick's Rogers, therein, to wit: Situate in the State of Ohio, County
 of Union and Township of Washington, being part of surveys Nos. 7375-
 and 9896, and bounded and described as follows: The undivided
 $\frac{3}{4}$ interest in the following premises: - Beginning at a stone
 in the line dividing Survey Nos. 7375- and 9896 and at
 the southwest corner of George W. Miller's land; thence with the
 west line of said land, N. 35° W. $52\frac{1}{2}$ feet to a stake, south
 east corner to Joseph F. Middleworth's land; thence with the
 south line of said land S. 57° W. 142 feet to a stake; a
 corner to said Joseph F. Middleworth's land in the center
 of the Marysville and Kenton Road; thence with the center
 of said Road S. 33° E. 240 feet to a stake, the northwest corner
 to George B. Moody's land; thence with the north line of said
 land, N. 64° 45' E. 70.6 feet to a stake, the northeast corner
 of said George B. Moody's land to the westerly line of Henry
 B. Lingard's land; thence with said line N. 25° 30' W. 140
 feet to a stake in the said line dividing Survey Nos.
 7375- and 9896; thence with said line S. 82° 30' W.
 93 feet to the beginning, containing 110 acres, more or less.

You will make return of your proceedings herein to our said
 Probate Court forthwith upon execution of said order, and leave
 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 29. day of April
 1922.

W. H. Custer Probate Judge.

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 29. day of April, 1922.

Margaret Rogers,

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. W. E. Gray, W. C. Bergaire, F. S. Beger, & appraiser
 bonded to before me and signed in my presence, this 29
 day of April, 1922. George Miller, Justice of the Peace Union Co. Ohio

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
 whole of said real estate containing 110 acres, at
 Byhalia, Ohio, at One thousand seven hundred ^{and} fifty dollars
 (\$1750.00) free of said down estate.

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and the undivided $\frac{3}{4}$ interest of said minor wards, to be valued at fifteen hundred and thirty dollars and fifty cents (\$1532.50). Given under our hands, this 29 day of April, 1922. H. E. Gray, H. C. Banzdill, F. H. Hager & appraisers. J. P. Jones, J. P.

Journal Entry: Order approving appraisement for Bond. Probate Court, Union County, Ohio

Margaret Hicks, Guardian of Robert P. Hicks, Henry Benny Hicks and Ruth Hicks, Plaintiffs. vs. said wards, Defendants.

April, 29 - 1922. Petition to Sell Real Estate

Order for Bond

This day came the said Plaintiff and produced to the Court the report of an appraisement therein made by H. E. Gray, H. C. Banzdill, and F. H. Hager, 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 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 Margaret Rogers execute within 5 days, to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the Court, in the sum of Two thousand six hundred thirty-five (\$2635.00) Dollars, conditioned according to law, and this cause is continued. H. H. Husted, Probate Judge.

Application to Sell Real Estate at Private Sale. Probate Court, Union County, Ohio.

Margaret Rogers, Guardian of Robert P. Hicks, Henry Benny Hicks and Ruth Hicks, minors, Plaintiffs. vs. said wards, et al. Defendants.

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

- First: That to sell at private sale will save the costs, and expenses of a public sale.
- Second: That said real estate can be sold for more at private sale for the appraised value thereof.
- Third: That the appraised value is all that said minors are reasonably worth.

And she therefore asks for an order authorizing her to sell said real estate at private sale.

Margaret Rogers, Guardian of Robert P. Hicks, Henry Benny Hicks and Ruth Hicks, minors.

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The State of Ohio, Union County, ss.

Margaret Rogers, being duly sworn, says that the various matters set forth in the foregoing application are true, as she verily believes.

Margaret Rogers, Guardian known to before me, and, signed in my presence, this 29-day of April 1922.

W. H. Busted, Probate Judge
Affidavit of Disinterested Persons.

The State of Ohio, Union County, ss.

Lanson D. Barry, A. M. Cheney, and H. P. Brightler, 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 minor to sell said real estate at private sale than at public sale, as they verily believe.

Lanson D. Barry, A. M. Cheney, H. P. Brightler, known to before me and signed in my presence, this 29-day of April 1922.

W. H. Busted, Probate Judge
Guardian's Bond.

Know all men by these Present, that M. Margaret Rogers, Victor W. Rogers, and F. S. Hager, are held, and, firmly bound, unto the State of Ohio, in the sum of Twenty six hundred and Twenty-five 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 29-day of April A. D. 1922. The condition of the above obligation is such, that whereas, the above named Margaret Rogers, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Robert P. Hicks, George Henry Hicks, and Ruth Hicks,

and, whereas, the said Margaret Rogers, 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 Thirteen Hundred Twelve and 50/100 (\$1350.50) Dollars. and, whereas, said Court, on the 29-day of April, 1922, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now if the said Margaret Rogers, as Guardian aforesaid, shall faithfully discharge her 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. Margaret Rogers, Victor W. Rogers, F. S. Hager executed in presence of, Adeline Cheney, Hazel Reams.

This Bond approved in open Court, this 29-day of April, 1922.

W. H. Busted, Probate Judge

9830.

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Journal Entry:

Probate Court, Union County, Ohio.

Margaret Rogers, Guardian of
Robert P. Hicks
vs.
Mrs. Henry Hicks and Ruth Hicks, minor
Plaintiff

April 29 - 1922.
Approving Bond,
and Ordering Sale.

Her said wards et al. Defendants.
This day this cause came on further to be heard, and it appearing to the Court that the said Margaret Rogers, Guardian the plaintiff above named, has given bond as heretofore ordered, in the sum of \$2625.00, with Victor W. Rogers and F. B. Hayes freeholders as sureties, it is ordered that said bond be and hereby is approved. And it is 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 Margaret Rogers as such Guardian proceed according to law to sell at Private sale the real estate described in the petition free from the dower estate of Margaret Rogers therein for not less than 75 the appraised value of said real estate, 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. W. H. Busted, Probate Judge.

Order of Sale. Free from dower.

The State of Ohio, Union County, Probate Court,
To Margaret Rogers, Guardian of Robert P. Hicks et al. minors heirs;
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 and Plaintiff and Robert P. Hicks, George Henry Hicks, and Ruth Hicks, minors et al. are Defendants you are commanded to proceed according to law to sell at private sale for not less than the appraised value free from the dower of Margaret Rogers, widow of Tracy Hicks, deceased, the following described premises, to wit:

Situate in the State of Ohio, County of Union and Township of Washington, being part of Survey No. 7375 and 9896, and bounded and described as follows:
Beginning at a stone in the line dividing surveys No. 7375 and 9896, and at the southwest corner of George O. Miller's land; thence with the West line of said land N. 35° W. 52 1/2 feet to a stake, southeast corner of Joseph F. Middlemire's land; thence with the South line of said land S. 72° W. 142 feet to a stake, a corner to said Joseph F. Middlemire's land in the center of the Mansfield and Reulon Road; thence with the center of said road S. 33° E. 240 feet to a stone, the northeast corner

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To Henry B. Moody's land: thence with the north line of said land N. 64° 45' E. 206 feet to a stone the north east corner of said Henry B. Moody's land in the Western line of Henry C. Lingrell's land, thence with said line N. 25° 30' W. 140 feet to a stake in the East line dividing surveys nos. 7375 and 9896: thence with said line S. 82° 30' W. 93 feet to the beginning. Containing One and 1/100 acres more or less. One acre being in survey no. 9896 and 1/100 acres being in survey no. 7375. Said sale to be, 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 29 day of April A.D. 1922.

H. B. Busted, Probate Judge

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 29 day of April, 1922

Margaret Rogers.

Report of Sale.

In obedience to the within order. I sold said premises on the 29 day of April 1922. to Victor H. Rogers for the sum of \$1312.50, said sum being the appraised value of the same.

Margaret Rogers

Dated the 29 day of April, 1922.

The State of Ohio, Union County.

The above named, Margaret Rogers, 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 she could get for said property.

Margaret Rogers.

Sworn to before me and signed in my presence, this 29 day of April 1922.

H. B. Busted, Probate Judge

Journal Entry:

Margaret Rogers, Adm. of
Robert P. Hicks, Geo. Henry Hicks
and Ruth Hicks, minor

Probate Court, Union County, Ohio,

April, 29 - 1922

Petition to Sell Real Estate

Plaintiff
Her said Heirs, et al.

Defendants:

Orders approving and

confirming Sale.

This day this cause coming on to be heard on the report of Margaret Rogers, Guardian, of Robert P. Hicks, George Henry Hicks and Ruth Hicks, minor, of her proceedings and sale under the former order of this Court: and upon the motion of said petitioner to confirm the sale made in obedience to said order: the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said

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Filed
April 5th
A.D. 1922
Edward H. Porter
Attorney.

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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 rights title and interests of the said Robert Bicks, George Henry Bicks, and Ruth Bicks, minors, in said real estate, to the purchaser Victor W. Rogers, upon the said purchaser paying to said Guardian the full amount of said purchase price in cash.

It is ordered that \$3,796 be paid to Margaret Bicks Rogers, which the Court finds to be the value of her dower. It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$-- within ten days.

W. H. Husted Probate Judge

9840
Filed

April 5th
A. D. 1922
Edward H. Potter
Attorney

Rosa M. Temple, Administratrix
with the Will Annexed,
of the Estate of

Albert H. Wells, Deceased,
Plaintiff

vs.

Lillie A. Phillips and
Rosa M. Temple,
Defendants

Petition for Sale of Real Estate to Pay Debts,
Probate Court, Union County, Ohio,
No. 9840.

Civil Action.

Petition
To Sell Real Estate.

Petition.

The Plaintiff represents that she is the duly appointed and qualified Administratrix with the Will Annexed of the Estate of Albert H. Wells late of Union County, Ohio, deceased; that the amount of debts and legacies due from the deceased is six thousand (\$6000.00) Dollars; as near as can be ascertained, and, that the charges of administration of said estate will amount to about five hundred (\$500.00) Dollars; and that the total value of the personal estate and effects of said deceased, is but thirteen hundred and forty-two Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Albert H. Wells, died seized in fee simple of the following described real estate situate in the County of Union and State of Ohio, to wit: In Survey # 14639, in the Township of Washington, and bounded on the north by lands owned by Raymond Chapman and Mary Chapman; on the east by lands owned by Oscar A. Green; on the south by lands also owned by said Oscar A. Green; and on the West by the McKee Trunk Road, and containing fifty-five (55) acres, more or less.
For a more particular description

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reference is hereby made to the Plat of said Washington Trp., in the Surveyor's Office, in the Court House, at Marysville, Ohio.

The said decedent died leaving no widow. That the defendants Lillian A. Phillips, and Roxa M. Temple, are the only heirs at law and next of kin of said decedent having the next estate of inheritance from said Albert H. Mills, deceased, in said premises;

The Plaintiff therefore prays, that the rights, interests, and claims of the said Lillian A. Phillips, and Roxa M. Temple, may be fully determined, adjusted, and protected, according to equity and that your petitioner may be authorized and ordered to sell said 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.

Edward H. Porter, Atty. for Plaintiff.

The State of Ohio, Union County, ss.

Roxa M. Temple, 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 her knowledge and belief.

Roxa M. Temple, Adm'r. as aforesaid, sworn to before me and signed in my presence, this 5th day of April, 1922.

Edward H. Porter, Notary Public, Union Co., Ohio.

Journal Entry: In the Probate Court of Union County, Ohio, Wednesday, April, 5th 1922. Case no. 9840. Journal Entry.

Roxa M. Temple, Adm'r. of the Estate of Albert H. Mills, deceased.

Plaintiff
Lillian A. Phillips, Roxa M. Temple, Defendants

Filing Petition To Sell Real Estate.

This day came the Plaintiff Roxa M. Temple, Adm'r. of the estate of Albert H. Mills, deceased, and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said Albert H. Mills, 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.

H. B. Husted Probate Judge.

Warror

Roxa M. Temple, Adm'r. with the Will annexed, of the Estate of Albert H. Mills, dec'd.
Plaintiff
Lillian A. Phillips and Roxa M. Temple, Defendants

In the Probate Court of Union County, Ohio, no. 9840.
Petition To Sell Real Estate
Warror of Process
and
Consent To Sell

9840.

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.

Lillie A. Phillips, Roxa M. Temple.

Application To Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

Roxa M. Temple, Admox.
with Will annexed, of the
Estate of Albert H. Wells, dec'd.

no. 9840.

Petition to Sell Real Estate
application.

v.
Lillie A. Phillips et al.

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:

1. Because it must be sold for at the least the amount of the appraisement.
2. Because if sold at public sale, it might go for 7/8 the appraisement.
3. Because it will save time.
4. Because it will save the costs of advertising.
5. Because a purchaser has already been secured at the appraisement.

And he therefore asks for an order authorizing her to sell said real estate at private sale. Roxa M. Temple, admox. of Albert H. Wells, dec'd.

The State of Ohio, Union County, Ohio.

Roxa M. Temple, Admox. being duly sworn, says that the various matters set forth in the foregoing Application are true, as she verily believes. Roxa M. Temple.

Sworn to before me, and signed in my presence, this 5th day of April, 1922. Edward H. Porter, Notary Public, Minn Co, Ohio.

Affidavit of Disinterested Person.

The State of Ohio, Union County, Ohio.

O.R. Ingbery, L.M. Vannarsdale, and T.M. Monson, 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 whatsoever in the matter therein referred to and that it will be shown for the interest of the said estate to sell said real estate at private sale than at public sale, and, for the reasons given herein, as they verily believe.

9840. O.R. Longbray, C.M. Varnausdile, T.M. Mimsou.

known to before me, and signed in my presence, this 5th day of April 1922.

Journal Entry:
Coxa M. Temple, Admox.
with the will annexed
of the estate of
Albert B. Mills, dec'd.

Edward H. Porter, Notary Public, Union Co., O.
Probate Court, Union County, Ohio.
Saturday, May 6th 1922.
Orders for Private sale.

Plaintiff
vs
Lillian A. Phillips, et al. Def'ds.

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 before the Court. That the statements and allegations in said petition are true. That said Albert B. Mills, 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 sell the real estate of said Albert B. Mills 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 Coxa M. Temple, 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 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.

W.B. Hoisted, Probate Judge.
Order of Sale free of Dower.

The State of Ohio, Union County ss.
To Coxa M. Temple, Admox. with the will annexed, of the estate of Albert B. Mills, Dec'd.

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 Admox. with the will annexed of the estate of Albert B. Mills, deceased, are Plaintiff and Lillian A. Phillips 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 premises described premises, to wit:

Situated in the County of Union, and State of Ohio
In Survey No. 14639, in the Township of Washington and

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bounded on the north by lands owned by Raymond Chapman and Mary Chapman; on the east by lands owned by Oscar A. Green; on the south by lands owned by said Oscar A. Green; and on the west by the McPeck Grant Road, and containing (55) fifty-five acres, more or less.

For a more particular description reference is hereby made to the Plat of said Washington Township, in the Surveyor's office, in the Court House, at Mansville, Ohio.

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

The deferred payments, to be secured by mortgages 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 Mansville, Ohio, this 6th day of May, 1922.

W. A. Husted, Probate Judge.

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 6th day of May, 1922.

Roxa M. Temple, Adm'x, as. aforesaid.

Report of Sale.

In obedience to the within order, I sold said premises, on the 6th day of May, 1922, to Lillian A. Phillips, for the sum of Forty one Hundred and Twenty five (\$4125⁰⁰) Dollars, said sum being the appraised value of the same.

Roxa M. Temple, Adm'x, etc.

Dated the 6th day of May, 1922.

The State of Ohio, Union County, ss.

The above named Roxa M. Temple, Adm'x, with the Will annexed, of the estate of Albert C. Mills, 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 she could get for said property.

Roxa M. Temple, Adm'x, as. aforesaid.

Sworn to before me, and signed in my presence, this 6th day of May, 1922.

Edward W. Porter, Notary Public, Union County, Ohio.

Journal Entry:

Roxa M. Temple, Adm'x with the Will annexed of the Estate of Albert C. Mills, dec'd. Plaintiff
Lillian A. Phillips et al, Defts

Probate Court, Union County, Ohio, Saturday, May 6 - 1922. Petition to Sell Real Estate Orders Approving and Confirming Sale

9840

This day this cause coming on to be heard on the report of Roy A. Temple, Adm'r, with the will annexed of the estate of Albert H. Mills, deceased, of her proceedings and sale under the former order of this Court; and, upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Albert H. Mills, deceased, in said real estate, to the purchaser, Lillie A. Phillips upon the said purchaser paying cash for same on day of sale.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$-

H. H. Busted Probate Judge.

9896

Guardian's Petition To Sell Real Estate.

Probate Court Union County, Ohio.

Filed

July 8th 1921

Edward W. Porter Attorney

Benjamin J. Beem, Guardian of
Roy Beem Conroy and
Robert Conroy, Minors.
Plaintiff

vs
Petition
To Sell Real Estate.

vs
The said wards, - and
Fannie B. Conroy, widow of
William B. Conroy, Deceased.
Defendants.

Petition.

The Plaintiff represents that he is the duly appointed and qualified guardian of Roy Beem Conroy, and Robert Conroy, of the ages of 15 and 16 years, respectively, and, residing with said Fannie B. Conroy, their mother, at Richmond, Union County, in the State of Ohio.

That the said wards are the owners in fee simple of the following described real estate, situated in the County of Union, State of Ohio, and in the village of Richmond, to-wit:

All of lots Nos 669 and 670 of Orrin Beem's addition to the Village of Richmond, excepting a piece of land off the west end of said lot no. 670, fronting 250 feet on Elm Street and extending the same width back to the South line of said lot. Also the following parcel of land of part E. Surry No. 6307 and 1200 some adjoining said lots nos 669, and 670, bounded and described as follows: Beginning at a stone in the northwesterly line of the N. W. 1/4 of Sec. 1 and in the center of Ottawa Street in the village of Richmond; thence with the center of said street for Richmond and Miller Grant Road, S. 84° 30' W. 2.49 1/2 poles to a stake, south-east corner to a parcel of land

9896

containing 4 acres formerly owned by John Collins: Thence with the east line of said land N. 12° 30' W. 60 ⁴/₁₀₀ poles to a stone north-east corner of said lands formerly owned by John Collins and in the south line of Orion Beemer addition to Richmond: Thence with the said line N. 77° 15' E. 29 ²/₁₀₀ poles to a stone, north-west corner of L.C. Beemsland: Thence with the west line of the lands of L.C. Beem and of J. M. & E. M. Bony, S. 13° 45' E. 35. ⁴/₁₀₀ poles to a stone corner to the lands of the said J. M. and E. M. Bony and in the north westerly line of the said by P. & O. Ry: Thence south-westerly with said line 37 ⁴/₁₀₀ poles to the beginning containing 8 ³/₁₀₀ acres more or less. Being the same premises conveyed to W. C. Fullington by S. F. Parsham, Sheriff, by deed of Nov. 22-1901 recorded in Vol. 77 Page 20 E. Union County Record of Deeds.

Also, one ^{other} tract of land situated in the County of Union, in the State of Ohio and in the village of Richmond, and bounded and described as follows: Beginning at a stone at the southeast corner of Lot No. 669: Thence with the south line of said lot produced N. 77° E. to the southerly line of Gross Street: Thence with the said line of said Gross Street N. 57° W. to a stone at easterly corner of Lot No. 669: Thence with the easterly line of said lot southerly 21 ¹/₂ feet to the beginning containing 5 ¹/₁₀₀ of an acre more or less and being a part of Survey No. 6293.

Also, one other tract of land situated in the County of Union, in the State of Ohio and in the village of Richmond, and bounded and described as follows: Commencing at the north-west corner of a lot out of Lot No. 670 and owned by W. H. Conroy: Thence south with the west line of said Lot to the south line of Lot No. 670: Thence west with said line (150) One hundred and fifty feet: Thence north parallel with the east line to Elm Street: Thence with the north line of Lot No. 670 to the place of beginning. For a more specific description reference is hereby had to the recorded Plat of said Addition on record in the Recorder's office in Marysville, Ohio.

Said real estate is worth annually, subject to the dower estate of the widow herein, the sum of One Hundred and Fifty dollars.

That said Plaintiff has received no rents from the real estate of his wards, and for the reason that the same has been and is now occupied by said wards, and the widow herein as their home.

That the sale of said real estate is asked for the purpose of completing a sale to one Joseph M. Kinsicki, wherein said Kinsicki is to deed to said

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Benjamin F. Beem, as such Guardian herein, two tracts of land situated in the village of Richmond, Ohio on South Franklin Street, the first one having been deeded to said Minnie by Jason Beem and wife, was found in Union County Record of Deeds, Vol. 119 Page 470. the other as found in Vol. 119, Page 579, and the sum of Two Hundred Dollars in each.

That said sale is made for the reason that said 13 1/2 acres is situated on Grove Street, in said Village of Richmond, Ohio, and is now the home of said Wards with their mother.

That said 13 1/2 acres is where said Wards must cross a rail-road in order to get to the business part of town where as a home will be provided for them with no rail-road to cross and in a more desirable part of said Village, and the other property has a rental value not possessed by the 13 1/2 acres.

And to reinvest the proceeds of said sale, and in the manner, and form herein set forth.

The Plaintiff therefore prays that said Roy Beem Conroy, Robert Beem, minor, and Fannie B. Conroy, widow as aforesaid, 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 her proper relief.

Benjamin F. Beem, Petitioner.

The State of Ohio, Union County, ss.

Benjamin F. Beem, being duly sworn, says that he is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as he truly believes.

Benj. F. Beem, Petitioner, as aforesaid.

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

Benjamin F. Beem, Guardian of Roy Beem Conroy and Robert Conroy, minor, Plaintiff

vs. his wards et al. Defendants.

Order for Notice, Saturday, July 8th, 1922. Petition to Sell Real Estate

This day Benjamin F. Beem, Guardian of Roy Beem Conroy and Robert Conroy, minor appeared in open court and filed his petition duly verified, asking for the sale of 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 15th day of July, 1922, 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 Roy Beem Conroy, and Robert Conroy, his wards, and to Fannie B. Conroy, all persons entitled to the next 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, 3 days

two tracts of land in each, one in each, at said 13 1/2 acre of Richmond, their mother, must cross a road to said village, and crossed by the of said sale, the Beem County, as aforesaid, and notified that Plaintiff the reasons for relief.

that he is and, that by Belvoir, as aforesaid for notice, County Ohio, July 8th, 1922, Real Estate

Beem County and filed of real estate It is to and hereby clock P.M. cannot notice petition, to Plaintiff persons entitled estate, Defendants, ally, and by Residence of ally, 3 days

9896

before said day of hearing, and this cause is continued, W. H. Busted, Probate Judge.

Summons On Petition To Sell Real Estate

The State of Ohio, Union County. To Benjamin F. Beem, you are hereby commanded to notify Roy Beem Conroy and Robert Conroy, minors making service of this summons, upon said minors, and, also upon the guardian, or, father of if neither guardian or father can be found, then upon the mother, or, the person having the care of said minor, or, with whom they live: that on the 8 day of July A.D. 1922, Benjamin F. Beem, as, Guardian of Roy Beem Conroy and Robert Conroy, minors, 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 Beem, in said petition described, for the purpose of retirement, and, that unless they answer by the 18 day of July, 1922, said petition will be taken as true and an order granted accordingly.

The same will make due return of this writ on the 15 day of July, 1922. This writ to be served on each of said defendants, by copy personally.

Witness my hand and the seal of said Court this 8 day of July, 1922. W. H. Busted, Probate Judge.

Return of Service.

Received this writ on the 13 day of July, 1922, at one o'clock, P.M., and on the days and in the manner hereinafter named, I served the same on the within named defendants who are minors, July 13th 1922, on Benjamin F. Beem, the guardian of the said Roy Beem Conroy and Robert Conroy minors, and, on said Roy Beem Conroy and Robert Conroy minors, personally and July 13th 1922, on Fannie B. Conroy, the mother of the said Roy Beem Conroy and Robert Conroy, minors.

Benjamin F. Beem,

The above named Benjamin F. Beem, who has signed the same, being duly sworn, says, the foregoing Return of Service is true as he really believes.

Given to before me and signed in my presence, this 15th day of July, 1922. Edward H. Peter, Notary Public Union Co. O.

W. H. Busted

In the Probate Court of Union County, Ohio, Benjamin F. Beem, Guardian of Roy Beem Conroy and Robt. Conroy minors, vs. Plaintiff Roy Beem Conroy, Robert Conroy minors, and Fannie B. Conroy, Defendants. W. H. Busted, Probate Judge. no 9896. Petition To Sell Real Estate, and consent to sell.

9896.

9896

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.

Fannie B. Conroy.

Answer of Widow

Benjamin F. Beem, Exor. of Roy Beem Conroy, Mrs. Robert Conroy, Minors. Plaintiff

Probate Court, Union County, Ohio. No. 9896 Proceeding to Sell Real Estate Answer of Widow.

vs. said Wards, Defendants.

And now comes Fannie B. Conroy, one of the defendants in the above entitled cause and voluntarily enters her appearance herein, and for answer to the petition in this case filed, says that she is the widow of said H. B. Conroy, deceased, and as such entitled to dower in the premises described in said petition, that her age is 45 years, and she freely 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 for from her dower estate therein, and that the value of such dower estate may be allowed and paid her in lieu thereof out of the proceeds of the sale, such sum of money as the Court deems the just and reasonable value of her dower interest in said real estate.

Fannie B. Conroy.

The State of Ohio, Union County.

Fannie B. Conroy, being duly sworn, says that the statements in the foregoing answer are true as she verily believes.

Fannie B. Conroy.

Sworn to before me, and signed in my presence, this 15th day of July, A. D. 1922. Edward W. Porter, Notary Public, Union Co., Ohio Journal Entry:

Benjamin F. Beem, as Exor. of Roy Beem Conroy, et al. vs. Plaintiff

Probate Court, Union County, Ohio. July 25th 1922. Petition to Sell Real Estate.

vs. said Wards, et al. Defendants.

Orders for Bond.

This day came the said Plaintiff, by his attorney. It is ordered that said Benjamin F. Beem, Guardian herein, execute forthwith to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the Court in the sum of Ten Thousand (\$10,000.00) Dollars, conditioned according to law, and this cause is

9896.

continued.

W. H. Husted, Probate Judge.

Application To Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio,
vs.

Benjamin F. Beem, Guardian of
Roy Beem Conroy, and
Robert Conroy, minors.

Petitioner To Sell Real Estate

vs. Plaintiff.

His Wards et al. Defendants

Application.

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

1. Because said property must be sold for as much as the appraisement, if sold at private sale, whereas, if sold at public sale, it might be sold for 75 of the appraisement only.
2. A purchaser has already been secured who will give as much as the appraisement.
3. Because the expense of advertising will be saved, if sold at private sale, and the petitioner asks for an order authorizing him to sell said real estate at private sale.

Benjamin F. Beem, Edw. of.
Roy Beem Conroy and Robert Conroy, minors.
The State of Ohio, Union County, ss.

Benjamin F. Beem, being duly sworn, say that the various matters set forth in the foregoing application are true as he verily believes. Benjamin F. Beem.

Sworn to before me, and signed in my presence, this 25th day of July, 1922. Edward H. Potter, Notary Public, Union Co. Ohio.
Affidavit of Disinterested Person.

The State of Ohio, Union County, ss.
L. J. McCoy, L. F. Berger and Geo. S. Carroll, 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 Roy Beem Conroy, and Robert Conroy, minors, to sell said real estate at private sale than at public sale, as they verily believe. L. J. McCoy, L. F. Berger, Geo. S. Carroll, sworn to before me, and signed in my presence, this 25th day of July, 1922. Edward H. Potter, Notary Public, Union Co. Ohio.
Guardian's Bond.

Know all men by these Presents: that we, Benjamin F. Beem, L. B. Beem, and L. J. McCoy, are here and firmly bound unto the State of Ohio, in the sum of Ten Thousand (\$10,000-), Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators, signed by us, and dated

9576

at Richmond, Ohio, this 25th day of July, A.D. 1922.

The condition of the above obligation is such, that whereas, the above bond Benjamin F. Beem was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Edwin of Roy Beem contrary, and Robert contrary, minors, and, whereas, the said Benjamin F. Beem, 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 ten thousand (\$10,000-) Dollars.

And whereas, said Court, on the 25th day of July, 1922, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided that if the said Benjamin F. Beem, 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. Beem, L. B. Beem, L. J. McCoy

This bond approved in open Court, this 25th day of July, 1922, W. H. Husted, Probate Judge.

Journal Entry: Orders approving Bond for Private Sale Probate Court, Union County, Ohio,

Benjamin F. Beem, as Guardian, July 25th 1922.
of Roy Beem contrary, and Robert contrary, minors, Petitioner to sell Real Estate
vs. Plaintiff

Ben said wards 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 Benjamin F. Beem, the Plaintiff above named has given bond as heretofore ordered, in the sum of ten thousand (\$10,000-) Dollars, with Benjamin F. Beem, L. B. Beem, and L. J. McCoy, 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 wards, to sell the real estate described in the petition at private sale. It is therefore further ordered that said Benjamin F. Beem, as such Guardian, proceed to sell said real estate free of the dower of Fannie B. Lombard, 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.

W. H. Husted
Probate Judge

Journal Entry:

Probate Court, Union County, Ohio.

9876

Benjamin F. Beeuw, Guardian of
Roy Beuw Lemboy, and Robert Lemboy, minors.
Plaintiffs

July, 25th 1922

This said wards, et al. Defendants Order for Private Sale
This day this cause came on to be heard upon the petition
evidence and testimony, and the answer of the widow herein,
she claims the assignment of dower by meter and bounds,
or in rents and profits; and asks that said premises,
be sold free from her dower; the value thereof paid to
her in money, out of the proceeds of the sale, under
authority of Sec. 12018 U.C. 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 state-
ments and allegations in said petition are true, that
said W. B. Lemboy, deceased, did leave a widow
entitled to dower in the estate to be sold and that
she filed her answer herein, as stated above in
No. 8679, estate of William B. Lemboy, deceased, and an
appraisement of such estate is contained in the Summary

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 wards
described in the petition to reimburse the proceeds in
production real estate, and it being made to appear
to the Court upon satisfactory evidence, that it would be
more for the interest of said wards, to sell the real estate
described in the petition at private sale. It is
therefor further ordered that said Benjamin F. Beeuw,
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.

W. H. Busted, Probate Judge.

Order of Sale.

The State of Ohio, Union County ss. Probate Court.
I, Benj. F. Beeuw, Guardian of Roy Beuw Lemboy and Robert Lemboy, minors,
Meeting: In obedience to an order and decree
of the Probate Court, within and for said county, made
on the 25th day of July, 1922, in a certain cause No. 9876
now pending in said Court, wherein you as Guardian
of Roy Beuw Lemboy, and Robert Lemboy, minors,
are Plaintiffs and your wards, et al. are Defendants, you
are commanded to proceed according to law, to sell at
private sale, for not less than \$5000⁰⁰ the appraised

9896.

part thereof five of the dower of Fannie B. Conroy, widow of W. H. Conroy, deceased, the following described premises, to-wit:

Situated in the County of Union, State of Ohio, and in the village of Richmond, and being all of lots No's 669 and 670 of Orrin Burns addition to the village of Richmond, excepting a piece of land off the west end of said lot No. 670, fronting 250 feet on Elm Street and extending the same width back to the south line of said lot, also the following parcel of land of part E. Surry No. 6307 for 1200 acres adjoining said lots No's 669 and 670, bounded and described as follows: Beginning at a stone in the northwesterly line of the N. Y. P. & O. Ry. and in the center of Ottawa Street in the village of Richmond; thence with the center of said street for Richmond and Miller Grand Road, S. $84^{\circ} 30'$ W. $2^{\frac{1}{2}} \frac{1}{100}$ poles to a stake south-east corner to a parcel of land containing 4 acres formerly owned by John Gallier; thence with the east line of said land N. $62^{\circ} 30'$ W. $60^{\frac{1}{2}} \frac{1}{100}$ poles to a stone north-east corner of said lands formerly owned by John Gallier and in the south line of Orrin Burns addition to Richmond; thence with the said line N. $77^{\circ} 15'$ E. $29^{\frac{1}{2}} \frac{1}{100}$ poles to a stone north-west corner of L. C. Burns land; thence with the west line of the lands of L. C. Burns, and of J. M. and E. M. Horn, S. $13^{\circ} 15'$ E. $35^{\frac{1}{2}} \frac{1}{100}$ poles to a stone corner to the lands of the said J. M. and E. M. Horn, and in the northwesterly line of the said N. Y. P. & O. Ry. thence south-westerly with said line $37^{\frac{1}{2}} \frac{1}{100}$ poles to the beginning, containing $5^{\frac{1}{2}} \frac{1}{100}$ acres more or less. Being the same premises conveyed to W. C. Huntington by D. F. Burnham, Sheriff by deeds of Nov. 22-1901, recorded in Vol. 77 Pg 228, Union County Record of Deeds.

Also one other tract of land situated in the County of Union, in the State of Ohio, and in the village of Richmond, and bounded and described as follows: Beginning at a stone at the south-east corner of lot No. 669; thence with the south line of said lot produced N. 79° E. to the southerly line of Iron Street; thence with the said line of said Iron Street N. 57° W. to a stone at easterly corner of lot No. 669; thence with the easterly line of said lot southerly 21 $\frac{1}{2}$ feet to the beginning.

Containing space of an acre more or less, and being a part of Surry, No. 6243.

Also one other tract of land situated in the County of Union, in the State of Ohio, and in the village of Richmond, and bounded and described as follows: Commencing at the north-west corner of a lot out of Lot No. 670, and owned by W. H. Conroy; thence south with the west line of said lot to the south line of Lot No. 670; thence with said line (150) one hundred and fifty feet; thence north parallel with the east line to Elm Street; thence with the north line of Lot No. 670 to the place of Beginning. For a more specific

9896.

9596.

description reference is hereby had to the recorded Plat. of said addition on record in the Recorder's Office in Marysville Ohio.

Said sale to be free of 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 within sixty days from the date hereof, and have you there and there this writ. Witness my signature and the Seal of said Probate Court, at Marysville Ohio, this 25th day of July, 1922.

W. H. Husted, Probate Judge.

Return.

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the same to be duly executed, &c. will fully appear by the proceeding hereto attached. Dated the 25th day of July, 1922.

Benjamin F. Beem, Edw. as aforesaid.
Report of Sale.

In obedience to the within order, I sold said premises on the 25th day of July 1922, to Joseph W. Himmick for the sum of Five Thousand (\$5,000.) Dollars; said sum being the appraised value of the same.

Benjamin F. Beem, Guardian.

Roy Beem Contro. and *Robert Contro* Minors.
The State of Ohio Union County.

The above named Benjamin F. Beem, Guardian of Roy Beem Contro and Robert Contro Minors, 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. Beem, Edw. as aforesaid, known to before me and signed in my presence, this 25th day of July, 1922. *Edward H. Pote*, Notary Public in and for Ohio, this Journal Entry: Orders Approving and Confirming Sale.

Probate Court, Union County, Ohio.

Benjamin F. Beem, as Guardian of.

July 25th 1922.
Petition to Sell Real Estate

Roy Beem Contro and *Robert Contro* Minors.
Plaintiff

His said wards, that.
Defendants

Orders Approving and Confirming Sale.

This day this cause coming on to be heard on the report of Benjamin F. Beem, as Guardian of Roy Beem Contro and Robert Contro Minors, of his proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in obedience to said order; the Court have carefully examined said report, and finding the proceedings

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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 petitioners execute a deed of all the right, title and interest of the said Roy Bevan Conroy, and Robert Conroy, minors, and of said Fannie B. Conroy, widow of said H. B. Conroy, deceased, in said real estate to the purchaser Joseph M. Kirshin. It is further ordered that this proceeding be recorded, and that said petitioners pay the costs herein taxed at \$--.

H. B. Busted, Probate Judge

9863
Filed

May 11-1922

Guardian's Petition To Sell Real Estate.

Probate Court, Union County, Ohio
no. 9863

D. W. Demitt, Guardian of
George Bartley, an Incompetent
Plaintiff

His said Wards, George Bartley,
Marietta Demitt, George A. Bartley,
William Lanner, Susan Shelton,
Lura Brown, Sadie Cheyem,
Laura Dillow, Elizabeth Cunningham,
Thomas Bartley, Mary E. Evans,
Lora Durnell, William Chapman,
Emily Williams, Alice Reams,
Unknown heirs of Vira Austin, deceased,
Unknown heirs of Elizabeth Frederick, Deid.,
Unknown heirs of Derinda Johnston, Deid.,
Unknown heirs of Henrietta Schneider, Deid.,
Defendants.

Petition To Sell Real Estate

Petition

The Plaintiff represents that he is the duly appointed and qualified guardian of George Bartley of the age of 78 years, on the -- day of -- 1922, and residing with D. W. Demitt and Marietta Demitt in Blairtown Township, Union County, Ohio.

Plaintiff further represents that his said Ward is a bachelor, and at the time of appointment of plaintiff as guardian, was in possession of money and war stamps of the value of \$400.00 which has been expended in the care and support of said Ward; that said Ward has no personal estate dependent upon the settlement of any decedent's estate, or the execution of any trust.

Plaintiff further represents that Marietta Demitt is a sister of said George Bartley; that George A. Bartley is a nephew of said George Bartley, being the only son of John Bartley, deceased, who was the brother of said George Bartley; that William Lanner, Susan Shelton, Lura Brown, and Sadie Cheyem are

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neephew and niece of said George Hartley, being the children of Amanda Farmer deceased, who was a sister of said George Hartley; that Laura Dillow, Elizabeth Cunningham and Thomas Hartley are nieces of said George Hartley, being the children of Samuel Hartley deceased, who was a brother of said George Hartley; that William Chapman, Mary E. Evans, Corda Durnell, Emily Williams, Alice Baum, the unknown heirs of Vice Austin, deceased, the unknown heirs of Elizabeth Frederick, deceased, the unknown heirs of Durinda Johnston deceased, and the unknown heirs of Henrietta Schneider deceased are nephews and nieces of said George Hartley, being children and heirs at law of Jane Chapman, deceased, who was a sister of said George Hartley.

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 Blairtown town: Being part of Lot No. 19 of Survey No. 5509. Beginning at a stone in the north line of said Lot, at the northeast corner of the lot devised by Lazarus Hartley deceased, to his daughter Sarah J. Chapman; thence with said line N. 74 1/2° E. 39.16 poles to a stone; thence S. 15° E. 36.56 poles to a stone in the north line of the 45-acre tract devised by said Lazarus Hartley to George Hartley and others; thence with said line S. 74 3/4° W. 39.40 poles to a stone, corner to Sarah J. Chapman's land; thence N. 15° W. 36.40 poles to the place of beginning, containing about 9 acres of land. Being the same premises conveyed by Samuel Hartley and wife to George Hartley February 24-1851, vol. of Deeds No. 57, page 425.

Also the following premises, being part of Survey No. 5509 and bounded and described as follows: Beginning at a post, northwest corner to George Hartley's nine-acre tract of land; thence S. 77° 15' W. 12.46 poles to a stone and piece of tile, corner to J. H. Bell's land; thence with the east line of Bell's land S. 12° 15' E. 73.48 poles to the center of a large ditch; thence with the center of said ditch S. 75° 30' E. 35.70 poles; thence S. 76° E. 6.52 poles; thence N. 12° 15' W. 56.42 poles to a stake in the south line of the said nine-acre tract of land; thence with two consecutive lines of said nine-acre tract S. 77° 15' W. 24.09 poles to a stake; thence N. 12° 25' W. 36.36 poles to the place of beginning, containing 14.05 acres of land. Being the same premises conveyed to George Hartley December, 10-1919 by Henrietta DeHill and D. H. DeHill, her husband, vol. of Deeds, No. 124 page 54. Said real estate is worth annually about One Hundred

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said seal
It is further
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L. Probate Judge
Estate.
County Ohio
no. 9863

Sell Real Estate

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Hartley, being
was a
Farmer,
Belgium and

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Doran. That said Plaintiff has received rents from the real estate of his ward but has turned the same back in taxes and other expenses, leaving an insufficient balance for the support and comfort of his said ward.

That the sale of said real estate is asked for the following reasons: viz.

- 1. That said lands are not sufficiently productive for the support of said ward.
- 2. Because of constant rental thereof, and low income therefrom said lands are rapidly deteriorating in value.
- 3. That the proceeds of the sale of said real estate are needed for the payment of expenses, of the care and support of said ward.

The Plaintiff therefore prays that said George Bentley, ward as aforesaid, Marietta DeWitt, George A. Hazley, William Farnus, Susan Shelton, Lura Brown, Sadie Chezen, Laura Dellow, Elizabeth Cunningham, Thomas Bentley, Mary E. Evans, Cora Durnell, Emily Williams, Alice Burns, the unknown heirs of Vine Austin, deceased, the unknown heirs of Elizabeth Frederick, deceased, the unknown heirs of Derinda Johnston, deceased, and the unknown heirs of Henrietta Schneider, deceased, 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 herebefore proposed, and for other proper relief.

D. H. DeWitt, Gdn.

The State of Ohio Union County ss.

D. H. DeWitt being duly sworn, says that he is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, and he truly believes.

D. H. DeWitt, Gdn.

Done to before me, and signed in my presence, this 11th day of May 1922.

H. B. Busted, Probate Judge.

Journal Entry:
D. H. DeWitt Guardian of George Bentley Incompetent.

In the Probate Court of Union County, Ohio,
May 11 - 1922.
Case no.

v. Plaintiff

Journal Entry. Filing Petition
To Sell Real Estate.

This day came the Plaintiff D. H. DeWitt Guardian of George Bentley and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said George Bentley, an incompetent. 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.

H. B. Busted
Probate Judge.

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Receipts.

D. W. DeWitt, Guardian of
George Bartley, an Incompetent.
Plaintiff

Probate Court, Union County, Ohio,
Case No.
Civil Action,
Petition to Sell Real Estate,

His said Ward,
George Bartley et al. Defendants.

Receipts.

To the Probate Judge:-

Issue summons for said Alice Beams, and Elizabeth
Cunningham, directed to the Sheriff of Champaign County, Ohio,
and for Laura Dillow, directed to the Sheriff of Madison
County, Ohio, defendants, returnable according to law.

D. W. DeWitt Guardian.

Affidavit to obtain Service by Publication.

Probate Court, Union County, Ohio.

D. W. DeWitt, Guardian of
George Bartley, an Incompetent.
Plaintiff

no.

His said Ward George Bartley, affiant to obtain service
et al. Defendants.

by Publication

The State of Ohio, Union County ss.

D. W. DeWitt Guardian of George Bartley an Incompetent
the said Plaintiff, being sworn, says that the Defendants
William Farmer, Susan Shelton, Laura Brown, Sadie Chezem,
Thomas Bartley, Emily Williams, the unknown heirs of Vina
Austin, deceased, the unknown heirs of Elizabeth
Frederick, deceased, the unknown heirs of Derinda
Johnston, deceased, and the unknown heirs of Berrietta
Schneider, deceased, non-residents of Ohio, and that
service of summons on them cannot be made in
this State; that the residence of said William Farmer,
Susan Shelton, Laura Brown, Sadie Chezem, Thomas Bartley,
Emily Williams, the unknown heirs of Vina Austin, dec'd,
the unknown heirs of Elizabeth Frederick, deceased, the
unknown heirs of Derinda Johnston deceased, and the
unknown heirs of Berrietta Schneider, deceased, are
unknown to the Plaintiff, and cannot with reasonable
diligence be ascertained, and that service of summons
on them cannot be made; and that the case
is one of those mentioned in Section 5045- of the Revised
Statutes of Ohio

D. W. DeWitt.

Known to before me, and signed in my presence, this 11 day of
May, 1922.

H. C. Husted Probate Judge.

Journal Entry: Orders. Service by Publication

D. W. DeWitt Bdu. of
George Bartley Incompetent
Plaintiff

Probate Court, Union County, Ohio.
Orders. Service by Publication.

His said Wards et al.
Defendants.

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This day came the Plaintiff and filed herein an affidavit under the Statutes in that behalf for the purpose of procuring service by publication: and it appearing to the Court that the residence of said William Farmer, Susan Shelton, Lura Brown, Sadie Whizum, Thomas Barley, Emily Williams, the unknown heirs of Vira Austin, deceased, the unknown heirs of Elizabeth Frederick, deceased, the unknown heirs of Derinda Johnston, deceased, and the unknown heirs of Henrietta Schneider, deceased is unknown.

And that said defendants, are necessary parties and their names and residences are unknown to the Plaintiff, that the residences of such defendants so unknown to the Plaintiff cannot with reasonable diligence be ascertained, and that service of summons on said defendants cannot be made: it is ordered that proceedings against said unknown heirs 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.

W. H. Kusted, Probate Judge.

Summons on Petition to Sell Real Estate

The State of Ohio, Champaign Co.

Probate Court.

To the Sheriff of said County:

You are commanded to notify Alice Reams, residing near Urbana Ohio, and Elizabeth Cunningham residing near Mechanicsburg, Ohio that on the 11-day of May, A.D. 1922, D. H. DeWitt, Guardian of the person and estate of George Bailey, an incompetent filed his petition in the Probate Court of said Union County, 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 Ward in said petition described, for the purpose of paying for the support and care of said Ward, and that unless they answer by the 11-day of August 1922, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 29th day of May, 1922. Witness my hand and the seal of said Court, this 13th day of May, 1922.

W. H. Kusted, Probate Judge.

Sheriff's Return

The State of Ohio, Champaign County.

Received this writ May 15th 1922, at 5:30 o'clock, a.m. and pursuant to its command on the 17th day of May 1922, I served the writs named Elizabeth Cunningham, and on the 23rd day of May 1922 I served the writs named Alice Reams, by personally handing to each of them a true copy thereof, with all the indorsements thereon.

Irvine W. McRobert Sheriff By Jas R. Todd, Deputy.

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Sheriff's Fees.
 Service, 70
 additional name, 25
 25 miles at 8¢ 2.00
 Total \$ 3.00

Summons or Petition to Sell Real Estate,
 The State of Ohio, Union County, Probate Court.
 To the Sheriff of said County:
 you are commanded to notify Mary E. Evans and Cora Durnell that on the 11 day of May A. D. 1922, D. W. DeWitt Guardian of George Bentley an incompetent 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 11 day of August 1922 said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 7th day of June 1922. Witness my hand and the seal of said Court, this 3rd day of June 1922. ^{Seal} H. H. Busted Probate Judge.

Sheriff's Return

The State of Ohio Union County
 Sheriff's Fees Rec'd this writ June 3-1922, at 3 o'clock P.M.
 Service 70 and pursuant to its command June 5-1922
 add. names 25 I served each of the within named defendants
 38 miles at 8¢ 3.04 by handing to them personally a true and
 Total \$ 4.77 Certified Copy of this writ, all endorsements thereon,
 Frank Collier Sheriff.

Waiver

In the Probate Court of Union County, Ohio,
 D. W. DeWitt Guardian vs.
 of George Bentley an incompetent, Plaintiff
 vs. Plaintiff
 His said Ward, George Bentley, Mary E. Evans et al.
 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 George Bentley, incompetent 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. E. Chapman, Geo. H. Bentley, Mary E. Evans
 Order for Notice.

Probate Court, Union County, Ohio.

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D. H. DeHitt, Guardian of
George Bartley, et al. Plff.
-against
His said Ward et al.
Dft.

No 9863

Proceeding To Sell Real Estate

Order for Notice

To D. H. DeHitt, Guardian:
You are hereby ordered to give notice to George Bartley your ward, defendant to your petition, this day filed in said Probate Court for assignment of dower, and sale of the following described real estate of said ward, of the filing of said petition and the time when the same will be heard: such notice to be given at least eight days before the time hereinafter named for said hearing.

The real estate so asked to be sold is described as follows, to-wit: Situate in the State of Ohio County of Union and Township of Clairbourne, being part of Lot No. 19 of Survey No. 589, and bounded and described as follows:

Beginning at a stone in the north line of said Lot, and at the northeast corner of the Lot devised by Lazarus Bartley, deceased, to his daughter Sarah J. Chapman; thence with said line N. 74 $\frac{1}{2}$ ° E. 39.16 poles to a stone; thence S. 15° E. 39.56 poles to a stone in the north line of the 45-acre tract devised by said Lazarus Bartley to George Bartley, now others; thence with said line S. 74 $\frac{3}{4}$ ° W. 39.40 poles to a stone; corner to Sarah J. Chapman's land; thence N. 15° W. 36.40 poles to the place of beginning, containing about 9 acres of land.

Being the same premises conveyed by Samuel Bartley and wife to George Bartley February 24, 1881, vol. of Deeds, 20, 51, page 425.

Also, the following premises, being part of Survey No. 5819, and bounded and described as follows:

Beginning at a post, northwest corner to George Bartley's mine acre tract of land; thence S. 47° 15' W. 13.46 poles to a stone and piece of tile, corner to J. W. Bell's land, thence with the East line of Bell's land S. 12° 15' E. 73.45 poles to the center of a large ditch; thence with the center of said ditch S. 75° 30' E. 30.75 poles; thence S. 76° E. 6.52 poles; thence N. 12° 15' W. 56.42 poles to a stake in the south line of the said mine acre tract of land; thence with two consecutive lines of said mine acre tract S. 77° 15' W. 24.09 poles to a stake; thence N. 12° 25' W. 36.36 poles to the place of beginning, containing 14.85 acres of land.

Being the same premises conveyed to George Bartley December 10, 1919, by Marietta DeHitt, and D. H. DeHitt, her husband, vol. of Deeds No. 124 page, 54.

Said petition will be for hearing before said Probate Court at the office of the Judge of said Court, in Marysville, Ohio, on 11th day of August A. D. 1922, at

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Real Estate

George's Hartley
filed in
sale of the
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Co. 19 of Survey

id Lot, and
Lazarus

applies; thence
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to 45 acres
Hartley

as to the stone:
36.40

out 4 acres of land,
and

Dicks, No. 51,
being

subscribed as follows:
to George's

1. 44° 15' 24"
corner to J. W.

Bell's land
large ditch:

30° E. 30.00
N. 56.42

and thence
two lines

to a stake;
beginning

George Hartley
D. W. De Witt.

Probate
court, in

D. 1922, at

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10 o'clock a.m. said Guardian will make due return showing how he served this order. Witness my hand and the seal of said Court at Marysville, Ohio, this 11-day of May, 1922.
W. H. Busted, Probate Judge.

Return of Order.

Received this order the 11-day of May, 1922, and thereupon served the same as shown hereon.
D. W. De Witt, Guardian.

Return

The State of Ohio, Union County.
I, D. W. De Witt, being duly sworn, say that on the 13-day of May, 1922, I served this writ by delivering a true copy thereof personally to the individual named George Hartley and to D. W. De Witt, the Guardian of said George Hartley and the person with whom he resides.
D. W. De Witt, Guardian.

Brought to before me and signed in my presence, this 15-day of May, 1922.
W. H. Busted, Probate Judge.

Legal Notice.

State of Ohio, Union County.
Personally appeared before me, O. A. Kingler and made oath that the notice, a copy of which is hereto attached, was published for 6 weeks on and after May 25th 1922 in the Richmond Gazette, a newspaper of general circulation in the county aforesaid.
O. A. Kingler.

Brought to before me and signed in my presence this 10th day of July, A. D. 1922.
Paul B. Law Winkle, Notary Public.

Notice

William Jenner, Susan Shelton, Lura Brown, Sadie Cheyan, Thomas Hartley, Emily Williams, the unknown heirs of Gene Austin, deceased, the unknown heirs of Elizabeth Frederick, the unknown heirs of Delinda Johnston, deceased, and the unknown heirs of Henrietta Schneider, deceased, whose place of residence is unknown, will take notice that D. W. De Witt, Guardian of George Hartley, an incompetent did on the 11-day of May A. D. 1922, file his petition in the Probate Court of Union County, Ohio, alleging that it is necessary to sell the real estate of said George Hartley his ward, in order that the proceeds of said sale may be used in the payment of the expenses of the care and support of said ward. That the real estate of said George Hartley is situated in Blair Township, Union County, State of Ohio part of Virginia Military Survey No. 5849 and bounded and described as follows:

Being part of Lot No. 19 of said Survey No. 5849. Beginning at a stone in the North line of said lot, at the northeast corner of the lot devised by Lazarus Hartley, deceased, to his daughter Sarah J. Chapman;

9863 Thence with said line N. 74 1/2° E. 39.16 poles to a stone; thence S. 15° E. 36.56 poles to a stone in the north line of the 45-acre tract devised by said Lazarus Bartley to George Bartley and others; thence with said line S. 74 3/4° W. 29.40 poles to a stone corner to Sarah J. Chapman's land; thence N. 15° W. 36.40 poles to the place of beginning, containing about 9 acres of land. Bring the same premises conveyed by Samuel Bartley and wife to George Bartley February 24 - 1881, vol. of Deeds, no. 51, page 425.

Also the following premises, part of Survey, 5809, and bounded and described as follows: Beginning at a post, northwest corner to George Bartley's nine-acre tract of land; thence S. 77° 15' W. 13.46 poles to a stone and piece of tile; corner to J. H. Bell's land; thence with the east line of Bell's land; S. 12° 15' E. 73.43 poles to the center of a large ditch; thence with the center of said ditch S. 45° 30' E. 35.80 poles; thence S. 76° E. 6.57 poles thence N. 12° 15' W. 56.42 poles to a stake in the south line of the said nine-acre tract of land; thence with two consecutive lines of said nine-acre tract S. 77° 15' W. 24.09 poles to a stake; thence N. 12° 25' W. 36.36 poles to the place of beginning.

Containing 14.05 acres of land. Bring the same premises conveyed to George Bartley December 10th 1919 by Marietta D. Pitt, and D. H. DeWitt her husband, vol. of Deeds no 124 page 57. The above named persons have been made parties defendant to the said petition and unless they answer by the 11th day of August, 1922, the prayer of the petition will be taken as true.

D. H. DeWitt Guardian

of George Bartley, an incompetent

May 25 - 1922 - 67.

Summons on Petition for Real Estate,

The State of Ohio, Madison County, Probate Court.

To the Sheriff of said County:

You are commanded to notify Laura Dillont 11th day of May, A.D. 1922, D. H. DeWitt Guardian of the person and estate of George Bartley an incompetent 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 Ward in said petition described, for the purpose of paying for the support and care of said Ward, and that unless they answer by the 11th day of August, 1922, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 29th day of May, 1922. Witness my hand and the seal of said Court, this 13th day of May, 1922.

W. H. Husted

Probate Judge.

Stone: Hence
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George Bentley
poles to a
15° N. 36.4° E
at 9 acres of
Barren
81. vol. of
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as follows:
Bentley's mine
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to the east
to center of a
S. 75° 30'
2° 15' N. 56.4° E
nine acre
mine of said
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premises
of Marietta
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Guardian
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Estate,
Probate Court.
11th day of
son and
his petition
against
his petition
Real Estate
described,
and care
by the 11th
as true.
this writ on
and the

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Sheriff's Return

The State of Ohio, Madison County.
Received this writ May 15th 1922, at 8:30 clock, A.M., and
pursuant to its command on the 15th day of May 1922, I
served the within named, Laura Dillow by personally
handing to her a true and certified copy of this writ with
all the endorsements thereon.

Sheriff's fees.	
Service.	.75
5 miles at 8¢	.64
Total.	\$1.39

L. E. Robinson Sheriff.
By Verno W. Boss, Deputy.

As the undersigned defendants named herein do each
of us acknowledge dues and legal services of the within
summons. Laura Dillow.

Journal Entry: Probate Court Union County, Ohio.
August 11th 1922.

D. W. DeHitt, Guardian of us.
George Bentley, an Incompetent. Journal Entry.
Plaintiff.
His said Ward, et al. Order for appraisement.
Defendants

This day this cause came on to be heard upon the petition
proff. 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, for the support and care of said
Ward; it is therefore ordered and adjudged by the Court
that the said premises be appraised free of doer, by
the oaths of H. H. Kerner, A. W. Hoover, and Charles E. Griffith
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.
H. H. Kuster, Probate Judge.

Order of Appraisement.

The State of Ohio, Union County, Probate Court.
To D. W. DeHitt, Guardian of George Bentley, Incompetent; Greeting:
In obedience to the order and decree of the Probate
Court, within and for said County, made this day in
a certain cause, wherein you as Guardian of George
Bentley, an Incompetent, are Plaintiff and George Bentley
your Ward, et al. are Defendants, you are Com ordered
that by the oaths of H. H. Kerner, A. W. Hoover and Charles
E. Griffith, 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

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and appraisement to be made according to law, of the following described premises, to wit: Situate in the State of Ohio, County of Union and Township of Blairtown, being part of Lot No. 19 of Survey No. 5809 and bounded and described as follows: Beginning at a stone in the north line of said Lot at the northeast corner of the Lot devised by Lazarus Hurley, deceased to his daughter Sarah J. Chapman; thence with said line N. $74^{\circ}12'$ E. 39.16 poles to a stone; thence S. 15° E. 36.56 poles to a stone in the north line of the 45-acre tract devised by said Lazarus Hurley to George Hurley and others; thence with said line S. $24^{\circ}34'$ W. 39.40 poles to a stone, corner to Sarah J. Chapman's land; then N. 15° W. 36.40 poles to the place of beginning, containing about 9 acres of land.

Being the same premises conveyed by Samuel Hurley and wife to George Hurley February 24th 1881 Vol. of Deeds No. 51 page 425.

Also the following premises being part of Survey No. 5809, and bounded and described as follows: Beginning at a post northwest corner to George Hurley's nine acre tract of land; thence S. $77^{\circ}15'$ W. 13.46 poles to a stone and piece of tile; corner to J. H. Bell's land; thence with the east line of Bell's land S. $12^{\circ}15'$ E. 73.78 poles to the center of a large ditch; thence with the center of said ditch S. $75^{\circ}30'$ E. 35.80 poles; thence S. 76° E. 65.2 poles; thence N. $12^{\circ}15'$ W. 56.42 poles to a stake in the south line of the said nine acre tract of land; thence with two consecutive lines of said nine acre tract S. $77^{\circ}15'$ W. 24.09 poles to a stake; thence N. $12^{\circ}25'$ W. 26.26 poles to the place of beginning.

Containing 14.55 acres of land.

Being the same premises conveyed to George Hurley December 10th 1919, by Marjette D. Witt and D. H. Ditt, her husband, Vol. of Deeds No. 124 Page 54.

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 11th day of August, A.D. 1922.

W. H. Busted Probate Judge

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 12th day of August 1922.

D. H. Ditt

Oath of Appraisers.

The State of Ohio, Union County.

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

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of the following
 in County of
 t of Lot No. 14
 as follows:
 id Lot at the
 County deceased
 said Lewis H.
 36.56 poles,
 it devised by
 Hence with
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 Hardley and
 deeds No. 51
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 Hardley
 H. DeWitt, her
 is Court
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 Probate Judge
 caused the
 by the pro-
 August 1922.
 solemn oath
 and impor-
 estate at its
 appraised of

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us in pursuance of the foregoing order.

H. H. Kinnery, A. W. Hoover, Charles E. Griffith Appraisers
 sworn to before me and signed in my presence. This 12-
 day of August 1922. C. E. Kagan, Notary Public in and for Mar. Co., Ohio

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 thousand three hundred
 and ten (\$2300.) Dollars. Given under our hands. This
 12-day of August, 1922. H. H. Kinnery A. W. Hoover, Charles E. Griffith
 Two of Appraisers \$1.00 per day each

Journal Entry: Orders approving appraisement ^{and} for Bond.
 Probate Court, Union County, Ohio.

D. H. DeWitt, Guardian of George Hardley, an incompetent; v. Plaintiff	August 12 th 1922, Petition to sell Real estate
His said Ward, et al.	Orders for Bond.
Defendants.	

This day came the said Plaintiff and produced to the
 Court the report of an appraisement herein made by
 H. H. Kinnery, A. W. Hoover, and Charles E. Griffith 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 the said D. H. DeWitt as
 Guardian to secure the further assets arising from
 the sale of said real estate. It is further ordered
 that said D. H. DeWitt 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 Four thousand six
 hundred and ten (\$4610.00) Dollars, conditioned accord-
 ing law, and this cause is continued.

H. K. Bueled, Probate Judge.

Guardian's Bond.

Know all men by these Presents, that Mr. D. H. DeWitt, principal
 A. W. Cheney and C. E. Kagan, are held and firmly bound
 unto the State of Ohio, in the sum of Four thousand
 six hundred and ten (\$4610.00) Dollars, for the payment
 of which we hereby jointly and severally bind ourselves,
 our heirs, executors and assigns. Signed by us
 and dated at Marysville, Ohio, this 14th day of August,
 A. D. 1922. The condition of the above obligation is
 such, that whereas the above bound D. H. DeWitt
 was heretofore duly appointed and qualified by the
 Probate Court of Union County, Ohio, Guardian of George

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and whereas, the said D. H. DeWitt 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 Two thousand Three hundred and five (\$2305⁰⁰) Dollars. and whereas, said Court, on the 13th day of August 1922, made an order requiring said Guardian to execute a bond according to the statute in such case made and provided. Now if the said D. H. DeWitt 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. D. H. DeWitt; A. M. Cherry, C. E. Kagay, Executed in Presence of Notary Public: John B. Dingfelder.

This bond approved in open Court, this 14th day of August 1922,

W. H. Busted, Probate Judge,
 Application for Sale Real Estate at Private Sale,
 Probate Court, Union County, Ohio,
 August 14th 1922. No.
 Petition to Sell Real Estate.

D. H. DeWitt, Guardian of
 George Barclay Plaintiff.
 vs
 His said Ward, 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: First: That to sell at private sale will save the costs and expenses of a public sale. Second: That said real estate can be sold forthwith at private sale for the appraised value thereof. Third: That the appraised value is all that said premises are reasonably worth.

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

D. H. DeWitt, Guardian of Geo. Barclay, ^{Subscribed}

The State of Ohio, Union County, ss.

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

Known to before me, and signed in my presence, this 17th day of August, 1922. W. H. Busted, Probate Judge.

Affidavit of Disinterested Persons:

The State of Ohio, Union County, ss.

M. M. Cameron, Lawson B. Barker, and A. M. Cherry 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 matters therein referred to, and that it will be more for

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Order of Sale.

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the interest of the said George Bartley. Incompetent to sell said real estate at private sale than at public sale, as they verily believe. W. M. Cameron, Lanson P. Barry, A. M. Cheney, sworn to before me and signed in my presence. This 14th day of August, 1922.

Journal Entry: W. H. Busted, Probate Judge, Probate Court, Union County, Ohio, August 14-1922.

D. W. Dornal, Guardian of George Bartley, an Incompetent Plaintiff vs. (Plaintiff) Approving bond, ordering sale.

His said Ward, et al. Defendants.

This day this cause came on further to be heard, and it appearing to the Court that the said D. W. Dornal, Guardian of George Bartley, the plaintiff above named has given bond as heretofore ordered, in the sum of four thousand six hundred and ten (\$4610.00) dollars, with A. M. Cheney and C. E. Kagay freeholders, as sureties; it is ordered that said bond be and hereby is approved. And it is 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 D. W. Dornal, as such Guardian proceed according to law to sell at private sale the real estate described in the petition, for not less than the appraised value of said real estate, on the following terms, to-wit: Cash in hand on day of said.

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

W. H. Busted, Probate Judge.

9863

Order of Sale

Order of Sale

The State of Ohio, Union County, Probate Court.

To D. W. Dornal, Guardian of George Bartley, an Incompetent 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 Guardian of George Bartley, an Plaintiff and the said George Bartley 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:

Situate in the State of Ohio, County of Union and Township of Clairbourne, being part of Lot No. 19, of Survey No. 5859, and bounded and described as follows:

Beginning at a stone in the north line of said Lot, and at the north east corner of the Lot devised by Lazarus Bartley deceased, to his daughter Sarah J. Chapman; thence with said line N. 74 1/2° E. 39.16 poles to a stone; thence S. 15° E. 36.56 poles to a stone in the north line of the 40-acre tract devised by said Lazarus Bartley to George Bartley and others; thence with said line

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 C. E. Kagay.
 of August 1922,
 Probate Judge,
 Private Sale,
 Union County, Ohio.
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 Geo. Bartley, Incompetent
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 Probate Judge,
 Person.
 lines being
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9843 S. 74 3/4 W. 39.40 poles to a stone corner to Sarah J. Chapman's land; thence N. 15° W. 36.40 poles to the place of beginning. Containing about 9 acres of land.

Being the same premises conveyed by Samuel Bartley and wife to George Barley February 24th 1881 vol. of Deeds No. 51 page 425-

Also the following premises being part of Survey No. 5809 and bounded and described as follows: Beginning at a post northwest corner to George Barley's nine acre tract of land; thence S. 77° 15' W. 13.46 poles to a stone and piece of tile corner to J. H. Bell's land; thence with the east line of Bell's land S. 72° 15' E. 73.48 poles, to the center of a large ditch; thence with the center of said ditch S. 75° 30' E. 35.80 poles; thence S. 76° E. 6.52 poles; thence N. 12° 15' W. 56.42 poles to a stake in the south line of the said nine acre tract of land; thence with the consecutive lines of said nine acre tract S. 77° 15' W. 24.09 poles to a stake; thence N. 12° 25' W. 36.36 poles to the place of beginning. Containing 14.05 acres of land.

Being the same premises conveyed to George Barley Dec. 10th 1919 by Marietta DeWitt and D. H. DeWitt, her husband, vol. of Deeds No. 127, page 54. 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 14th day of August A. D. 1922. H. H. Busted Probate Judge

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 14th day of Aug. 1922.
D. H. DeWitt.

Report of Sales.
In obedience to the within order, I sold said premises on the 14th day of August, 1922, to Marietta DeWitt, for the sum of Two thousand three hundred and five (\$2305.00) Dollars, said sum being the appraised value of the same.
D. H. DeWitt.

Dated the 14th day of August 1922.
The State of Ohio Union County. The above named D. H. DeWitt being duly sworn, say, 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.
D. H. DeWitt.

Brought to before me, and signed in my presence this 14th day of August, 1922.
H. H. Busted, Probate Judge.

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Confirmation

9849
Filed
Apr. 18th 1922.
Edward W. Porter
Attorney.

Chapman's land;
 and wife
 page 425
 No. 5819
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9813 Journal Entry: Probate Court, Union County, Ohio,
 D. W. DeWitt, Guardian of August, 15th, 1922
 George Hardy, an incompetent. Petition to Sell Real Estate
 Plaintiff
 Confirmation His said Ward, et al. Defendants. Order approving and Confirming Sale.
 This day this cause coming on to be heard on the return
 of D. W. DeWitt, Guardian of George Hardy, an incompetent 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 D. W. DeWitt as such Guardian
 make to the purchaser Marietta DeWitt a good and
 sufficient deed for the premises so sold. It is further
 ordered that this proceeding be recorded, and that said
 D. W. DeWitt pay the costs herein taxed at \$- within
 ten days.
 W. H. Husted, Probate Judge.

9849 Petition for Sale of Real Estate to Pay Debts.
 Filed Probate Court, Union County, Ohio,
 Apr. 18th 1922. Mary Cynthia Charles, Executrix. No. 9849.
 Edward W. Pober of the Estate, of. Civil Action
 Attorney, Freeman Charles deceased
 Plaintiff
 v.
 Mary P. Charles, Laura A. Cushman, Laura A. Cushman, Ruth C. Harris,
 Freeman Cushman, Ruth C. Harris, Eva Cushman, minor, Mabel Cushman,
 Robert Cushman, David Cushman, Plaintiff.
 Minors Defendants.
 The Plaintiff represents that she is the duly appointed
 and qualified Executrix of the estate of Freeman Charles,
 late of Union County, Ohio, deceased; that the amount of
 debts and legacies due from the deceased is
 Eleven thousand Dollars, as near as can be ascertained
 that the charges of administration of said estate will
 amount to about Five hundred Dollars; and, that the
 total value of the personal estate and effects of said
 deceased is but Ten thousand (\$10,000⁰⁰) Dollars, being
 wholly insufficient to pay the debts and costs aforesaid.
 The plaintiff further represents that said Freeman
 Charles 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 Fairbourn,
 and in the village of Richwood, and being a strip of land,
 eight (8) feet wide off the east side of Lot number
 One hundred Forty-two (142) in the village of Richwood, Ohio.

9849

Also a strip 28 feet wide off of Richwood lands, and lying on the east side, and adjoining the above mentioned Eight foot strip. Being the same premises conveyed by Josephine Mc Daniels to the Grantor herein by deed date February 13th 1915.

The said decedent died leaving the defendant Mary Prynithia Charles his widow who is entitled to dower in said premises; that the defendant Laura A. Bushman is the only next of kin and heir at law of said decedent, having the next estate of inheritance from said Freeman Charles, deceased in said premises; that the Defendants Freeman Bushman, Ruth C. Harris, Eva Bushman, Mabel Bushman, Robert Bushman, and David Bushman, are legatees under the terms of the Last Will and Testament of said Freeman Charles, deceased.

The plaintiff therefore prays that the dower of said Mary Prynithia Charles in said premises may be assigned and set off to her; that the rights, interests and liens of the said Mary Prynithia Charles, Freeman Bushman, Ruth C. Harris, Eva Bushman, Mabel Bushman, Robert Bushman and David Bushman, 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 of said dower, according to the statute in such cases made and provided, and for all such proper order and relief in the premises.

The State of Ohio, Union County, ss.

Mary Prynithia Charles, 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.

Mary Prynithia Charles, Executrix,
Done at Inform me, and signed in my presence, this 18th day of April, 1922.

Edward H. Porter, Notary Public.

Journal Entry:
Mary Prynithia Charles, Executrix
of the estate of Freeman Charles, Dec'd.

In the Probate Court of Union County, Ohio,

Tuesday, April, 18th 1922.
Case No.

vs.
Mary Prynithia Charles, Laura A. Bushman, Freeman Bushman, Ruth C. Harris, Eva Bushman, minor, Mabel Bushman, Robert Bushman, and David Bushman, minor, Defendants

Journal Entry,

Filing Petition To
Sell Real Estate

This day came the Plaintiff Mary Prynithia Charles, Executrix of the estate of Freeman Charles, deceased, and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said Freeman Charles 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

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of County, Ohio,
April, 18th 1922.

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Real Estate

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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.

W. H. Husted, Probate Judge.

Summons on Petition to Sell Real Estate

The State of Ohio, Union County Probate Court.
You are hereby commanded to notify Eva Bushman, who is a minor, making service of this summons upon said minor, and also upon the guardian, or father, or if neither guardian or father can be found, then upon the mother, or the person having the care of said minor, or with whom she lives; that on the 18 day of April, A.D. 1922, Mary Rynther Charles, executrix of the estate of Truman Charles 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 legacies and that unless they answer by the 20 day of May, 1922, said petition will be taken as true, and an order granted accordingly.

The clerk will make due return of this writ on the 1st day of May, 1922. This writ to be served on each of said defendants, by copy personally, witness my hand and the seal of said Court, this 18th day of May, 1922.
W. H. Husted, Probate Judge.

Return of Service.

Received this writ on the 25 day of April, 1922, at One O'clock P.M., and on the day and in the manner hereinafter named, I served the same, on the within named defendants viz: April 25th 1922, on Eva Bushman, who is a minor, by delivering to her a true copy hereof with all the endorsements thereon; and on the same day on D. C. Bushman, father, of said minor, the person having the care of and with whom said minor lives by delivering to said D. C. Bushman, a true copy hereof with all the endorsements thereon said minor having no guardian. Mary Rynther Charles.

The above named Mary Rynther Charles, who has signed the same, being duly sworn, says the foregoing Return of Service is true as he really believes.
Done to before me and signed in my presence, this 25th day of April 1922. J. H. Jepsen, Notary Public

Summons on Petition to Sell Real Estate

The State of Ohio, Union County Probate Court.
You are hereby commanded to notify Mabel Cushman, Robert Cushman, and David Cushman, who are minor, making service of this summons, upon

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said minor and, also, upon the guardian or father, or if neither guardian or father, can be found, then upon the mother, or the person having the care of said minor, or with whom they live; that on the 15 day of April, A.D. 1922, Mary Reynoldia Charles, executrix, of the estate of Freeman Charles, 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 legacies and that unless they answer by the 20 day of May 1922, said petition will be taken as true, and an order granted accordingly.

The clerk will make due return of this writ on the 1st day of May, 1922. This writ to be served on each of said defendants by copy personally. Witness my hand and the seal of said Court, this 15 day of April, 1922.

H. B. Busted, Probate Judge

Return of Service.

Received this writ on the 25th day of April, 1922, at One O'Clock P.M. and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: April 25th 1922, on Mabel Bushman, Robert Bushman, and David Bushman, who are minors, by delivering to each of them a true copy hereof, with all endorsements thereon, and on the same day on J. M. Bushman the father of said minors, the person having the care of and with whom said minors live by delivery to said J. M. Bushman, a true copy hereof with all the endorsements thereon, said minors having no guardian.

Mary Reynoldia Charles.

The above named Mary Reynoldia Charles, who has signed the same, being duly sworn, says the foregoing Return of Service is true as she really believes.

Sworn to before me and signed in my presence, this 20 day of April, 1922.

D. M. Joseph, Notary Public

Wainor.

In the Probate Court of Union County, Ohio, no.

Mary Reynoldia Charles, Executrix,
of the estate,
Freeman Charles, Deceased.

Petitioner to Sell Real Estate

Plaintiff.

Mary Reynoldia Charles, Laura A. Bushman,
Freeman Bushman, et al, Ruth C. Harris, Wainor of Process
Ira Bushman, minor, Mabel Bushman,
Robert Bushman, and David Bushman, Consent To Sell
Minors, Defendants.

And the undersigned parties defendant in the above entitled cause for the sale of Real Estate of the estate of

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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 Prynithia Charles, Laura A. Bushman, Freeman Bushman
v. Ruth C. Harris.

Answer of Widow.

In the Probate Court of Union Co., Ohio,

Mary Prynithia Charles, Executrix
of the Estate of
Freeman Charles, Deceased,
Plaintiff

vs.
Answer of Widow.
Proceeding To Sell Real Estate.

Mary Prynithia Charles, et al
Defendants

And now comes Mary Prynithia Charles 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 Freeman Charles deceased and, as such is entitled to dower in the premises described in said petition that her age is sixty-four 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 freed 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. Mary Prynithia Charles,

The State of Ohio, Union County, ss.

Mary Prynithia Charles, being duly sworn, makes oath that the facts stated in the foregoing answer are as she believes true.
Mary Prynithia Charles.

Done to by said Mary Prynithia Charles, before me, and signed by her in my presence, this 18th day of April, A.D. 1922.
Edmund W. Porter, Notary Public, Union Co., Ohio

Order for appraisement

Probate Court, Union County Ohio
May 22 - 1922.

Mary Prynithia Charles, Executrix
of the Estate of
Freeman Charles, deceased,
Plaintiff

Journal Entry.
Order for Appraisement.

Mary Prynithia Charles,
Defendant.

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

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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 Freeman Charles, dec'd.

And Mary Prynithia Charles, the widow, of the said Freeman Charles, deceased, having by her assented, waived the assignment of her dower by dower and bounds; it is therefore ordered and adjudged by the Court, that the said premises be appraised free of dower, by the oaths of Bent Lebill, W. J. Osborn and T. M. Zuspan, 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.

W. H. Husted, Probate Judge.

Order of appraisement.

The State of Ohio, Union County, ss.

Probate Court,

To Mary Prynithia Charles, Executrix, of the Estate of Freeman Charles, 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 Executrix of the estate of Freeman Charles, deceased, are Plaintiff, and Mary Prynithia Charles et al. are Defendants you are commanded that by the oaths of Bent Lebill, W. J. Osborn, and T. M. Zuspan, 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 Mary Prynithia Charles, therein, to-wit: Situate in the County of Union, State of Ohio, Township of Clairbourne, and in the village of Richmond, and being a strip of land eight (8) feet wide off the East side of Lot Number One Hundred Forty Two (142) in the village of Richmond, Ohio. Also a strip 28 feet wide of Richmond lands and lying on the east side and adjoining the above mentioned eight foot strip. Being the same premises conveyed by Joseph M^r Daniels to the Grantor herein by deed date February 13th 1918.

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 22nd day of May, A. D. 1922.

W. H. Husted, Probate Judge.

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 thereto attached. Dated the 27th day of May, 1922.

Mary P. Charles, Executrix as aforesaid.

Oath of appraisers.

The State of Ohio, Union County,

9849

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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. Bent Cahill, W. J. Storn, J. H. Zuppan, Appraisers.
 Sworn to before me and signed in my presence, this 20th day of May, 1922.
 Mary P. Charles, Executor as aforesaid.

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 (\$ 2200⁰⁰) Twenty-two hundred dollars, free of said down estate of said Mary Prynthia Charles, widow of said Freeman Charles, deceased. Given under our hands, this 20th day of May, 1922. Bent Cahill, W. J. Storn, J. H. Zuppan appraisers.
 Fees of appr. 7.50

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

Mary Prynthia Charles, Executor
 of the estate of
 Freeman Charles, deceased.
 vs.
 Mary Prynthia Charles, et al.
 Defendants.

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: 1. Because if sold at private sale, it will bring at least the full appraised value, whereas if sold at public sale, it might go for 75% of the appraisement only. 2. Because, it will save the costs of advertising. 3. Because it will save time, and she therefore asks for an order authorizing her to sell said real estate at private sale.

Mary Prynthia Charles, Executor
 of estate of Freeman Charles, deceased.

The State of Ohio, Union County ss.

Mary Prynthia Charles being duly sworn, says that the various matters set forth in the foregoing application are true as she verily believes. Mary Prynthia Charles, Sworn to before me, and signed in my presence, this 27th day of May, 1922. J. H. Zuppan, Notary Public.

Affidavit of Disinterested Persons

The State of Ohio, Union County ss.

Bent Cahill, W. P. Woods and Arthur Merritt 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

9849

matter therein referred to, and that it will be more for the interest of the said estate of Freeman Charles to sell said real estate at private sale than at public sale, as they verily believe. Ben Cahill, Wm H. Woods, Arthur Marriott.

Done to before me, and signed in my presence. This 27 day of May 1927. J. G. Zuppan, Notary Public

Journal Entry: Mary Prynithia Charles, Executrix, of the estate of Freeman Charles, deceased. Plaintiff

In the Probate Court of Union County, Ohio, Saturday, May 27th 1927.

vs. Journal Entry

Mary Prynithia Charles, 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 theretofore 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 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 executrix 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 Mary Prynithia Charles, Executrix, as aforesaid, proceed to advertise and sell the real estate aforesaid, free of dower, at private sale, at not less than the appraised value thereof, on the following terms to wit: Cash 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.

H. B. Kusted, Probate Judge

Order of Sale. Free of Dower.

The State of Ohio, Union County, ss.

Probate Court.

I, Mary Prynithia Charles, Executrix of the estate of Freeman Charles, 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 Executrix of the

9849

... for the
to sell said
as they verify
This 27 day
County, Ohio,
1922.

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estate of Freeman Charles deceased, are Plaintiff and, Mary Prynthia Charles, et al, are Defendants, you are com-
manded to proceed according to law, to sell at private
sale for not less than the appraised value thereof free
of the dower of Mary Prynthia Charles, widow of Freeman
Charles, deceased, the following described premises, to wit:
situate in the County of Union, State of Ohio, and in the
Township of Delaibourne, and in the Village of Richmond, and
being a strip of land eight (8) feet off the East side of
Lot Number One Hundred Forty-two (142) in the village of
Richmond, Ohio, also a strip 25 feet wide of
Richmond lands and lying on the east side and
adjoining the above mentioned eight foot strip.

Bring the same premises conveyed by Josephine
Mc Daniels to the Grantor herein by deed dated
February 13th 1915. Said sale to be free of the dower
of Mary Prynthia Charles widow 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 Court
at Mansfield, Ohio this 27 day of May, 1922.
W. H. Keated, Probate Judge.

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 5th day of June, 1922,
Mrs Mary Prynthia Charles, Executrix.

Report of Sale

In obedience to the within order, I sold said
premises on the 3rd day of June, 1922, to J. F. Wood,
for the sum of Twenty-two hundred (\$2200) Dollars;
said sum being the appraised value of the same,
Mary Prynthia Charles, Executrix.

Dated the 3rd day of June, 1922.
The State of Ohio Union County, ss.

The above named Mary Prynthia Charles 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 she could get for said property,
Mary Prynthia Charles.

Brought before me and signed in my presence, this
3rd day of June, 1922. J. H. Juspan, Notary Public,
Probate Court, Union County, Ohio.
Journal Entry: Monday, June 5th 1922.

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9646

9849 Mary Pryncilia Charles, Executrix,
of Estate of Freeman Charles, Dec'd.
Plaintiff

Petition To Sell Real Estate

Mary Pryncilia Charles, et al.
Defendants

Orders approving ^{and}
Confirming Sale.

This day this cause coming on to be heard on the report of Mary Pryncilia Charles, Executrix of the estate of Freeman Charles, deceased of her proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Freeman Charles, deceased, in said real estate to the purchaser J. F. Wood, upon the said purchaser, paying the purchase price herein. It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$-- within ten days.
H. K. Busted, Probate Judge

9646
Filed

In the matter of the Estate of Lester Clark, Deceased.
Petition To Sell Personal Property.

June 12th 1922

In the matter of
The Estate of
Lester Clark Deceased.

Probate Court, Union County, Ohio.
No. 9646.
Petition.

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified Adm^r. of the estate of Lester Clark, 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: One 1914 Olds H. Automobile \$250.00
born in crib, estimated at \$ 135.00 To sell Market Price,
said authority is asked for the following reasons:
That said Automobile and corn will sell to a better advantage to sell at Private Sale than at public sale.

Don Carmean, adm^r.

The State of Ohio, Union County ss.

Don Carmean, being duly sworn, says, that the facts stated in the foregoing petition are true, as he verily believes.

Don Carmean adm^r.

Real Estate
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On the report of
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Union County, Ohio.

9646

Brought before me, and signed in my presence this 11 day of June, 1922.
Seal W. H. Husted, Probate Judge
Journal Entry: Order for Private Sale.

In the matter of
The Estate of
Lester Clark, Deceased

Probate Court, Union County, Ohio,
Petition June 12th 1922.

This day this cause came on to be heard upon the petition herein filed 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 Dow Dearman as, admor 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 admor make return of proceedings herein, within 90 days from this date, and forthwith after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge.
Order of Private Sale, Personal Property,
Probate Court, Union County, Ohio,

In the matter of
The Estate of
Lester Clark, Dec'd

no. 9646,
Order of Sale of Personal Property.

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 Automobile 250.00 Corn crib estimated at 135.00 to be sold at market price. Said sale to be upon the following terms: Cash in hand at time of sale. You will make return of this order within four 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 day of June A. D. 1922. Seal W. H. Husted Probate Judge

Return,
Probate Court, Union County, Ohio,
Report of Sale of Personal Property.

In the matter of the Estate of
Lester Clark, Deceased.

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The undersigned Admr. of said estate, says that in obedience to the order of said Court, hereto attached, he sold said personal property for the sum of \$458.61 said sum being not less than the appraised value of the same.

A detailed Bill of Sales is hereto attached.

Dated this 30 day of September, 1922. Don Carmean, Admr.

Bill of Sale.

Automobile	\$250.00	Sold to H. F. Huffman & Co	\$250.00
29 in. 43 lbs comm			
at 757 par. in.	\$135.00	Emery Morrison	22.00
24 1/2 in Wells comm		Arthur Blaney	186.39
754 in.			

The State of Ohio, Union County.

Don Carmean, admr. of the estate of Lester Clark, Decd, being duly sworn, says that the foregoing Report is in all respects true and correct, that such sale has been made after a 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. Don Carmean, Admr.

known to before me and signed in my presence, this 30 day of September 1922. Clara B. Husted, Deputy Clerk

Journal Entry: Probate Court, Union County, O. September 30, 1922. In the matter of the Estate of Lester Clark, Decd. Sale of Personal Property Confirmed

The Admr. of the above named decedent, having filed his return of the order for private sale, of the personal property of said decedent, and the Court having carefully examined the same, find said proceedings in all respects regular and in accordance with law, and, therefore approve and confirm the same. W. H. Husted Probate Judge.

9831
Filer

April 15

In the matter of The Estate of William Shipley, Deceased, Petition to Sell Personal Property.

Probate Court, Union County, Ohio, No. 9831. 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 William Shipley, 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:

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 - To Sell
 Petition
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9831	1	Dist. Harrow	8.00	1	bow	40.00
		Riding Corn Plow	6.00		Spade	7.50
	1	Walking Corn Plow	2.00		Foot adze	2.00
	1/2	interest in Farming mill	.50	1	Sled	7.00
	1	Drag Harrow	1.00		7 3 bu. oats	20.00
	1	Breaking Plow	2.00	1/2	int. in Larn morn	3.00
	1	Log rack	2.50	1	Grind stone	1.00
	1	Water & wood moving machine	40.00	1	set of work harness	17.00
	1	Hay rake	2.50		Iron Kettle	3.00
	1	Ladder	2.00	1	Fly net	2.00
	1	Box	1.50		Rope	1.00
	1	set of 200 sled runners	2.00			
	1	Hay and Hog rack	10.00		Total,	\$ 416.50
	1/2	interest in Deering Wheat binder	20.00			
	1	1917 Ford auto	130.00			
	1	Wagon	52.00			
	1	Wagon bed	10.00			
	1	Three horse double tree	1.00			
	1	Bench	1.00			

Said Authority is asked for the following reasons:
 That I can sell to a better advantage privately.
 Fred Shipley.

The State of Ohio, Union County, Ohio.
 Fred Shipley being duly sworn, says that the facts
 stated in the foregoing petition are true, as he
 truly believes.
 Done to before me and signed in my presence, this
 15th day of April, 1922.
 W. H. Husted, Probate Judge.

9831 Journal entry: Order for Private Sale -
 Probate Court, Union County, Ohio.

In the matter of the Estate of William Shipley, Deceased, Personal Property, Order of Sale.
 April, 15th 1922. Petition To Sell
 This day, this cause came on to be heard upon the petition
 herein filed, 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 Fred Shipley as executor 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:
 to sell in hand at time of sale. It is further
 ordered that said Executor make return of proceedings

9831

herein, within six months from this date, and forthwith after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge.

Order of Private Sale, Personal Property,

Probate Court, Union County, Ohio

In the matter of the estate of William Shipley, deceased.

To Fred Shipley, Executor.

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 Disc Harrow	\$ 8.00	1. Cow	40.00
1 Riding Plow	6.00	1. Spade	.75
1 Working Corn Plow	2.00	1 Foot adz	.25
1/2 Interest Farming mill	.50	1 sled	7.00
1 Drag Harrow	1.00	7 1/2 bu. oats	25.50
1 Bedding Plow	2.00	1/2 Int. in lawnmower	3.00
1 Hay Rack	2.50	1 Grind Stone	1.00
1 mowing machine	40.00	1 set work harness	17.00
1 Hay Rack	2.50	1 Iron Kettle	3.00
1 Ladder	2.00	1 Fly net	2.00
1 Box	1.00	1 rope	1.00
1 set bot sled runners	.25		
1 Hay and hay rack	15.00		
1/2 Interest in Deering binder	20.00		
1 1917 model Ford	100.00		
1 wagon	52.50		
1 " bed	10.00		
1 Three Cross double tree	1.00		
1 Bench	1.00		

Said sale to be on 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 15 day of April, A. D. 1922.

Return,

Probate Court, Union County, Ohio,

In the matter of the estate of William Shipley, deceased.

Report of Sale of Personal Property.

The undersigned Fred Shipley, as executor, of said estate says that in obedience to the order of said Court, hereto attached, he sold said personal property at various dates, commencing on the 15 day of April 1922, and closing on the 11th day of October 1922, for \$ 300.47 said sum

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 County, Ohio
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being not less than the appraised value of the same,
 a detailed Bill of Sales is hereto attached,
 Dated this 11 day of October, 1922. Fred W. Shipley

Bill of Sales.

1 Disc Harrow	8.00	Edwin Shipley	8.00
1 Riding Plow	6.00	Paul Dulcine	7.00
1 Walking Corn Plow	2.00	Wm Hayes	2.00
1/2 Int. in family mill	.30	Gar Serran	.50
1 drag Harrow	1.00	Edwin Shipley	1.00
1 Breaking Plow	2.00	" "	2.00
1 Log rack	2.00		
1 mowing machine	40.00	Beant Keller	40.00
1 Hay Rake	2.00	Tom Vancouver	3.00
1 Ladder	2.00		
1 Box	1.50	Gar Serran	1.00
1 set of bob sled runners	2.00	Tipton Co	2.00
1 Hay and log rack	10.00	J. S. Maxwell	10.00
1/2 Int. in Durmy wheat Binder	20.00	Tipton Co	20.00
1 1917 model Ford	100.00	Wm Craig	100.00
1 wagon	52.50	Harry Dmohor	35.00
1 " " bed	10.00	Tipton Co	5.00
1 Three Rows Double Fur	15.00		
1 Bench	1.00	E. L. Shipley	1.00
1 Cow	40.00	Frank Hoeyer	40.00
1 Spade	.75	E. L. Shipley	.75
1 Foot adz	2.00	Tipton Co	2.00
1 sled	7.00	E. L. Shipley	7.00
20 Bu. oats	25.50	Edwin Shipley, Mary Fulton W. L. Elliott	34.95
1/2 Interest in Lawn Mower.	3.00	E. L. Shipley	3.00
1 Grind Stone	1.00	" "	1.00
1 set work harness	17.00	Edwin Shipley, W. L. Elliott	13.00
1 Iron Kettle	3.00	E. L. Shipley	3.00
1 Fly net	2.00	" "	.25
1 Rope	1.00	Tipton Co	1.00
		Total-	350.45

The State of Ohio, Union County.

Fred W. Shipley, Executor, of the estate of William Shipley deceased, being duly sworn, says that the foregoing Report is in all respects true and correct, that such sale has been made after a diligent endeavor to obtain the best prices for the property, and that the sale reported is for the highest price he could get for the property.

Done to before me, and signed in my presence this 11 day of Oct. 1922. *W. B. Husted* Probate Judge

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9531

Journal entry: Probate Court, Union County, O. October 11th 1921.
In the matter of the Estate of William Shipley, deceased. Sale of Personal Property confirmed.

The Executor of the above named decedent, having filed his return of the order heretofore issued for private sale of the personal property of said decedent, and the Court having carefully examined the same, find said proceedings in all respects regular and in accordance with law, and therefor approve and confirm the same.

H. B. Husted, Probate Judge

95-34
Filed
Feb. 2-1921.

In the matter of the Estate of Geo. W. Longbrake, deceased.
Petition to Sell Personal Property.

In the matter of the Estate of Geo. W. Longbrake, deceased.

Probate Court, Union County, Ohio,
no. 95-34 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 Geo. W. Longbrake, 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 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:

9 Tons	Alfalfa hay, barn, home place	110. ⁰⁰
3	Mixed " " " "	25. ⁰⁰
1	" " " "	15. ⁰⁰
680-	bu. Corn	376. ⁷⁵
15-	Posts	5. ⁰⁰
15. ⁰⁰ #	Hay in mow at residence	10. ⁰⁰

Said authority is asked for the following reasons: owing to the expense of conducting a public sale and the small number and variety of articles, I think I can sell to better advantage at private sale.

Mark F. Longbrake

The State of Ohio, Union County, ss.

Mark F. Longbrake, being duly sworn, says that the facts stated in the foregoing petition are true, as he verily believes.

Mark F. Longbrake

Sworn to before me, and signed in my presence, this 2. day of February 1921.

Edward H. Porter Probate Judge

95-34

Journal entry: Orders for Private Sale, Personal Property.

In the matter of the Estate of Geo. W. Longbrake, deceased.

Probate Court, Union County, Ohio,
February 2-1921. Petition to Sell Personal Property. Orders of Sale.

95-34

Handwritten notes on the right margin of the page, including the number 95-34 and various illegible words.

Dec. 11th 1922.
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95-34 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 Mark F. Longbrake, as executor, of said estate of Geo. W. Longbrake, 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 ten 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 payments to bear interest 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 executor make return of his proceedings herein, within six months from this date, and forthwith after such sale is made, and this cause is continued. Edward W. Potter, Probate Judge.

95-34 Order of Sale, Personal Property, Probate Court, Union County, Ohio.

In the matter of the estate of Geo. W. Longbrake, deceased. No. 95-34 Petition to Sell Personal Property. Order of sale to Mark Longbrake, executor.

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 Geo. W. Longbrake, to-wit:

9	2000	Dejeffa hay - barn.	home place -	110.00
3		Mixed	" "	25.00
1			Black, Coulter Place	15.00
6	85	br. corn		376.75
15		Pods		5.00
1500		# hay in mow at residence		10.00
				541.75

Said sale to be upon the following terms: Purchases amounting to Ten dollars (\$10-) or less, cash in hand at time of sale, Purchases above that sum a credit of not exceeding 6 mos. may be given.

The deferred payments to bear interest from date of sale, and to be secured by the note or bond of

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9534 the purchaser, with two or more approved sureties thereon, 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 2-day of February, 1921.

Edward W. Porter, Probate Judge

9534

Return

Probate Court, Union County, Ohio,

In the matter of the Estate of Petitioner, all Personal Property of Geo. W. Longbrake, deceased.

Report of Sale

The undersigned Mark F. Longbrake, executor of the estate of Geo. W. Longbrake, deceased, says that in obedience to the order of said court hereto attached, he sold said personal property, commencing on the 22-day of February 1921, and closing on the 17-day of May, 1922, for the sum of five hundred and fifty seven dollars and 41 cents, said sum being the appraised value of the same, a detailed Bill of said sales is hereto attached.

Dated this 25-day of November, 1922.

Mark F. Longbrake.

9534

- Bill of Sales -

1 Ton alfalfa hay	12.00	J. H. Ebricht	\$ 12.00
1500 ⁰⁰ Timothy hay	10.	J. J. Longbrake	10.00
2 ² Bu. Corn		Marysville Str. Co.	12.00
35 ⁵ "		Fred Schneider	200.90
37 "		J. H. Ebricht	22.44
150 ⁰⁰ Hay		Charles McCarty	.90
164 ⁵⁰ "		Marysville N. F. & F. Co.	82.42
Cash 230 bu.		Carl Wilson	115.00
L.R. Thompson hay stack			15.00
11 ² stack hay		Robt. Thompson	12.00
"		Carl Wilson	73.00
			557.41

9534

The State of Ohio, Union County, ss.
Mark Longbrake, executor of the estate of George W. Longbrake, 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.

Mark F. Longbrake.

Sworn to before me, and signed in my presence, this 25-day of November, 1922.

W. H. Busted, Probate Judge.

9534

Journal Entry:
In the matter of the Estate of George W. Longbrake, decd.
This day this cause came on to be heard on the report of Mark F. Longbrake, Executor, of the estate of

Petitioner, all personal property, Order approving and Confirming sale.

9534

9698
Filed
Oct. 26-
1921

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George W. Longbrake, 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 proceedings be recorded, and that said Executor pay the costs taxed.
 W.H. Husted, Probate Judge

9698
 Files
 Oct. 26-
 1921

In the matter of the estate of L. L. Curry, deceased.
 Petition to sell Personal Property.
 Probate Court, Union County, Ohio.

In the matter of the Estate of L. L. Curry, 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 L. L. Curry, 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:

4 Horses	225. ⁰⁰	6 Pigs	270. ⁰⁰
24 Shroats	240. ⁰⁰	2 Hogs	40.
10 Cattle	320. ⁰⁰	100 chickens	62.50
77 Sheep	388. ⁰⁰	337 Shroats cows	182.00
30 Lambs -	120. ⁰⁰	Farm implements	285.

Said authority is asked for the following reasons: that the said personal property will sell at a better advantage at private sale, than it will at public sale and will eliminate the expense of auctioneer and advertising etc.
 J. E. Curry,

The State of Ohio, Union County, ss.
 J. E. Curry, admr. being duly sworn, says, that the facts stated in the foregoing petition are true, as he verily believes.
 J. E. Curry

Subscribed to before me and signed in my presence, this 26-day of October 1921.
 W. H. Husted Probate Judge.

9698

Journal Entry: Orders for Private Sale.
 Probate Court, Union County, Ohio.
 In the matter of the Estate of L. L. Curry, deceased. Wednesday, October 26-1921.
 Order of Sale -

9698 This day this cause came 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.E. Curry, as admr. of said C.L. Curry, deceased, 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 admr. make return of proceedings herein, within 30 days from this date, and forthwith after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge.

9698

Order of Sale, Personal Property.

Probate Court, Union County, Ohio
 vs. 9698 Petition to Sell Per. Property

In the matter of the estate of
 C.L. Curry, Deceased.

Order of Sale.

J.E. Curry, as admr. of the estate of C.L. Curry, Decd. The 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 C.L. Curry, decd.

4	Horses	225.00
24	Shoats	210.00
10	Cattle	320.00
77	Sheep	385.00
30	Lambs	120.00
6	Pigs	220.00
2	Hogs	40.00
100	Chickens	62.50
337	Shucks corn	182.50
	Farm implements	285.00
		2050.00

Said sale to be upon the following terms: cash in hand on day of sale. You will return this order within 30 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 26th day of October, 1921.

W. H. Husted,
 Probate Judge.

9698

9698

Partial view of the right page of the ledger, showing entries for various items and amounts.

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9698

Return

Probate Court, Union County, Ohio,
 In the matter of the Estate of C. L. Curry, deceased.
 Report of Sale.
 The undersigned J. E. Curry, Admin. of the estate of
 C. L. Curry, decd. says that in obedience to the order of
 said Court, hereto attached, he sold said personal
 property, at private sale, for the sum of Two thousand
 ninety four dollars, and, thirty seven cents, said sum
 being ~~more~~ more than the appraised value
 of the same. A detailed Bill of said Sale is
 hereto attached, dated the 20-day of December, 1922.
 J. E. Curry, Admin.

9698

Bill of Sales

4	Horses	225. ⁰⁰	W. C. Atkins	225. ⁰⁰
24	Shoats	210. ⁰⁰	F. C. McCampbell	210. ⁰⁰
10	Cattle	320. ⁰⁰	J. M. Curry & W. C. Atkins	320. ⁰⁰
77	Sheep	385. ⁰⁰	" " "	385. ⁰⁰
30	Lambs	120. ⁰⁰	F. C. McCampbell	120. ⁰⁰
6	Sow with pig	220. ⁰⁰	J. M. Curry & W. C. Atkins	220. ⁰⁰
2	Pigs (1 boy dead)	40. ⁰⁰	" " " " 1 boy	25. ⁰⁰
100	Chickens	62.50	W. C. Atkins	84.37
337	Shock of Corn	182.50	J. M. Curry	180. ⁰⁰
	Farm implements	285. ⁰⁰	W. C. Atkins	285. ⁰⁰
	Hay not on this order of sale			40. ⁰⁰
				\$ 2094.37

The State of Ohio, Madison County, ss.
 J. E. Curry, Admin. decd. 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.
 Done to before me and signed in my presence, this 20-
 day of December, 1922.
 Howard C. Black, Notary Public

9698

Probate Court, Union County, Ohio,

In the matter of the Estate of C. L. Curry, deceased.
 Order approving and Confirming Sale.
 This day this cause came on to be heard on the
 report of J. E. Curry, Admin. of the estate of C. L. Curry,
 decd. of his proceedings under the former order of this
 Court; the Court having carefully examined said report
 and 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.
 H. B. Husted, Probate Judge

9698
files
July 24
1922

In the matter of the Estate of N. L. Curry, Deceased,
Petition To Sell Personal Property.

Probate Court, Union County, Ohio,
no. Petition to Sell
Personal Property. Petition.

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified admr. of the estate of N. L. Curry, 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.

His 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:

our Government 4 1/4 % bond. 500.00

Said authority is asked for the following reasons:

That it is necessary to sell said bond to pay taxes etc. and that it will sell to a better advantage to sell at private sale.

J. E. Curry, admr.

The State of Ohio, Union County, ss.

J. E. Curry being duly sworn, says, that the facts stated in the foregoing petition are true, as he verily believes.

J. E. Curry, admr.

Given to before me and signed in my presence, this 24 day of July, 1922. W. B. Busted, Probate Judge

Journal Entry! Order for Private Sale

Probate Court, Union County, Ohio.

In the matter of the Estate of N. L. Curry, Deceased, July 24-1922.

Order of Sale.

This day this cause came on to be heard upon the petition herein filed and the testimony J. E. Curry, admr. 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. E. Curry, as admr. 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 admr. make return of his proceedings herein, within 30 days, from this date, and forthwith after such sale is made, and

this cause is continued. W.H. Husted, Probate Judge.
Order of Private Sale, Personal Property.

Probate Court, Union County, Ohio,
In the matter of the Estate of
of C. L. Curry, deceased, of Personal Property, Order of Sale

To J. E. Curry, admr. of the estate of C. L. Curry, 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: one Gov. 4 1/4 of Bond \$500
said sale to be on the following terms, each 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 24 day of July A.D. 1922.

Return

Probate Court, Union County, Ohio,
In the matter of the Estate Report of Sale of Personal Property
of C. L. Curry, deceased.

The undersigned J. E. Curry, admr. of said estate,
says that in obedience to the order of said
Court, hereto attached, he sold said personal
property at private sale, for the sum of five
hundred dollars, said sum being not less than
the appraised value of the same. A detailed
Bill of said sales is hereto attached. Dated this
20 day of December, 1922. J. E. Curry, admr. of C. L. Curry, decd.

Bill of Sale -

one Government 4 1/4 of Bond, 500 -
Sold on the market thro the First State Bank Plain City, O. \$500
The State of Ohio, Madison County,
J. E. Curry, Admr. of the estate of C. L. Curry, decd,
being duly sworn, says that the foregoing Report is
in all respects true and correct, that such sale
has been made after a 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.
J. E. Curry,

Shown to before me, and signed in my presence, this
20 day of December, 1922.

[Seal]

Howard Black,
Notary Public

Journal Entry: Probate Court, Union County, O. December 21- 1922
In the matter of the Estate of Sale of Personal Property confirmed,
C. L. Curry, Deceased.

9948

The said J. E. Curry, Adm. of the above named decedent
having filed his return of the order heretofore issued for
private sale of the personal property of said decedent, and the
court having carefully examined the same, find said
proceedings in all respects regular and in accordance
with law, and, therefore approve and confirm the same.
W. B. Husted Probate Judge.

9948
Filed
Nov. 11- 1922.

In the matter of the Estate of Aldion E. Porter, Deceased,
Petition to Sell Personal Property.

In the matter of the Estate of no. 9948, Aldion E. Porter, Deceased, Property
Petition
of the Judge of said Court.

9948

The undersigned respectfully represents that he is the
duly appointed and qualified adm. of the estate of
Aldion E. Porter, 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. I 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: One Ford Car, model 1916 -

Said authority is asked for the following reasons:
1. Because said machine is the only chattel
property appraised, and it would on that account,
occasion a needless expense to offer said machine
at public sale. 2. Because it will be much
cheaper to sell said property at private than at public
sale, and the chance is that more money can be
realized.

Murrow E. Shirk Adm.,

The State of Ohio, Union County, ss.

Murrow E. Shirk, adm., being duly sworn, says that
the facts stated in the foregoing petition are true, as he
truly believes.

9948

Subscribed before me, and signed in my presence this
9- day of November, 1922. W. B. Husted Probate Judge
Journal Entry: Order for Private Sale -

9948

In the matter of the Estate of
Aldion E. Porter, Deceased

Probate Court, Union County, Ohio
Nov. 11- 1922
Order of Sale -

This day this cause came on to be heard, upon the
petition herein filed and the testimony Murrow E. Shirk,
Adm., and the Court being fully advised in the
premises finds that the statements and allegations

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... Probate Judge,
... deceased,
... Personal

9948

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 Morrow E. Shirk as admr. 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 60 days from this date and forthwith after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge

9948

Order of Private Sale - Personal Property

Probate Court, Union County, Ohio.

In the matter of the Estate of Aldion E. Porter, deceased, Order of Sale of Personal Property, To Morrow E. Shirk, admr. Estate of Aldion E. Porter, 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:

one Ford Car, model, 1916 model, \$50 - sold to O. A. Conrad \$50.00

Said sale to be on the following terms: Purchase amounting to sixty dollars (\$60.00) or less, cash in hand at time of sale. You will make return of 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 11- day of November, A. D. 1922. W. H. Husted Probate Judge

9948

Return

Probate Court, Union County, Ohio.

In the matter of the Estate of Aldion E. Porter, deceased, Report of Sale of Personal Property

The undersigned Administrator of said estate, says that in obedience to the order of said Court, hereto attached, he sold said personal property to O. A. Conrad commencing on the 11- day of November, 1922, and closing on the 11- day of November, 1922 for the sum of Fifty Dollars said sum being not less than the appraised value of the same. A detailed Bill of said sales is hereto attached, Dated this 13 day

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day of November, 1922. Morrow E. Shirk, Adminr.
 Bill of Sale -
 One Ford Car, model 1916 roadster \$50.00 - O. A. Couard \$50.00
 The State of Ohio, Union County.
 Morrow E. Shirk, Adminr. of the estate of Aldion E. Porter
 deceased, being duly sworn, says that the foregoing Report
 is in all respects true and correct, that such sale has
 been made after a 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.
 Morrow E. Shirk, Adminr.
 Done to before me and signed in presence. This 13 day of
 November, 1922. ^{my} Seal W. H. Busted, Probate Judge

9430

9948

Journal Entry: Probate Court, Union Co., Ohio, November, 13th, 1922.
 In the matter of the estate of Sale of Personal Property Confirmed
 Aldion E. Porter, deceased.
 The Administrator of the above named decedent having
 filed his return of the order heretofore issued for the sale
 of the personal property at private sale, of said decedent,
 and, the court, having carefully examined the same,
 find said proceedings in all respects regular and in
 accordance with law, and, therefore approves and
 confirms the same. W. H. Busted, Probate Judge

Petition

9430
 Filed
 James D. 1920
 E. W. Porter
 and
 John M. Boudel
 attys.

Petition for Sale of Real Estate to pay Debts.
 probate Court, Union County, Ohio,
 No. 9430
 W. O. Lambert, Administrator
 with the Will annexed, of
 The Estate of
 John W. Adams, deceased.
 Plaintiff.
 vs.
 Defendants:

Petition to Sell Real Estate.
 Petition.

David Adams,
 Edward Adams,
 Loretta Adams Lambert,
 William W. Adams, Adminr.
 Sarah J. Adams,
 Mary S. Adams,
 Julia Adams,

Petition

The Plaintiff represents that he is the duly appointed
 and qualified Administrator with the Will annexed,
 of the estate of John W. Adams late of Union County,
 Ohio, deceased, that the amount of debts due
 from the deceased is Four Hundred Dollars
 as near as can be ascertained, of which the
 following is a partial schedule, to-wit:
 C. J. Barnum, cash for widow \$260.00; cars of

9430

943.

body \$25.⁰⁰; delivery to R. R. \$10.⁰⁰; Edward Adams, transportation of body \$31.⁰⁰; Dexter Ketch \$30.⁰⁰; Digging grave \$10.⁰⁰. Total \$366.⁰⁰; 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 decedent is none - being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said John W. Adams, died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio to-wit:

Part of Survey No- 3682 and 3881. Beginning at two ashes and two swamp beeches both dead: thence N. 54 1/2° E. 273 3/5 poles to a stake; thence S. 36° E. 57 1/4 poles to a stake; thence S. 54° W. 223 3/5 poles to a stake in the line of S. D. Robinson; thence N. 36° W. 52 1/4 poles to the place of beginning, containing twenty-three acres, more or less.

Petitioner

The said decedent died leaving a widow who has since died; that the defendants, David Adams, and Edward Adams, are sons of said John W. Adams, deceased; that the defendant Lortia Adams, Lambert, is the daughter of Charles W. Adams, who was a son of said John W. Adams, deceased, and who died subsequent to the death of said John W. Adams; that said Mary B. Adams, is the widow of said Charles W. Adams, and is entitled to dower in said Charles W. Adams share of said lands; that the defendant Sarah J. Adams is the widow of Albert Adams, deceased, who was a son of said John W. Adams, deceased, and who died subsequent to the death of said John W. Adams leaving no children, and said Sarah J. Adams is entitled to a life estate in the share of said Albert Adams; that the defendant William W. Adams, who is a minor eleven years old is a son, and the defendant Lena Adams is the widow of William Adams, deceased, who was a son of said John W. Adams, and who died subsequent to the death of said John W. Adams, and may be fully determined, adjusted and protected according to equity, that subject to the dower therein of said Lena Adams, said William W. Adams, is entitled to the share of said William Adams. Plaintiff therefore pray that he 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

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The State of Ohio, Franklin County, ss.

Oral

W. O. Lambert, 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. O. Lambert.

Done to before me and signed in my presence this 24th day of June, 1920.

W. A. Riche, Notary Public

Probate Court, Franklin County, Ohio

9430

W. O. Lambert, Adm. with the Will annexed, of the estate of John W. Adams, deceased.

no. 9430

Præcipe.

To the Probate Judge:

Præcipe.

P. Plaintiff.

David Adams, Defendants.

Issue summons for said

William W. Adams, a minor under 14 years of age and who resides with his mother, Lena Adams, at Pecos, Texas. Defendant directed to David Adams, returnable according to law.

John W. Bowditch, Pl. atty

9430

Filing ruling

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

June 20th 1920.

Case no. 9430.

W. O. Lambert, Adm. of the estate of John W. Adams, Decd.

P. Plaintiff

David Adams, Edward Adams

Journal Entry.

Louisa Adams, Lambert.

Filing Petition to Sell.

William W. Adams, a minor.

Re: estate.

Sarah J. Adams.

Mary S. Adams, and

Lena Adams, Defendants.

This day came the Plaintiff W. O. Lambert, Adm. with the will annexed, of the estate of John W. Adams, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said John W. Adams, 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 case is continued.

Edward H. Porter, Probate Judge.

9430

Summons-

Probate Court.

Summons

The State of Ohio, Union County, ss.

To David Adams, Greeting:

You are commanded to notify William W. Adams, a minor under the age of 14 years, and Lena Adams, the mother, and with whom said minor resides

9430

Summons.

9430

Waiver

9430

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 W.C. Lambert, adur, with the will annexed, of the estate of John W. Adams, in the Probate Court of Union County, and that unless he answers by the 6-day of July, 1920, the petition of said Plaintiff against him, 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 1st day of July, 1920.

Summons.

Witness my hand and the seal of said Court, this 25th day of June, 1920. Edmond H. Porter, Probate Judge, and Ex. officio Clerk of the Probate Court of said County.

The State of Tenn., Renss County, ss.

I, David Adams 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: June 28-1920, to William W. Adams, and also, as to the within named minor defendant June 28th 1920, to Lena Adams, the mother, and the person with whom such infant resides. The father being dead, and said infant not having any guardian.

David Adams.

Known to before me and signed in my presence, this 28th day of June 1920. W.T. Browning, Notary Public.

9430

Waiver

In the Probate Court of Union County, Ohio,

W.C. Lambert, adur, etc.,
of the estate of
John W. Adams, decd.
Plaintiff.

vs. 9430

Petitioner to sell Real Estate,

David Adams,
Edward Adams,
Lotta Adams Lambert,
William W. Adams, a minor,
Sarah J. Adams,
Mary S. Adams, ^{ans.}
Lena Adams, Defendants.

Waiver of Process
ans.

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 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

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 hereby waived and consent that said petition may be heard at such time as may be by the Court ordered.
 David Adams, Loretta Adams Lambert, Mary S. Adams, Tena Adams, Mrs W. Adams minor, Edward Adams, Sarah J. Adams.

9430
 Order for Appraisement.
 Probate Court Union County, Ohio.

order for appraisement
 W. O. Lambert, adur, etc.,
 of the estate of
 John W. Adams, dec'd.
 v. Plaintiff
 David Adams et al
 Defendants.

July, 7th 1920.
 No-9430.
 Journal entry.

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 set the real estate therein described to pay the debts of the said John W. Adams deceased. It is therefore ordered and adjudged by the Court that the said premises be appraised free of debt, by the oaths of Forest A. Holyoake, Thomas J. Dodge, and Grant E. Herrick, 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.

Order of Appraisement

9430
 Order of appraisement
 The State of Ohio, Union County ss. Probate Court.
 I, W. O. Lambert, adur, of estate of John W. Adams, 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 adur, as aforesaid are Plaintiff and, David Adams, et al, are Defendants, you are commanded that by the oaths of Forest A. Holyoake, Thomas J. Dodge, and, Grant E. Herrick, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of that 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 debt, therein, to wit: Situate in the County of Union and State of Ohio, to wit: Part of Survey, No- 6682 and 3881, Beginning at two ashers and two spruce beeches both dead; thence N 54 1/2° E, 223 3/4 poles to a stake; thence S. 36° E, 52 1/4 poles to a stake; thence S. 54° W, 223 3/4 poles a stake in the line of S. D. Robinson; thence N. 36° W, 52 1/4 poles to the place of beginning, containing Seventy three acre more or less.

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You will make return of your proceedings herein to our said Probate Court, forthwith upon the 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 7th day of July, 1920.

Eduard W. Potter, Probate Judge.

9430

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 1st day September, 1922.

W. O. Lambert, Adm'r

9430

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. J. Dodger, M. E. Herriott, Jacob Fisher, Appraisers

Done to before me, and signed in my presence, this 7th day of July, 1920.

Peter Fisher, Notary Public.

9430

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 Six thousand, five hundred and seventy dollars.

Given under our hands, this 7th day of July, 1920.

J. J. Dodger, M. E. Herriott, Jacob Fisher, Appraisers.

9430

Journal Entry:

In the Probate Court, Union County, Ohio.

W. O. Lambert, Adm'r, with the Will annexed, of the estate of John W. Adams, deceased

vs. 9430

Approving appraisement

David Adams, et al. Defendants.

approving appraisement etc.

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; and it further appearing to the Court that a sufficient bond has

9430

has already been given by said plaintiff. additional bond is dispensed with. On motion of the plaintiff and for good cause shown said plaintiff is authorized in his discretion to employ an auctioneer to cry said sale at an expenditure not to exceed the sum of \$--.

It is now ordered that W. O. Lambert, as such administrator with the will annexed, proceed to advertise for sale on the premises the real estate in the petition described as provided by law; and that he sell the same at not less than two-thirds of the appraised value thereof, on the following terms, to wit: cash in hand on day of sale, and said plaintiff is ordered to make return to this Court immediately after said sale.

September 1- 1927

W. B. Busted, Probate Judge

9430

Order of Sale, Free of Debt.

J. W. O. Lambert, as. Adm. with Will annexed, of the estate of John H. Adams, deceased. Pending.

Order

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 John H. Adams, deceased, are Plaintiff and, David Adams, Edward Adams, Loretta Adams Lambert, William H. Adams, et al, are defendants, you are commanded to proceed according to law, to sell at public sale, for not less than 2/3 of the appraised value, thereof free of debt, the following described premises, to wit: Part of Survey no. 3682 and (388) beginning at two ashes and two swamp bushes, both dead; thence N. 54 1/2° E. 225 3/4 poles to a stake; thence S. 36° E. 52 1/4 poles to a stake; thence S. 54° W. 223 1/2 poles to a stake in the line of S. D. Robinson; thence N. 36° W. 52 1/4 poles to the place of beginning. Containing seven or thereabouts acres, more or less.

Said sale to be free of debt, and, to be upon the following terms: Cash in hand. 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 1- day of September A. D. 1927.

W. B. Busted, Probate Judge

9430

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 21st of October 1927.

W. O. Lambert, Adm. with the Will Annexed.

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Report

Report of Sale. In obedience to the within order, I duly adver-

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Report of Sale.

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Confirming Sale

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Report of sale.

tised 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 21st day of October 1922, the day of sale, 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 on the premises herein described and offered said real estate for sale, free of down. Edward Adams bid to pay for the same the sum of Forty-three hundred and eighty dollars, which being the highest and best bid that was offered, and being two-thirds of the appraised value of said premises, I then and there sold the same to him for that sum. W. O. Lambert, Adm. inter. Will annexed.

Dated the 21st day of October 1922.
The State of Ohio, Union County.
The above named W. O. Lambert, administrator with the Will annexed, of the estate of John W. Adams, 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. W. O. Lambert, adm. etc.

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Journal Entry: Edward W. Foster, Notary Public, Minn. Co. D.
Probate Court, Union County, Ohio,
Saturday, October 21- 1922.
W. O. Lambert, as adm. of
The Estate of John W. Adams, dec'd.
Plaintiff
Proceeding to Sell
Real Estate.

Confirming Sale

David Adams, et al. Defendants Confirming Sale
This day this cause coming on to be heard on the return of W. O. Lambert, administrator with the Will annexed, of the estate of John W. Adams, 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 found hereby is approved and confirmed; and it is further ordered that said W. O. Lambert as such, Administrator, etc. make to the purchaser Edward Adams, a good sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said Adm. etc., pay the costs herein taxed at \$ -- within ten days.
W. H. Busted. Probate Judge

9430

Public Sale of Real Estate

W. O. Lambert, administrator of the estate of John W. Adams, deceased. In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale, at public auction, on Saturday, October 7, 1922, at one o'clock, p.m. on the premises the following described real estate, situated in Jerome Township, Union County, Ohio, to-wit: Part of Survey No. 3682 and 3881 beginning at two ashes and two stump bushes both dead; thence N. 54 1/2° E. 723 3/5 poles to a stake; thence S. 36° E. 52 1/4 poles to a stake; thence S. 54° W. 223 1/5 poles to a stake in the line of S. D. Robinson; thence N. 36° W. 52 1/4 poles to the place of beginning, containing seventy-three acres more or less.

Legal Notice

Appraised at \$6575.00 free of duty. Terms cash.
 W. O. Lambert, admr. with the last amended of the Estate of John W. Adams, ^{Deceased}
 E. W. Porter atty. for admr. etc. Sept. 6-1922 - 4th.

The 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 four consecutive weeks on and next after September 6-1922, in the Mansfield Tribune a newspaper of general circulation in the county aforesaid.

John B. Shearer

Given to before me and signed in my presence this 30th day of September A.D. 1922.
 Printed fees \$8.75
 J. M. Huber, Notary Public

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

Jan. 29-1921. Adalbert B. Rausch, administrator, of the estate of Lena Rausch M^cCarty, deceased.
 Plaintiff

No. 9553 Civil action.

Adalbert Rausch, Alma Cornelia Myer, Emma Adam Ludvig Rausch, Harold August Ludvig Rausch, and William M^cCarty and Andy M^cCarty Defendants.

Petition to sell Real Estate, Petition.

Petition

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Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Lena Rausch M^cCarty, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is ----- as near as can be ascertained; that the charges of administration of said estate will amount to about One Hundred and ⁷⁵/₁₀₀ 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

Filing Petition to sell Real Estate

95-53

that said Lena Rausch McCarty 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 and being part of Out-lot No. 36 bounded and described as follows: Beginning at a stake in the south line of Fourth Street, S. 84° E. 49.33 feet from an iron rod in the northeast corner of C.L. Robinson's lot; thence with the south line of said Street S. 84° E. 49.33 feet to a stake; thence S. 6° W. 150 feet to a stake; thence N. 54° W. 49 feet to a stake; thence N. 6° 150 feet to the beginning.

The said decedent died leaving the defendant Andy McCarty her widow who is entitled to dower in said premises; that the defendants, Adelbert Bryan Rausch, Alma Cornelia Myers, Lena Adam Ludwig Rausch, Harold August Treating Rausch, and William McCarty, are the only heirs of said decedent, having the next estate of inheritance from said Lena Rausch McCarty deceased in said premises; that the defendants,

The Plaintiff therefore prays that the dower of said Andy McCarty in said premises, may be assigned and set off to him; and that your petitioners 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.

The State of Ohio, Union County, ss.

Adelbert Bryan Rausch, 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.

Adelbert B. Rausch, Adm'r.

Sworn to before me, and signed in my presence, this 26-day of January, 1921. C. A. Hobbs, Notary Public

95-53

Journal Entry: In the Probate Court of Union County, Ohio, of the January, 26 - 1921. Estate of Lena Rausch McCarty, no. 95-53, Journal Entry.

Filing Petition to Sell Real Estate

Plaintiff, Adelbert B. Rausch, et al. Defendants. Filing Petition to Sell Real Estate.

This day came the Plaintiff Adelbert B. Rausch, Adm'r., and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Lena Rausch McCarty, 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

John W. order of the for sale, at me o'clock, estate, lie, to wit: to two acres 5-4 1/2 E. pole to a in the the place more or less. ash. land Adams, Dec. 1922 - 4th. and made is here to on and Tribune county presence Public: Pay debts. city, Ohio. tion. Estate, m. appointed Lena Rausch that she rger of ad at One value of the is but -- e debts Per represents

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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. Potter, Probate Judge.

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Summons.

The State of Ohio, Union County ss.

To, Adalbert B. Rausch, Union County, Greeting:

Summons

You are commanded to notify Harold August Treating Rausch and William Mc-Carty making service of this summons upon them and also if either of these 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 Adalbert B. Rausch, Administrator in the Probate Court of Union County, and that unless they answer by the 21st day of February, 1921, 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 7th day of February, 1921.

Witness my hand and the seal of said Court, this 26th day of January, 1921. ^{Seal} Edward H. Potter Probate Judge.

The State of Ohio, Union County ss.

9553

Writ

I, Adalbert B. Rausch, 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: 1-26-1921, to William Mc-Carty, and Harold August Treating Rausch, minor defendant, and to Andy Mc-Carty, the guardian of Harold August Treating Rausch, and father of said William Mc-Carty, such infants.

Adalbert B. Rausch.

Sworn to before me, and signed in my presence, this 29th day of January, 1921. ^{Seal} C. A. Hoopes, Notary Public.

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Writ

Writ.

In the Probate Court of Union County, Ohio,

Adalbert B. Rausch, Adm'r.

vs. Plaintiff

vs. Adalbert B. Rausch, et al.

Defendants

Consent To sell

That 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.

Anna Rausch, Alma Myers, Adalbert B. Rausch.

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Answer

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Answer of Widow

The Probate Court Union County, Ohio

Adelbert B. Rausch, admr.
of the estate of
Lena Rausch m^cCarty deceased,
vs Plaintiff

No. 9553

Answer of Widow.

Answer
of
widow

Adelbert B. Rausch, et al.
Defendants

Proceedings to Sell
Real Estate.

And now comes Andy M^cCarty, 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 Lena Rausch M^cCarty deceased, and as such, is entitled to dower in the premises described in said petition: that his age is -- 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 notes and bonds, 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.

Andy M^cCarty.

The State of Ohio, Union County,

Andy M^cCarty being duly sworn, makes oath that the facts stated in the foregoing answer are as he believes true.

Andy M^cCarty.

Promote by said Andy M^cCarty, before me, and signed by him in my presence this 26th day of January, 1921.

C. M. Hodges, Notary Public

9553

Application for Appointment of Guardian ad litem
Probate Court, Union County, Ohio.

Adelbert B. Rausch, admr.
vs Plaintiff

No. 9553

Appel-
for
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Adelbert B. Rausch, et al.
Defendants

Application

J. The Hon^{ble} E. W. Porter, Judge of said Court.

The undersigned Harold August Treatrick Rausch, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The Defendant William M^cCarty under the age of fourteen years, and has been duly served with summons herein. The undersigned suggests that Miss L. Myers, who is a suitable person be appointed as such Guardian ad litem

Respectfully,

Harold August Treatrick Rausch.

9553

Journal Entry appointment of Guardian ad litem.
 Probate Court, Union County, Ohio,
 August, 26-1921.
 no. 9553

Adelbert B. Rausch, admr.
 Plaintiff
 vs.
 Adelbert B. Rausch, et al.
 Defendants.

Appointment of Guardian ad litem.
 This day Harold August Treating Rausch 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 William M. Costney who is not the age of
 fourteen years, and has been duly and legally served
 with summons herein, it is ordered that Milo L. Myers
 be and 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,
 H. C. Busted, Probate Judge.

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Answer of Guardian ad litem.

Probate Court, Union County, Ohio,
 no. 9553

Adelbert B. Rausch, admr.
 Plaintiff
 vs.
 Adelbert B. Rausch, et al.
 Defendants.

Answer of minor Defendants,

Answer of Guardian ad litem

and now come the said Harold August Treating Rausch and William M. Costney 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 cause, and for such relief as may be just.

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orders on hearing for Private Sale

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Application to sell Real Estate at Private Sale.

Probate Court, Union County, Ohio,
 no. 9553

Adelbert B. Rausch, admr. of
 the estate of, Lura Rausch M. Costy, decd.
 vs.
 Plaintiff
 Adelbert B. Rausch, et al.
 Defendants.

Petition to Sell Real Estate, application.

Application of the Real Estate at Private Sale.

The said Plaintiff represents that it would be for the best interest of the said defendants to sell the real estate described in the petition in this case at private sale, for the following reasons:
 That said property can be sold for more money at private than at public sale. and he therefore asks for an order authorizing him to sell said

955-3

real estate at private sale. Adelbert B. Rausch, Adm.
The State of Ohio, Union County ss.
Adelbert B. Rausch being duly sworn, says that the
various matters set forth in the foregoing application
are true as he verily believes. Adelbert B. Rausch -
known to before me and signed in my presence this 26-
day of August, 1921. Jessie V. Southwick, Notary Public

955-3

affidavit

affidavit of Disinterested Person -
The State of Ohio, Union County ss.
William Winston and Luther Biggitt 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 whatsoever in the matter therein
referred to, and that it will be more for the interest
of the said defendants to sell said real estate
at private sale than at public sale as they verily
believe. Wm Winston Luther Biggitt
known to before me and signed in my presence this
26-day of August, 1921. Jessie V. Southwick, Notary Public

955-3

orders on
hearing
for
Private

Journal Entry: Order Ordering for Private Sale,
Probate Court, August 26 - 1921.
Adelbert B. Rausch, Adm.,
of the estate of Lena Rausch Mcarty, Dec'd.
Plaintiff

Sale - Adelbert B. Rausch et al. Defendant. 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,
and an appraisement of such estate is contained in
the inventory. It is ordered that another ap-
praisement be and hereby is dispensed with, and
the court being satisfied that it is necessary to sell
the real estate of said Lena Rausch Mcarty, 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 defendants
to sell the real estate described in the petition at
private sale. It is therefor further ordered that
said Adelbert B. Rausch, 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.

95-53 and said petition is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge.

95-53

Order of Sale.

The State of Ohio, Union County, ss.
 To Adalbert B. Rausch, Administrator of the estate of Lena Rausch M^cCarty, deceased. Greeting:

Probate Court.

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 Administrator of the Estate of Lena Rausch M^cCarty, are Plaintiff and Adalbert B. Rausch 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 Andrew M^cCarty, widow of Lena Rausch M^cCarty, deceased, the following described premises, to wit:

In the State of Ohio, County of Union and Village of Marysville. Part of out lot, No. 36, bounded and described as follows: Beginning at a stake in the south line of Fourth Street, S. 84° E. 49.33 feet from an iron rod in the northeast corner of C. L. Robinson's lot; thence with the south line of said street S. 84° E. 49.33 feet to a stake; thence S. 6° West 150 feet to a stake thence N. 54° W. 49 feet to a stake; thence N. 6° - 150 feet to the beginning.

Said sale to be to the highest and best bidder 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 26-day of August 1921.

W. H. Husted, Probate Judge.

95-53

Returns.

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 26-day of Aug. 1921.

Adalbert B. Rausch, Administrator.

95-53

Report of Sale.

Report

In obedience to the within order, I sold said premises on the 26-day of August, 1921, to Harmon Patch, for the sum of Five Hundred dollars, said sum being the appraised value of the same.

Adalbert B. Rausch, admin. of

The Estate of Lena Rausch M^cCarty, Deceased,
 Dated the 26-day of August 1921.

The State of Ohio, Union County, ss.

The above named Adalbert B. Rausch, Administrator of the estate of Lena Rausch M^cCarty, deceased, bring

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John Adams of et serv

orders. The approving and confirming sale.

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Filed May 1- 1922.

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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.

Adelbert B. Rausch, Admr.

95-5-3

Journal Entry: Probate Court, Union County, Ohio,

Adelbert B. Rausch, Administrator August, 26th 1921.

of the estate of
Anna Rausch McCarty, Deceased,
Plaintiff

Petition To Sell Real Estate

vs.
Adelbert B. Rausch, et al.
Defendants

Orders approving and
confirming sale-

Orders.
approving
and
confirming
sale.

This day this cause coming on to be heard on the report of Adelbert B. Rausch, administrator of the estate of Anna Rausch McCarty, deceased, of his proceedings and sale under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order, 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 Adelbert B. Rausch, et al. in said real estate to the purchaser, Harmon Patch upon the said purchaser executing to said petitioner a mortgage upon the premises sold to secure the deferred payments of the purchase money. It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$-- within ten days.

W. H. Husted, Probate Judge.

9860

Filed

May 1-
1922.

Petition for Sale of Real Estate to Pay Debts

Probate Court, Union County, Ohio,

No. 9860

G. A. Harris, Administrator
of the Estate of
Jesse Harris, deceased,
Plaintiff.

Civil Action
Petition To Sell Real Estate

vs.
Lillie V. Harris, adult, and
Walter D. Harris, Lonell B. Harris,
Robert J. Harris, Elmer A. Harris,
Minors.

Petition.

Defendants.

Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Jesse Harris, late of Union County, Ohio, deceased, under a

9860

bond of \$4600.00 that the amount of debts due from the deceased is Thirteen Thousand Dollars, as near as can be ascertained that the charges of administration of said estate will amount to about fifteen hundred dollars and that the total value of the personal estate and effects of said deceased is but twenty-six hundred dollars being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Jesse Harris 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 Washington and Burry 6-5 9916 and 9917 and bounded and described as follows: Beginning at the south-east corner of Burry No. 10971 thence N. 8° 30' W. 140 poles to a corner of Brogdon's land: thence with their consecutive lines of same land N. 83° E. 100 4/100 poles to a stone and thence S. 7° E. 139 7/100 poles to a stone and e. N. 84° 15' E. 70 5/100 to a large fence post N.W. corner to John B. Hendrix land: thence with the west line of said land S. 6° E. 111 poles to a stone in the center of the Byhalia and Coxy Branch Road: thence with the center of said road S. 62° 45' W. 12 5/100 poles and S. 44° W. 74 1/100 poles to a stone S.E. corner to William B. Berry's land: thence with four consecutive lines of said Berry's land, N. 6° 45' W. 162 5/100 poles to a stone: thence S. 79 1/2 W. three poles N. 7° W. 26 poles to a stone and S. 82° 30' W. 50 5/100 to a stone: thence S. 82° 30' W. 90 5/100 to a stone N.W. corner to J. Y. Haines land N. 7° 30' W. 111 6/100 poles to a stone N.E. corner to Sarah J. Fouts land N. 79° 15' E. 41 7/100 poles to the place of beginning, containing 161 acres, more or less.

The said decedent died leaving the defendant, Tillie V. Harris, his widow, who is entitled to dower in said premises; that the defendants Robert J. Harris, Elmer A. Harris, Walter D. Harris and Lowell B. Harris are the only heirs at law and next of kin of said decedent, having the next estate of inheritance from said Jesse Harris, deceased, in said premises.

The Plaintiff therefore prays that the dower of said Tillie V. Harris in said premises may be assigned and set off to her, and 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.

G. A. Harris, administrator 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, M. A. Harris, admin.

9860

Filing Petition To Null Real Estate

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main

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answer

of Widow

Sworn day of June A.D. 1916 The Tillie V. Harris Robert J. Harris Elmer A. Harris Walter D. Harris Lowell B. Harris M. A. Harris, admin. of the estate of Jesse Harris, deceased. The State of Ohio, Union County, ss. G. A. Harris, administrator 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, M. A. Harris, admin.

9860
 sworn to before me, and signed in my presence. This 1-
 day of May, 1922. Edward W. Porter, Notary Public Union Co. Ohio,
 Journal Entry: In the Probate Court of Union County, Ohio,
 M. A. Harris, Adm'r. of
 The Estate of Jesse Harris deceased
 Monday, May 1- 1922
 Case No. - 9860
 Plaintiff
 Lillie V. Harris, adult, and
 Walter D. Harris Lowell B. Harris,
 Robert J. Harris Elmer A. Harris
 Journal Entry,
 Filing Petition to Sell
 Real Estate.
 Micos. Defendants
 This day came the Plaintiff M. A. Harris, administrator
 of the Estate of Jesse Harris, deceased, and, presented
 to this Court his petition, duly verified, praying an order
 for the sale of real estate of the said Jesse Harris,
 deceased, to pay the debts, and the costs of ad-
 ministering 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.
 W. H. Husted, Probate Judge.

9860
 Waver
 In the Probate Court of Union County, Ohio,
 no. 9860
 M. A. Harris, Administrator
 of the Estate of
 Jesse Harris, Deceased.
 Plaintiff
 Lillie V. Harris, et al. Defendants
 Petition to Sell Real Estate,
 Waiver of Process, and
 Consent to Sell.
 The undersigned party defendant, in the above entitled
 cause for the sale of Real Estate of the estate of said
 Decedent to pay debts, hereby waives 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,
 Lillie V. Harris

9860
 Answer of Widow.
 In the Probate Court of Union County, Ohio,
 no. 9860
 answer of Widow.
 M. A. Harris, administrator
 of the Estate of
 Jesse Harris, Deceased.
 Plaintiff
 Robert J. Harris, et al.
 Defendants
 Proceeding to Sell Real Estate.
 And now comes Lillie V. Harris one of the defendants

9860

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 Jesse Harris, deceased, and, as such, is entitled to dower in the premises described in said petition; that her age is thirty-nine 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.

Jillie V. Harris

9860

Oath

The State of Ohio, Union County ss.
Jillie V. Harris, being duly sworn, makes oath, that the facts stated in the foregoing answer are as she believes, true.

Jillie V. Harris,

known to by said Jillie V. Harris, before me, and signed by her in my presence, this 1st day of May, A.D. 1922.

Edward W. Potter, Notary Public, Union County, Ohio.

9860

Summons.

The State of Ohio, Union County, Probate Court.
To the administrator of the Estate of Jesse Harris, Deceased you are commanded to notify Walter D. Harris, Lowell B. Harris, Robert J. Harris and Eliner A. Harris, minors, 1st day of May, A.D. 1922. M. A. Harris, admin. of the estate of Jesse Harris, 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 3rd day of June, 1922, said petition will be taken as true, and an order granted accordingly. Said administrator will make due return of this writ on the 15th day of May, 1922.

Witness my hand and the seal of said Court, this 1st day of May, 1922.

W. H. Husted, Probate Judge.

9860

Oath

The State of Ohio, Union County.
I, M. A. Harris being duly sworn, say, that on the 1st day of May, 1922, I served this writ by delivering a copy thereof personally to the following named persons, to wit: Walter D. Harris, Lowell B. Harris, Robert J. Harris, and Eliner A. Harris, minors.

M. A. Harris, admin.

Sworn to before me and signed in my presence, this 15th day of May, 1922.

Edward W. Potter, Notary Public, Union Co., Ohio

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Summons

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Order

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Summons.

Summons

The State of Ohio, Union County. To G. A. Harris:
 you are hereby commanded to testify the following named who are minors, to wit: Robert J. Harris, Elmer A. Harris, Walter D. Harris, and Lowell B. Harris, making service of this summons upon said minors, and also upon the guardian, or father, or if neither guardian or father can be found, then upon the mother, or the person having the care of said minors, or with whom they live: That on the 1st day of May, A.D. 1922, G. A. Harris, administrator of the estate of Jesse Harris, 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 3rd day of June, 1922, said petition will be taken as true, and an order granted accordingly. The server will make due return of this writ on the 15th day of May, 1922. This writ to be served on each of said defendants, by copy personally

Witness my hand and the seal of said Court, this 1st day of May, 1922. *W. H. Husted, Probate Judge.*

Return of Service

Received this writ on the 1st day of May, 1922, at 1.0 cent, A.M. and on the days and in the manner hereinafter named I served the same on the days and in the manner hereinafter named. I served the same on the within named defendants who are minors, May 1- 1922, on Tillie V. Harris, the guardian of the said Robert J. Harris, Elmer A. Harris, Walter D. Harris, and Lowell B. Harris, G. A. Harris, Adm.

The above named G. A. Harris who has signed the same, being duly sworn, says the foregoing Return of Service is true as he really believes.

Brought to before me and signed in my presence, this 2nd day of May, 1922. *Edward W. Porter, Notary Public, Union Co. Ohio.*

Order For Appraisement.

Probate Court, Union County, Ohio.

June 3- 1922.

9860

Order for appraisement

G. A. Harris, Administrator
 of the estate of
 Jesse Harris, deceased.
 vs.
 Plaintiff

No. 9860

Journal Entry.

Tillie V. Harris 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

9860

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 Jesse Harris, deceased. And Lillie V. Harris, the widow of the said Jesse Harris 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 Casper Haines, Edward Speer, and Deck Berry, 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. W. H. Husted Probate Judge.

9860

Order of appraisement.

The State of Ohio, Union County ss. Probate Court.
 To H. A. Harris, admr. of the Estate of Jesse Harris, deceased, Ketting:
 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 Jesse Harris, deceased, are Plaintiff and, Lillie V. Harris, et al. are Defendants, you are commanded that by the oaths of Casper Haines, Edward Speer, and Deck Berry, 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 Lillie V. Harris, therein, to wit: Situate in the County of Union, State of Ohio, and in the Township of Washington, and Survey No. 9916 and 9917, and bounded and described as follows: Beginning at the south-east corner of Survey No. 10971; thence N. 8° 30' W. 140 poles to a corner of George M. Temple's land; thence with three consecutive lines of same land, N. 83° E. 100 ⁴/₁₀₀ poles to a stone and thence S. 7° E. 139 ⁷/₁₀₀ poles to a stone and also, N. 84° 15' E. 70 ⁵/₁₀₀ to a large fence post N. W. Corner to John H. Hounding land; thence with the west line of said land S. 6° E. 111 poles to a stone in the center of the Byhalia and Essey Grand Road; thence with the center of said road, S. 62° 45' W. 12 ⁵/₁₀₀ poles and S. 44° W. 74 ⁵/₁₀₀ poles to a stone S. E. corner to William H. Berry's land; thence with four consecutive lines of said Berry's land N. 6° 45' W. 162 ⁵/₁₀₀ poles to a stone; thence S. 79 ¹/₂ W. 3 poles N. 7° W. 26 poles to a stone and S. 82° 30' W. 50 ⁵/₁₀₀ to a stone; thence S. 82° 30' W. 90 ⁵/₁₀₀ to a stone N. W. corner to J. H. Haines land, N. 7° 30' W. 111 ⁶/₁₀₀ poles to a stone N. E. corner to Sarah J. Font's land, N. 79° 15' E. 41 ⁴/₁₀₀ poles, to the place of beginning, containing

Order of appraisement within

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9860. 161 acrs. more or less. 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 3rd day of June, A.D. 1922. W. H. Husted, Probate Judge.

9860 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 29th day of June 1922. M. A. Harris, admr. as aforesaid.

9860 Oath of appraisers. The State of Ohio, Union County. 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. M. E. Speer, J. D. Berry, C. A. Haines appraisers. Sworn to before me, and signed in my presence, this 28th day of June, 1922. M. A. Harris, Administrator

9860 appraisers Return In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises, within described, we the undersigned appraisers, estimate the value of said real estate at Two thousand eight hundred and eighty dollars, free of said dower estate.

Sixty acres, more or less.	\$6600. ⁰⁰
One hundred one acres, more or less.	6280. ⁰⁰

Given under our hands, this 28th day of June, 1922. M. E. Speer, J. D. Berry, C. A. Haines appraisers.

9860 Journal entry: Probate Court, Union County, Ohio, June, 29th 1922. H. A. Harris Admr. of the Estate of Jesse Harris, dec'd. vs. Plaintiff Tillie V. Harris, et al. Defendants. Orders approving appraisement. Orders approving appraisement.

This day came the said Plaintiff, by his attorney, and produced to the Court the report of an appraisement herein made by M. E. Speer, J. D. Berry, and C. A. Haines 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 cause be continued until further order of Court. W. H. Husted, Probate Judge.

9860.

Journal Entry: Orders for Public Sale.
 Probate Court, Union County, Ohio.
 M. A. Harris, admr. of the Estate of Jesse Harris, deceased. Plaintiff
 v.
 Follie V. Harris, et al. Defendants.

June 29th 1922.
 Petition To Sell Real Estate
 Order of Sale etc.

This day this cause came on further to be heard, and it appearing to the Court that the said M. A. Harris, admr. as aforesaid, the plaintiff above named, has heretofore filed the Order of appraisement herein. It is ordered that said M. A. Harris as such, administrator proceed according to law, to sell the real estate described in the petition, free of dower, at public auction on the 26-day of August, 1922, for not less than $\frac{2}{3}$ 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 consecutively of the terms of 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, and said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued. W. H. Busted, Probate Judge.

9860

Order of Sale.

Order of Sale Free of Dower.
 The State of Ohio Union County, ss. Probate Court.
 To M. A. Harris, administrator of the Estate of Jesse Harris, 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, admr. of the Estate of Jesse Harris, deceased, are Plaintiff and Follie V. Harris, 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 Follie V. Harris, widow of Jesse Harris, deceased the following described premises, to wit: Situate in the County of Union, State of Ohio, and in the Township of Washington and, Survey's nos. 9916, and 9917, and bounded and described as follows:
 Beginning at the south-east corner of Survey no. 10971; thence N. 8° 30' W. 140 poles to a corner of George M. Temple's land; thence with three consecutive lines of same land, N. 83° E. 100 $\frac{4}{100}$ poles to a stone and tile S. 7° E. 139 $\frac{7}{100}$ poles to a stone and c. N. 84° 15' E. 70 $\frac{50}{100}$ to a large fence post N.W. corner to John N. Bendrix land; thence with the west line of said land, S. 6° 30' E. 111 poles to a stone in the center of the Byhalia and Essex Grant Road; thence with the center of said road S. 62° 45' W. 12 $\frac{50}{100}$ poles and, S. 44° 45' W. 74 $\frac{50}{100}$ poles to a stone S.E.

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Return

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Report of Sale

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corner to William H. Berry's land; thence with four consecutive lines of said Berry's land N. 6° 45' W. 162 5/100 poles to a stone; thence S. 79 1/2° W. 3 poles N. 7° W. 26 poles to a stone and S. 82° 30' W. 50 5/100 to a stone; thence S. 82° 30' W. 90 5/100 to a stone N.W. corner to J. T. Heines land N. 7° 30' W. 111 1/100 poles to a stone N.E. corner to Sarah J. Fouts land N. 79° 15' E. 41 1/100 poles to the place of beginning containing 1 1/4 acres, more or less.

Said sale to be free of the dower of Lillie V. Harris, widow 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 day of June, 1922. W. H. Keusted, Probate Judge

Return.

9860

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 26 day of August, 1922. G. A. Harris, Adm.

9860

Report

of Sale

Report of Sale.

In obedience to the aforesaid 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 situate, for at least, four consecutive weeks prior to the 26 day of August 1922, 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 Lillie V. Harris widow therein, when Miles Stroemel bid to pay for the same the sum of Fourteen Thousand (\$14,000.00) Dollars, which being the highest and best bid that was offered and being more than 2/3 the appraised value of said premises, I then and there sold the same to him for that sum.

G. A. Harris Adm.

9860

oath

Dated the 26 day of August, 1922.

The State of Ohio, Union County, ss.

The above named G. A. Harris, Adm., of the estate of Jesse Harris, 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, the same could get for said property.

G. A. Harris Adm.

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Sworn to before me, and signed in my presence, this 26-day of August 1922. ^{Witness} Edward W. Poles, Notary Public, Union County, Ohio

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Journal Entry Probate Court, Union County, Ohio, Saturday, August 26th, 1922.

G. A. Harris, Administrator of the estate of Jesse Harris, deceased Plaintiff
Lillie V. Harris, et al. Defendants.

Order approving and confirming sale

orders approving and confirming sale

This day this cause coming on to be heard for the report of G. A. Harris, admr. of the estate of Jesse Harris, deceased, of his proceedings and sale under the former order of this court; and, upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 G. A. Harris, as such, admr. of said estate of Jesse Harris, deceased, in said real estate, to the purchaser Milo Strovidet upon, the said purchaser, paying the said petitioner said sum cash in hand on delivery of the deed herein. It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$-- within ten days. H. C. Busted, Probate Judge.

9860

Legal Notice

Legal notice

Public Sale of Real Estate P. Lillie V. Harris et al.
In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction, on the 26-day of August, 1922, at one o'clock P.M. at the north door of the Court House in the Village of Mansfield the following described real estate situated in the Township of Washington, County of Union, and State of Ohio, and in Surnys Nos. 9916 and 9917, and Beginning at the south east corner of Surnys. No. 10971: thence N. 8° 30' W. 140 poles to a corner of George W. Temple's land; thence with three consecutive lines of same land N. 83° E. 100⁹/₁₀₀ poles to a stone and tile S. 7° E. 139⁷/₁₀₀ poles to a stone S. W. C. N. 84° 15' E. 70⁸/₁₀₀ to a large fence - post N. W. corner to John Hendrix land; thence with the west line of said land S. 6° 30' E. 111 poles to a stone in the center of the Byhalia and Essex Grant Road; thence with the center of said road S. 62° 45' W. 12⁸/₁₀₀ poles and S. 44° 45' W. 74⁵/₁₀₀ poles to a stone S. E. corner to William H. Berry's land; thence with four consecutive lines of

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Filed
Mansfield
1922.
C. M. Leuffe,
assignee
of
Thurston W. Crane

Petition

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said Berry's land N 6° 45' W. 162 8/100 poles to a stone
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 82° 30' W. 50 1/100 to a stone & thence S. 52° 30' W. 90 50/100
 to a stone N.W. corner to J. Y. Haines land N. 7° 30' W.
 111 60/100 poles to a stone N.E. corner to Sarah J. Fouts land
 N. 79° 15' E. 41 70/100 poles to the place of beginning.
 Containing 161 acs. more or less. Appraised at \$12,850.
 60 acs. thereof, more or less, appraised at \$6,600. will be
 offered separately; and 100 acs. more or less appraised
 at \$6,250. will be offered separately; and then the
 two tracts as one, and the sale will be made
 according to the greatest aggregate amount to
 said estate.

J. A. Harris,
 Administrator Estate of Jesse Harris, Deceased,
 E. W. Porter, attorney for administrator
 July 26-1922.

State of Ohio, Union County: Personally appeared before me
 O. A. Keigley and made oath, that the notice, a copy
 of which is hereto attached, was published for
 5 consecutive weeks on and after July 27-1922, in
 the Richmond Gazette, a newspaper, of general circulation
 in the County aforesaid, O. A. Keigley, known to before
 me, and signed in my presence, this 26-day of August
 A. D. 1922. Paul. B. Van Winkle, Notary Public.

9864

Assignor's Petition to Sell Real Estate

Filed
 March 1-
 1922.
 L. M. Cuff,
 assignor
 of
 Thurston W. Cram

J. M. Cuff, assignor of
 Thurston W. Cram.
 Plaintiff.

Thurston W. Cram,
 William A. Dicks,
 The Overlander Banking Company,
 and Christopher Black.
 Defendants

Probate Court, Union County, Ohio,
 No. 9864
 Petition to Sell
 Real Estate.

Petition

The Plaintiff represents that he is the duly appointed
 and qualified assignor of said Thurston W. Cram; that
 the amount of debts owing by said assignor is
 Twenty-five Hundred Dollars, as near as they can
 be ascertained; that the charges of administration
 of said trust estate will amount to about One
 Hundred Dollars; and that the total value of
 the personal estate and effects of said trust estate
 is but Four Hundred Dollars, being wholly insufficient
 to pay the debts and costs aforesaid.

The Plaintiff further represents that said
 Thurston W. Cram, by his deed of assignment filed

9864

said Probate Court March 1 - A.D. 1922, at 10 o'clock P.M., conveyed to said D. M. Cuff, in trust for the benefit of his creditors, all his personal property and real estate, not exempt by law. Said real estate is situated in the County of Union and State of Ohio, and is bounded and described as follows, to-wit: First Parcel: situate in Dover Township, of said County, and State, and being part of Virginia Military Survey No. 5498, and bounded by beginning at the northwest corner of the Michael Body land in said Survey and in the center of Blues Creek; thence with the west line of the said Body land, and passing in 18 1/2 feet of a walnut tree on the bank of said Creek, S. 6° 30' E. 89.60 poles to a stone in the center of the Waldo dirt road (now stone); thence with the center of said road, S. 50° W. 34.50 poles to a stone in the east line of the M. T. P. Bridges' land; thence with the east line of said land and the lands of A. C. Johnson, and C. A. Perkins, N. 5° 15' W. 109.31 poles to the center of Blues Creek; thence down said stream with the meanderings thereof to the place of beginning containing 16 1/4 acres, more or less. Second Parcel: Situate in the Village of Marysville in Union County, in the State of Ohio, and being part of Survey No. 3304, Beginning at a stake in the center of the Marysville and Miford Gravel Road and northerly corner to Charles F. Mills' heirs parcel of land; thence with said road N 44° 30' E. 50 feet to a stake; thence S. 46° E. 174 feet and 9 inches to a stake in the west line of Sarah Starnates land; thence S. 16° W. 57 feet to a stake, another corner of Charles F. Mills' heirs land; thence with a line of said land N. 46° W. 206 feet and 9 inches to the beginning containing 23/100 acres, more or less. Also, parts of Surveys Nos. 3351 and 3354, bounded by Beginning at a stone, northwest corner to lands formerly owned Sarah J. Starnates; thence with the northerly line of said land S. 74° E. 7 poles to a stake; southeast corner to John Huber's land; thence N. 16° E. 12 poles with the westerly line of the lands of John L. Huber and Sarah Stump, in the line of Mary Schmidt's land; thence with said line N. 74° E. to the southerly line of the Springfield branch, of the C. C. C. & St. L. railway; thence westerly along said line to the center of the Marysville and Miford road; thence southwesterly with said road to a stake corner to a parcel of land conveyed by Mary Schmidt to Sarah Ellen Mills, October 21, 1894; thence with the northerly line of said land, S. 46° E. 10.50 poles to a stake, corner to said parcel of land in the westerly line of said lands, formerly owned by Sarah J. Starnates; thence with said line N. 16° E. 44.40 poles to the beginning. Containing 80/100 acres of

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land, more or less, excepting therefrom the land occupied by the Marysville and Milford Road and by Railroad Street. The land intended to be conveyed hereby is a strip 17 feet wide off the southwest side of the above described tracts, and, extending the entire length of said tract, and, described as follows: Beginning at the southwest corner of said tract of land, and at a point where said tract joins a lot now owned by Calvin F. Myers, and Clara Myers; thence running northeast along the Marysville and Milford Road a distance of 77 feet to an iron pin; thence following a southeasterly line (this line is so running that it will divide a dug well on said described tract so that one-half of said well shall be on the strip to be conveyed by this deed) 140 feet, or to the land now owned by the stump here; thence southwest 17 feet to the northeast corner of the Myers lot; thence following the Myers line in a northerly direction, to the place of beginning. Containing $\frac{1}{2}$ of an acre, more or less.

The said assignor is unmarried and has no dependants in whose behalf a homestead might be claimed in said real estate. The defendants William A. Dirbl, The Overlander Banking Company and Christopher Black, each have or claim to have some lien on said real estate by way of mortgage or judgment, the exact nature and amount of which claims, if any, they so have, is unknown to petitioner. Said Plaintiff therefore prays that the said William A. Dirbl, The Overlander Banking Company and Christopher Black, may be made parties defendant in this petition, that they may be notified of the pendency hereof, according to law, that the rights, interests and liens of the said Defendants may be fully determined, adjusted and protected, and that your petitioner may be authorized and ordered to sell said real estate to pay the debts and costs aforesaid, according to the Statute in such case made and provided, and for all other proper orders and relief in the premises. D. M. Cuff -

Assignor of Thurston W. Crane.

The State of Ohio, Union County, ss.

D. M. Cuff, assignor, the Plaintiff named in the foregoing petition, being duly sworn, says that he believes the facts stated in said petition are true.

D. M. Cuff -

Sworn to before me and signed in my presence, this 1st day of March, 1922.

[Signature]

H. B. Husted
Probate Judge.

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Journal Entry: In the Probate Court of Union County, Ohio,
 D. M. Cuff, as assignee
 for the benefit of the
 creditors of
 Thurston W. Crane.
 Thurston W. Crane, Wm. A. Dirhl,
 The Ostrander Banking Company
 and Christopher Black.

Petition to sell Real Estate.

Orders On
Filing Petition,
Journal Entry.

Orders on
Filing
Petition

This day came the plaintiff D. M. Cuff, as assignee
 of Thurston W. Crane, and presented to this Court his
 petition duly verified, praying for an order for the
 sale of the real estate of the said Thurston W. Crane,
 for the purpose of paying the debts of said assignor,
 whereupon it is ordered by the Court, that said
 petition be filed and that due and legal notice
 of the filing, pendency and prayer of the said
 petition be given to each of said defendant, and, of the
 time in which they are required to answer the same
 as provided by Statute. whereupon this cause
 is continued. W. H. Busted, Probate Judge

9864

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Prarcipe.

In the Probate Court of Union County, Ohio.

No. 9864

D. M. Cuff, as assignee of
 Thurston W. Crane.
 Thurston W. Crane
 William A. Dirhl.
 The Ostrander Banking Co.
 Christopher Black.

Prarcipe

Prarcipe.

Issue summons for defendants William A. Dirhl, The
 Ostrander Banking Co., and Christopher Black, directed
 to the Sheriff of Union County, Ohio, for William
 A. Dirhl, and, Christopher Black, and to the Sheriff
 of Delaware County, Ohio, for the Ostrander Banking Co.,
 all returnable according to law endorsed. Action
 to sell real estate;

D. M. Cuff, assignee of
Thurston W. Crane.

9864

Affidavit

In The Probate Court of Union Co.,

I do the matter of
 the assignment
 of T. W. Crane.

State of Ohio County of Allen, ss.

T. R. Schoonover, being first duly sworn according
 to law, says that he is the President of the City
 Loan and Savings Company, a Corporation, duly
 organized and existing under the laws of the
 State of Ohio, made and provided for the incor-
 poration, organization and conduct of building

9864

Copy

Union County, Ohio
Real Estate,
ion,
as assignee
for the
W. W. Crane,
assignor,
at said
notice
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is cause
ate Judge
County, Ohio.

9864

and loan associations within said state and as such is now doing business in the City of Wapakoneta, Ohio and other cities in the State of Ohio. That said The City Loan and Saving Company has heretofore been duly and legally, according to the Statute in such cases made and provided, authorized to loan money on chattel property within said state of Ohio, and for said purpose did at all times hold a license from the duly constituted authorities of said state to loan money on chattel property within said state and that he, the said T. R. Schomorr, is duly and legally authorized to make this proof. That the alleged claim against the estate of W. W. Crane, copy of which is hereto attached, is just and lawful and there is justly due the City Loan and Saving Company on the same, the sum of Sixty Four Dollars, and Sixty eight cents (\$64.⁶⁸) with interest thereon at the rate of 3% per month from October 18th 1921. That there are no set offs or counter claims against the same; and, that the consideration therefor is as follows: money loaned at the request of W. W. Crane, upon a promissory note for Security Five (\$75.⁰⁰) Dollars, with interest at the rate of 3% per month from July 23- A. D. 1921, with a credit of interest which pays said interest to October A. D. 1921; and a credit of Ten Dollars, and Thirty Two (\$10.³²) on principal, a copy of which is hereto attached, made a part hereof, and marked Exhibit "A". That the Claimant holds as security for the note marked Exhibit "A", as aforesaid, a chattel mortgage, a copy of which is hereto attached, made a part hereof, and marked Exhibit "B"; said chattel mortgage having been filed with the Recorder of Union County, Ohio, July 23- A. D. 1921, at 3.02. P. M. clock, P. M.

Duhl, The
directed
William
the Sheriff
making Co.,
d. Action
of

T. R. Schomorr

Subscribed to in my presence, by the said T. R. Schomorr, and sworn by him before me, this 17- day of March, A. D. 1922,

Benjamin S. Motter,
Notary Public, Allen Co., Ohio

Copy,

July 23 - 1921.

9864

Copy.

\$75--

On or before six months after date I promise to pay to the order of the City Loan and Saving Company of Wapakoneta, Ohio, Security-five ^{and} 100 Dollars with a charge, including interest, at the rate of Three per cent per month, payable quarterly until due and

according
the City
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hereafter with a charge including interest at the rate of three per cent per month on the unpaid principal until paid.

T. W. Crane,

No. 3684.

Exhibit "A"

Exhibit "a"

Be it known, that T. W. Crane, mortgagor in consideration of Seventy-five and 2/100 Dollars to him paid by The City Loan and Savings Company, of Wapakoneta, Ohio, mortgager. The receipt of which is hereby acknowledged does hereby bargain, sell and convey to the said The City Loan and Savings Company, mortgager, the following described personal property now located at his place of residence in Union County and State of Ohio, to wit:

- all the household goods of the mortgagor, including
- 1 plush couch, 1 center stand, 3 rocking chairs,
- 5 straight chairs, 1 wall mirror, 6 framed pictures,
- 2 coal oil lamps, 1 dining table and set of dining chairs,
- 1 Round Oak #16, 1 Range cooking stove, 1 Kitchen Cabinet,
- 2 Kitchen chairs, 1 wooden bed and 1 iron bed, brass trimmed, complete with all bedding, springs and mattresses,
- 1 washstand, 2 9x12 rugs.

and any other articles forming any part of the household goods and effects of the mortgagor.

- also 1 black horse, 9 years 11/30", sound, Billie,
- 1 brown mule, 12 " 1000 " " Jack,
- 1 " " " " " " Jennie,
- 1 Studabaker rubber tire buggy, 1 set single driving harness.

And this mortgage is intended to include all increase or offspring of the above described property; also all property of this character now owned or hereafter acquired by the mortgagor. Also one-half interest in the following:

- 1 red cow with calf, short horn 2 years, has horns,
- 1 " " " " " " " " with " "
- 1 Duroc brood sow and 5 pigs
- 1 Sewing machine, 10' & 2, corn planter
- 1 Ohio Fading Corn cultivator, 1 Easy Dutchman Corn cultivator,
- 60 tons of hay, 60 acres growing corn.

Provided, nevertheless, that if said mortgagor pay to the mortgager, or assigns, the sum of Seventy-five and 2/100 Dollars, according to the terms, tenor and effect of his certain promissory note, of even date herewith, with a charge including interest as therein provided, and drawn to the order of The City Loan and Savings Company and due and payable, as therein provided, and future re-loans, not exceeding the original loan, then these presents shall be void and of no effect, otherwise to be and remain in full force.

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Exhibit "B"

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Failure to comply with any of the provisions or terms provided for shall render the entire unpaid principal and charge due and payable at once, and the conditions of this mortgage broken. It is further agreed that if default be made in the above conditions, or any part thereof, or if said mortgagor, or any one claiming through or under him or them, shall secrete, or remove, or attempt so to do, or abuse, or misuse said property, or if the security at any time shall become inadequate, or if at any time before the maturity of said note the mortgagor shall deem it necessary, without assigning any reason therefor, or for any other reason before the payment of said indebtedness, the mortgagor may take possession of said property wherever found and from any person in whose possession found and sell the same either at private or public sale, at any place it may see fit, and out of the proceeds of any such sale pay the above mentioned sum and all costs of taking possession of said property, and care of same, and pay any surplus remaining in its hands to the mortgagor or his legal representatives, until the happening of any one or more of the above contingencies the above described property is to remain in the possession of the mortgagor. In case of loss by fire the insurance on said property is hereby assigned to said mortgagor to the extent of this indebtedness. Each mortgagor herein authorizes and empowers any other mortgagor herein to release, sell, assign or otherwise dispose of all the right, title, interest and equity possessed, by any or all of the mortgagors in the property described, and to collect, and receipt for, as the agent of all mortgagors, and the acts of any such mortgagor in all dealings with The City Loan and Saving Company, relating to said property, is hereby ratified and confirmed, and notice thereof is hereby waived.

In Witness whereof The mortgagor has hereunto set his hand and seal this 23-day of July A. D. 1921
T. W. Brown.

9864
Exhibit
"B"

True Copy - Exhibit "B"
Copy No. 3864 Chattel Mortgage. From
T. W. Brown, Marysville Ohio R. 2,
To The City Loan and Saving Company,
an uncertified copy of.

This mortgage rec'd and filed July 23-1921
at 3-02 o'clock P.M. at Newborn, Recorder.
Auth. 875- Date July 23-1921.

9864

Summons on Petition to Sell Real Estate.

Summons

The State of Ohio, Union County ss.

To the Sheriff of said County:

You are commanded to notify Christopher Black, that on the 1st day of March, A.D. 1922, D.M. Cuff, of Delaware, Ohio, was appointed assignee of the estate of Thurston W. Craun, 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 assignor, in said petition described, for the purpose of paying debts of said assignor and that unless he answer by the 8 day of April 1922, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 20th day of March, A.D. 1922.

Witness my hand and the seal of said Court, this 7th day of March, A.D. 1922, W. C. Husted Probate Judge.

Sheriff's Return.

9864

The State of Ohio, Union County ss.

Service

Recind this writ, March, 7th 1922, at 9 o'clock, A.M., and pursuant to its command on March, 18th 1922, I served the within named Christopher Black, with a true and certified copy of this writ with all endorsements thereon, by giving it to him personally. J. Ed. Robinson Deputy Sheriff.

Service and Return. 75th mileage 14 at 8¢, 1.32 Total \$2.07

Answer and Cross-Petition

In the Probate Court, Union County, Ohio, no. 9864 Answer ^{and} Cross-Petition

9864

Answer

Cross

Petition

This answering defendant defendant says:

That on the 12th day of November, 1921, the defendant herein L. J. Mader, procured a judgment against said T. W. Craun, and one O. S. P. Davis on a Cognovit note petition for Three Hundred and Forty-nine Dollars in the Common Pleas Court of Union County, Ohio, in cause No. 10732, at 77¢ from August 10th 1921. That on the 17th day of November 1921, said Mader ordered an execution, directed to the Sheriff of said County, and a levy was made on the real estate of said T. W. Craun, under the name of Thurston W. Craun, now three separate tracts of land located in the Village of Mansfield, Ohio, as follows: Tract 1. In survey no. 3354 containing 22/100 of an acre more or less, also in part of Survey's no. 3351-3354 containing 80/100 of an acre, be the same more or less, also one containing 1/20 of an acre, more or less, all of which is now land has been since said date in the hands of said Sheriff, under said writ.

This answering defendant says, that by reason

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Answer

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Cross-Petition

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of the premises, all of said real estate belonging to said
T. W. Crane, as aforesaid, came to the hands of the
Receiver herein subject to said judgment, execution, and
levy as aforesaid, and is the first and best lien thereon.

Wherefore, this answering defendant prays, that said
premises may be sold, and that out of the proceeds of said
sale the payment of this answering defendant be first
paid in the sum of \$349.⁰⁰ and \$6.⁰⁰ costs of suit, with
interest of 7% from the 15th day of August, 1921, until paid,
and also costs of increase on said judgment and the
accruing costs thereon. Edward W. Porter.

Attorney for L.J. Mader.

9864

Oath

State of Ohio, Union ss. L.J. Mader, being sworn, makes
oath, and says, that he is one of the answering
defendants herein; that the facts stated, and the
allegations made in said answer and cross petition
are true, as he believes. L.J. Mader.

Sworn to by said L.J. Mader, before me, and signed by
him in my presence, this 25th day of March, 1922.

Edward W. Porter, Notary Public, Minn. Co., Ohio

9864

Answer
and
Cross Petition

of the
Ostrander
Banking
Company.

Answer and Cross Petition of the Ostrander Banking Company,
Dor. Cuff, as assignee of
Thurston W. Crane, Plaintiff
Thurston W. Crane, et al
Defendants
Cross Petition of the
Ostrander Banking Company,
no. 9864

The defendant, The Ostrander Banking Company, says that on
the 15th day of October 1919, one Charles W. Bay and Myrtle
Bay, his husband and wife, said parties being on said
date the owners in fee simple of the premises here-
inafter described, conveyed to said defendant, the
premises, described in plaintiff's petition herein, to-wit:
Situate in the County of Union, in the State of Ohio,
and in the Township of Dorv D. M. Surry, No. 5498,

Beginning at the north west corner of Michael Cady's
lands in said surry and in the center of Blues Creek,
thence with west line of said Cady's lands and
passing 18 1/2 feet of a walnut tree on the bank of
said Creek, S. 60° 30' E. 89.6' poles to a stone in
the center of the Waldo dirt road; thence with the
center of said road S. 50° W. 34.50 poles to a stone
on the east line of the M. S. P. Budgets lands;
thence with the east line of said lands and the
lands of A.C. Johnson and R.A. Perkins N. 5° 15' W. 109.31
poles to the center of said stream; thence down said
Creek with the various meanderings thereof to the
beginning containing 16 1/4 acres, more or less.

By way of mortgage to secure the payment of one
thousand (\$1,000) dollars, with interest at the rate of,

9864

six per cent per annum payable semi annually; which deed of mortgage was, on the 22nd day of October, 1919, at 8:50 a.m. duly left for record with the recorder of said Union County, Ohio, and became and still is a valid and subsisting and the first and best lien on said premises. Said mortgage is recorded in vol. 82, page, 546, of said Records of Mortgages of Union County, Ohio.

On the first day of February, 1920, the said Charles W. Gay, and Myrtle Gay conveyed said premises to the said Thurston W. Coane subject to the terms and conditions of said mortgage and the payment of said indebtedness was then and there assumed by the said defendant, Thurston W. Coane.

The interest on said mortgage indebtedness has been paid up to the 15th day of October, 1920, but no part of the principal thereof has been paid; and there is now due and owing thereon to this defendant, The Ostrander Banking Company, the sum of One thousand (\$1000-) Dollars with interest from said 15th day of October, 1920, at the rate of six per annum, payable semi annually. Wherefore said The Ostrander Banking Company prays that said property may be sold and its said claim first satisfied out of the proceeds thereof.

The Ostrander Banking Company,
by Harry H. Crist, its attorney.

9864

State of Ohio, Delaware ss.

Each

Harry H. Crist, being first duly sworn, says: He is the agent and attorney of the above named defendant, The Ostrander Banking Company, a corporation organized and acting under the laws of State of Ohio, duly authorized in the premises; that the instrument on which the foregoing cross petition is founded is now in his possession; and that the allegations contained in the foregoing cross petition are true as he truly believes.

Harry H. Crist,

Subscribed and sworn to before me this 31st day of March 1922.

James R. Lytle, Notary Public

Answer and Cross-Petition of
William A. Dirhl and Louvina M. Dirhl.

In the Probate Court of Union County, Ohio
No. 9864

9864

answer

and

cross-

Petition

of

Wm A. Dirhl

and

Louvina

M. Dirhl.

D. M. Cuff, as assigner of,
Thurston W. Coane, Pft.
Thurston W. Coane,
H^m A. Dirhl,
The Ostrander Banking Co.
Ans. Christoph Block.
Defts.

Answer and Cross Petition
of William A. Dirhl and
Louvina Mary Dirhl.

Now comes the defendants, William A. and Louvina M. Dirhl and say that on or about the 27th day of

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November 1920. The defendant herein Thurston W. Craue, made his note of that date and then delivered it to the defendants in this action William A. Dirhl and Louina Mary Dirhl, and thereby promised to pay to their order \$300- in 2 and 4 years after the date thereof. Defendants, William A. Dirhl and Louina M. Dirhl further say that to secure payment of the note in said mortgage desired at the time of making it by his deed duly executed and delivered to defendants William A. Dirhl and Louina M. Dirhl conveyed to them their heirs and assigns forever the lands described in the petition of the assignee D. M. Cupp for the sale of real estate situate in Dover Township Union County Ohio, consisting of 16 1/4 acres of land, which deed had a condition thereunder written providing that whereas said Thurston W. Craue had this day executed and delivered to William A. Dirhl and Louina M. Dirhl his note for \$300- payable to the order of William A. Dirhl and Louina M. Dirhl in 2 and 4 years from date, now, if the said Thurston W. Craue shall pay or cause to be paid the sum of \$300- with interest from date of said note as named in said note according to the tenor thereof then this deed is to be null and void, otherwise, to remain in full force and effect in law. Defendants William A. Dirhl and Louina M. Dirhl say that they caused said mortgage to be deposited with the Recorder of said County of Union at his office on the 27th day of November 1920 for record and it was thereupon recorded in the Record Book of mortgages volume 50- page 50. That by reason of said assignment of Thurston W. Craue to D. M. Cupp said mortgage has become due, and that there is now due and payable to William A. Dirhl and Louina M. Dirhl the sum of \$300- with interest from the 27th day of November 1920. Whereupon defendants William A. Dirhl and Louina M. Dirhl say that their said mortgage is a subsisting lien on said premises from said 27th day of November 1920 for the sum of \$300- with interest from the 27th day of November 1920 defendant. Defendants William A. Dirhl and Louina M. Dirhl further pray that their claim of \$300- and interest from the 27th day of November 1920 be paid according to the tenor of their mortgage lien and for all and further relief that is just and equitable.

A. H. Kallebach, atty. for William A. Dirhl & Louina M. Dirhl.
 State of Ohio, Union County ss.
 William A. Dirhl and Louina M. Dirhl being first

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December 1920. for the sum of \$500- with interest from the 20 day of December 1920. Defendants Christophel Black, further agrees prays that premises may be sold, that his claim of \$500 and interest from the 20-day of Dec- 1920, be paid according to the tenor of his lien and for all and further relief. That it is just and equitable.
A. B. Kellefaut, atty. for Christophel Black.

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State of Ohio, Union County, ss.
Christophel Black being by me first duly sworn according to law, deposes and says the facts stated and allegations made are true as he verily believes.
Christophel Black

Oath

known to before me subscribed in my presence, by Christophel Black, this 4th day of April, 1922.

Sworn A. B. Kellefaut, Notary Public

9864

Answer of T. W. Crane

Before the Probate Court of Union County, Ohio.

Answer

D. M. Cuff, as assigner of
T. W. Crane. Plaintiff

T. W. Crane,

T. W. Crane, et al.
Defendants

Now comes T. W. Crane, the assignor in the above styled case and, hereby voluntarily enters his appearance ^{therein} and for answer says, that he is unmarried, and that he owned and assigned the real estate described in the petition, for the benefit of his creditors, and asks the sale of same for that purpose. T. W. Crane,

The State of Ohio, Delaware Co., ss.

T. W. Crane, on oath deposes and says, that the allegations in his foregoing answer are true in substance and in fact, as he verily believes.
T. W. Crane,

Known to and subscribed in my presence, this 14th day of April, 1922. Sworn Clara B. Husted Dep. ^{Notary}
Journal Entry: In the Probate Court of Union County, Ohio.

D. M. Cuff, as assigner of
Hurstow W. Crane,
Plaintiff

Journal Entry: vs.
Ordering

Hurstow W. Crane, et al.
Defendants

and Confirming
Sale

This day this cause came on to be heard upon the petition the answer of Hurstow W. Crane, the answer and cross petitions of the other defendants, respectively filed herein, and the evidence, and the Court being fully advised in the premises finds that each of said defendants, have been duly and legally served with notice of the pendency and pray of plaintiff's

9864

except the defendant, Thurston W. Crane, who has filed an answer herein consenting to the sale of said premises, as prayed for. The Court further finds that it is necessary to sell said premises as prayed for in the petition to pay the debts of said assignor. It is therefore ordered, adjudged and decreed that said assignor proceed to sell said real estate at public vendue as provided by law.

The Court further approves and confirms the appraisement of said real estate heretofore made. For good cause shown it is further ordered that said assignor sell the various parcels of real estate in the petition described on the premises respectively. The question of determining the rights and priority of the various lien-holders as set forth in their respective answers and cross-petition is held until further order of the Court. W. H. Husted Probate Judge

Order of Sale. First of Down,

9864

Order of Sale

The State of Ohio, Union County, Probate Court, ^{County}
To D. M. Cuff, assignor of the Estate of Thurston W. Crane.

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 assignor of the estate of Thurston W. Crane are Plaintiff and Christopher Blount et al. are Defendants, you are commanded to proceed according to law to sell at public sale for not less than $\frac{2}{3}$ the appraised value, thereof, the following described premises, to wit: First Parcel: Situated in Down Township of said County, and State, and being part of Virginia Military Survey, No. 5498, and beginning at the North West corner of the Michael Cody land in said survey, and in the center of Blues Creek, thence with the West line of said Cody land and passing in 18 1/2 feet of a Walnut tree on the bank of said creek S. 63° E. 89.60 poles to a stone in the center of the road, thence with the center of said road S. 50° W. 34.50 poles to a stone in the east line of C. S. P. Bridges land, thence with the east line of said land and the land of A. C. Johnson, and to A. Perkins N. 5 15' W. 109.31 poles to the center of the Blues Creek; thence down said stream with the meandering thereof to the beginning, containing 16 1/4 acres, more or less.

Second Parcel: Situated in the village of Marysville, in Union County, in the State of Ohio and being part of Survey No. 3354 beginning at stake in the center of the Marysville and Milford Center gravel road and northerly corner to James S. Mills heirs parcel of land; thence with said road N. 44° 30' E. 50 ft. to a stake thence S. 46° E. 17 1/4 feet and nine inches to a stake in the west line of Sarah Blamsted's land; thence

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Order of Sale

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S. 16° W. 57 ft. To a stake another corner of Chas. F. Miller lands; thence with the line of said land N. 46° W. 206 feet and runs westerly to the beginning, containing 22 acres, more or less. also part of survey No. 335-1 and 335-4 bounded by beginning at a stone N. W. corner to lands, formerly owned by Sarah J. Staudate; thence with the northerly line of said land, S. 74° E. 7 poles to a stake S. W. corner to John Huber's land; thence north 16° E. 12 poles with the westerly line of the lands of John L. Huber and Sarah Stump, in the line of Mary Schmidt's land; thence with said line N. 74° East to the southerly line of the Springfield Branch, of the C. C. & St. L. Ry.; thence westerly said line to the center of the Marysville and Milford Center road; thence south westerly with said road to a stake corner to a parcel of land conveyed by Mary L. Schmidt to Sarah Elwell Davis, August 21-1894; thence with the northerly line of said land's South 46° East 10.85 poles to a stake corner to said parcel of land, in the westerly line of said land formerly owned by Sarah J. Staudate; thence with said line North N. E. 44.40 poles to the beginning, containing 80/100 acres, more or less, after excepting therefrom the land occupied by the Marysville and Milford road and by Rail road Street. The land intended to be conveyed by this deed ("Vol. 118, Page 214") is a strip of land 17 feet wide off the South west side of the above described tract and extending the entire length of said tract and described as follows: Beginning at the S. W. corner of said tract of land and at a point where said tract joins the lot now owned by Calvin F. Myers and Elizabeth Myers, thence running N. E. along the Marysville and Milford road a distance of 17 feet to an iron pin; thence following a southeasterly line, this line so running that it will divide a dug well on said described tract so that one half of said well shall be on a strip to be conveyed by this deed 140 feet or to the land now owned by the Stump heirs; thence S. W. 17 feet to the N. E. corner of the Myers lot; thence following the Myers line in a north westerly direction 7. The place of beginning, containing 1/20 of an acre, more or less. Said sale to be upon the premises above described, and to be upon the following terms: Cash on day of sale. You will make return of your proceedings to this Court forthwith upon the execution of this order. It witnesses my signature and the seal of said Probate Court, at Marysville, Wis., this 23- day of April, 1922 ¹⁹²² W. H. Busted, Probate Judge

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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 27th day of June, 1922.
D. M. Cuff, assignee of Thurston W. Craun,

9864

Report

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 situated for at least 5 consecutive weeks prior to the 30th day of June, 1922: 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 on the premises and offered said real estate for sale. When John L. Longmy, bid to pay for the same the sum of Four hundred and fifty five dollars, which being the highest and best bid that was offered, and being more than 2/3 of the appraised value of said premises, I then and there sold the same to him, for that sum. 16 1/4 acre tract unsold, no bid for same.

D. M. Cuff, assignee of T. W. Craun,

Dated the 27th day of June, 1922.

9864

Confirming Sale

Journal Entry: Confirming Sale and Ordering Distribution

D. M. Cuff, as assignee of Thurston W. Craun, in the Probate Court of Union Co., Ohio Confirming sale and Ordering Distribution.

and

Ordering Distribution

This cause came on to be heard on the report of D. M. Cuff, as assignee of Thurston W. Craun, of his proceedings under the order of sale heretofore issued, and upon motion to confirm same, the Court being fully advised in the premises, finds that said Sale has been in all respects legally made and in conformity to the orders of the Court, as to the 2nd parcel described in the order of sale, it is ordered that said sale be approved and confirmed. It is further ordered that said assignee execute and deliver to the purchaser, John L. Longmy, the having elected to pay cash, for said premises, a deed therefor conveying to said purchaser all the right, title and interest of said Thurston W. Craun, in said real estate. The Court further finds that there is due Christopher Black, upon the note set up in his answer and cross petition the sum of \$537.17, and that to secure said note, the said Thurston W. Craun executed and delivered to said Black a mortgage deed conveying to said Black the premises here-

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Order for re-affirmament

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under sold, and that same was duly filed for record in Union County, Ohio, and that same is the first and best lien on said premises, except the taxes due thereon and the costs hereon made. The Court further finds that Wm. A. Dirl, and L. J. Mader have liens upon said real estate, and upon other real estate of said assignor by way of judgments secured in the Common Pleas Court of Union County, Ohio, the priority of which liens the Court does not at this time determine; but as to such priority continues this cause.

It is further ordered that the judgment of said Wm. A. Dirl and L. J. Mader be satisfied of record as to the real estate sold and conveyed to said John Longhry, coming to distribute the proceeds of said sale amounting to \$95.⁰⁰ the Court orders said assignor out of said fund to pay as follows: 1st To the Treasurer of Union County, Ohio, the sum of \$11.⁷⁵ being the taxes and penalty due against said property. 2^d The costs and expenses incurred in the sale of said property, including the perambulation of said assignor amounting to the sum of \$57.³⁰ and said attorney fee of \$30⁰⁰ and the costs of this Court amounting to \$67.⁰⁰ including therein the printer's fee for advertising same, all the sum of \$184.⁴⁵ including an auctioneer fee of \$10.⁰⁰ to G. A. Simpson. 3rd To Christopher Black, the amount due on his note secured by mortgage to this day, namely, \$537.¹⁷. The balance of said proceeds amounting to \$221.⁶⁷ is ordered held by said assignor pending the further orders of this Court.

9864

Order for re-appraisal

Dale of Real Estate, Order for re-appraisal. In the Probate Court of Union County, Ohio, Dale of Real Estate. Order of re-appraisal. The assignment of Thurston W. Craun.

On application of the assignor and for good cause shown it is ordered that said assignor proceed to sell at private sale and for cash and at not less than the appraised value thereof the real estate of said assignor not sold at public sale under the former order of this Court, and situate in Dover Township, Union County, Ohio, and consisting of sixteen and one-fourth acres.

It is further ordered that said assignor have said real estate appraised by the parties of E. T. Winston, L. F. Reckmy and J. Edlebute, three judicious disinterested freeholders of said County, and that

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Order of appraisement

an order of appraisement issued therefor, W. H. Busted ^{Judge} Probate Court.

Order of Appraisement.

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

D. M. Cuff, assigner of Thurston W. Crans, 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 assigner of Thurston W. Crans, are Plaintiff and Thurston W. Crans et al. are Defendants, you are commanded that by the oaths of E. T. Winston, J. L. Richey and J. Edelblute 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, therein to wit:

Situate in Dover Township, Union County, Ohio, and being part of Virginia Military Survey No. 5498, and beginning at the northwest corner of the Michael body land in said survey, and in the center of Blue Creek; thence with the west line of said body land, and passing in 18 1/2 feet of a walnut tree on the bank of said creek S. 60° 30' E. 87.60 poles to a stone in the center of the Waedo Dirt Road, now stone; thence with the center of said road S. 50° W. 37.50 poles to a stone in the east line of C. and P. Bridg's land; thence with the east line of said land, and the land of A. C. Johnson, and H. A. Perkins; N. 5° 15' W. 109.31 poles to the center of Blue Creek; thence down said stream with the meanderings thereof to the beginning, containing 167 acres, more or less.

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 Wrayville, Ohio, this 19th day of September A. D. 1927.

W. H. Busted, Probate Judge.

9864
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 19th day of Sept. 1927.

D. M. Cuff assigner of Thurston W. Crans.

9864
Oath of Appraisers

The State of Ohio, Union County.

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. L. Richey, J. E. Edelblute, E. T. Winston & appraisers

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9864 Sworn to before me and signed in my presence, this 19th day of September, 1922. D. M. Cupp, assignee of Thurston W. Craun

9864 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 and Seventy five dollars. Given under our hands, this 19th day of September 1922.
J. L. Pichay, J. Edelblute, E. T. Winston, { appraisers.

9864 Journal Entry: In the Probate Court of Union County, Ohio. In the matter of the assignment
Confirming of Thurston W. Craun
and ordering sale.
This day came D. M. Cupp, as assignee of Thurston W. Craun, and returned into court, the order of appointment heretofore issued, and on examination of same the Court finds same in all respects, regular, conformity to law and the previous orders of the Court, and does approve same. The Court further orders said assignee to proceed to sell said real estate at not less than the appraised value and for cash.
It is therefore ordered that an order of sale issue to said assignee, and that he make due return of his proceedings thereunder. W. H. Husted, Probate Judge.

9864 Order of Sale.
The State of Ohio, Union County, ss. Probate Court.
To D. M. Cupp, as assignee of Thurston W. Craun 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 assignee of Thurston W. Craun, are Plaintiff and Thurston W. Craun 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: Situate in Union County Ohio, and in the Township of Dover, and being part of the Virginia Military Survey No. 5498, and beginning at the Northwest corner of the Michael Body land, in said survey, and the center of Blue Creek; thence with the west line of said body land, and passing in 18 1/2 feet of a walnut tree on the bank of said creek, S. 6° 30' E. 89.60 poles to a stone in the center of Woods Dirt Road, now stone; thence with the center of said road S. 50° W. 34.50 poles to a stone in the east line of C. and P. Bridg's land; thence with the east line of said land, and the land of A. C. Johnson and H. A. Perkins N. 5°

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15" W. 109 poles to the center of Blues Creek; thence down said stream with the meanderings thereof to the beginning, containing 16 $\frac{1}{4}$ acs. more or less.

Said Sale to be upon the following terms. Cash in hand. 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 Union County, Marysville, Ohio, this 19 day of September, 1922.

W. H. Husted, Probate Judge.

9864

Return

Seal
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 day of September, 1922.

D. M. Cuff, assignee, of Thurston W. Craun.

9864

Report of Sale

Report of Sale
In obedience to the aforesaid order, I sold said premises, on the 19 day of September 1922, to Samuel T. Hutchinson for the sum of Thirteen Hundred and Seventy five dollars, said sum being the appraised value of the same.

D. M. Cuff, assignee of T. W. Craun.
Dated the 19 day of September 1922.

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Oath

The State of Ohio, Union County, ss.
The above named D. M. Cuff, assignee of Thurston W. Craun, being duly sworn, say, 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.

D. M. Cuff, assignee of Thurston W. Craun.
Sworn to before me and signed, in my presence, this 19 day of September, 1922.

W. H. Husted, Probate Judge.

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Entry

Journal Entry
In the Probate Court, of Union Co., Ohio.
D. M. Cuff, assignee of Thurston W. Craun.
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Thurston W. Craun, et al.
This cause came on to be heard on the return of the order of sale heretofore issued, and, the Court having examined same, finds that the sale reported under said order has been regularly made, and in conformity to the former orders of this Court, and that same is in all respects legal; the Court therefore confirms same, and the purchaser having paid the purchase price therefor in cash amounting to Thirteen Hundred and Seventy Five Dollars, the said assignee is ordered to execute

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Confirmation of Sale Distribution

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and deliver to Samuel T. Hutchinson, the purchaser, a deed therefor conveying to said purchaser all the right and title and interest of the said assignor in the said premises, described in said order of sale.

The Court further finds that there is due the Ostrander Banking Company on the note set out in its answer and cross-petition the sum of \$1119.04, and the mortgage given to secure same is the first and best lien on said premises.

The Court further finds that on the note in favor of Wm. A. Dirhl, set up in his answer and cross-petition there is due the sum of \$332.00, and that the mortgage given to secure the same is the second lien on said premises.

The question of priority between the judgments of Wm. A. Dirhl, and L. J. Mader, as shown by their respective answers and cross-petitions is not now determined, and same is reserved for a further hearing by the Court.

The Court orders that both of said mortgages and both of said judgment liens be satisfied of record by the recorder of Union County, and the Clerk of Courts of said County, in so far as same relate to the real estate sold under this proceeding, and that a certificate for such releases issue from this Court, as provided by law.

Coming now to distribute the proceeds of said sale the Court orders the said assignor to pay: First: To the Treasurer of Union County the taxes and penalty due on said real estate amounting to \$13.07

Second: The costs of this action, including an attorney fee of Fifty Dollars, to Humes and Cuff, and the percentage of said assignor amounting to Fifty-five Dollars, in all the sum of \$118.00

Third: To the Ostrander Banking Co. The sum of \$1117.04 being the amount found due on its note secured by mortgage on said real estate.

Fourth: To Wm. A. Dirhl, the balance of said fund amounting to \$124.89 to apply on his note and mortgage therein found to be the second lien on said real estate.

W. B. Husted, Probate Judge, Probate Court, Union County, Ohio, September, 19th 1922.

9864 Journal Entry
D. M. Cuff, as assignor of Thurston W. Crouse, Plaintiff, vs. Thurston W. Crouse, et al. Defendants. Orders of Confirmation. Distribution.
This day this cause came on to be heard on the report of D. M. Cuff, assignor of Thurston W. Crouse of his proceedings under the former order of this

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Court and upon the motion of said petitioners to confirm the sale made in obedience to said order; and the Court having carefully examined said report, and finding the proceedings of said petitioners 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 petitioners execute a deed of all the right, title and interest of the said Thurston W. Kraus in said real estate, to the purchaser Samuel T. Hutchinson upon the payment of said purchase price in cash, to wit \$1375.⁰⁰

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 Thirteen Hundred and Seventy-five Dollars: The Court finds that there is due the said The Ostrander Banking Co., upon the note set forth in this answer and cross-petition from the estate of said Thurston W. Kraus, the sum of One Thousand one hundred and twenty-two and ²²/₁₀₀ dollars, with interest thereon from the date of this entry; that the said Thurston W. Kraus, secured 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 assignee, 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, this, according to law.

It is further ordered that an entry of release and satisfaction of said mortgage lien as well as judgment lien of W. A. Dittel, and the judgment lien of L. J. Trader, be entered of record in the office and on the record where same are respectively of record. It is further ordered that said assignee out of the money in his hands pay: First: To the treasurer of this County, the sum of \$13.⁷⁵ 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 \$ Fifty Dollars, to Blumie and Buff, and \$55.00 the percentage of said D. M. Buff, assignee herein, amounting to the sum of \$ 12.⁰⁰ including appraisers fee of \$6.⁰⁰

To the Ostrander Banking Co. on the note and mortgage set forth and described in its answer and cross-petition herein, the sum of \$ 1122.³² which the Court finds to be the amount due it

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Legal Notice

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It is further ordered that the balance of said proceeds amounting to the sum of \$128.⁰⁰ be accounted for by said assignee 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.

W. H. Husted, Probate Judge

9864

Legal Notice

Assignee's Sale of Real Estate

Legal Notice

Pursuant to an order of sale to me issued by the Probate Court of Union County, Ohio in the case of D. M. Cuff, as assignee of Thurston W. Craw, vs. Thurston Craw et al. the undersigned will offer for sale, at public auction on the premises, on June 3 - 1922, at one o'clock p. m. the following described real estate situated in the village of Marysville Union County, Ohio, and being part of Survey No. 3354, beginning at a stake in the center of the Marysville and Milford Center grant road and westerly corner to Chas. S. Mills' heirs parcel of land: Thence with said road N. 44° 30' E. 50 feet to a stake: Thence S. 46° E. 174 feet and 9 in. to a stake in west line of Sarah Starnates land: thence S. 16° W. 57 feet to a stake, another corner of Chas. S. Mills' land: Thence with the line of said land N. 46° W. 206 feet and 9 in. to the place of beginning, containing 22/100 acres more or less.

also, part of Survey No. 3351 and 3354, bounded by beginning at a stone N.W. corner to lands formerly owned by Sarah J. Starnates: thence with the northerly line of said land S. 74° E. 12 poles to a stake S.W. corner to John Kubler's land: thence N. 16° E. 12 poles with the westerly line of the lands of said John Kubler and Sarah Stump in the line of Mary Schmidt's land: thence with said line N. 74° E. to the southerly line of the Springfield branch of the C. C. C. R. R.; thence westerly with said line to the center of the Marysville and Milford Center road: thence south westerly with said road to a stake, corner to a parcel of land conveyed by Mary L. Schmidt to Sarah Ellen Mills, August 21 - 1874: thence with the northerly line of said lands S. 46° E. 10.80 poles to a stake, corner to said parcel of land in the westerly line of said lands, formerly owned by said Sarah J. Starnates: thence with said line N. 16° E. 4.40 poles to the beginning, containing 80/100 acres more or less, after excepting therefrom the land occupied by the Marysville and Milford Center road by Railroad Street. The land intended to be

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conveyed by this deed (Vol. 118, page 214) is a strip 17 feet wide off of the south west side of the above described tract and extending the entire length of said tract and described as follows: Beginning at the S.W. corner of said tract of land and at a point where said tract joins the lot now owned by Calvin Myers and Clara Myers: thence running N.E. along the Marysville and Miford center road 17 feet to an iron pin: thence following a southeasterly line, this line so running that it will divide a dug well on said described tract so that one-half of said well shall be on a strip conveyed by this deed 140 feet or 7/8 the land now owned by the Stump heirs: thence S.W. 17 feet to the N.E. corner of the Myers lot: thence following the Myers line in a north westerly direction to the place of beginning, containing 1/20 of an acre, more or less.

Said real estate is improved with a comfortable frame, metal roof dwelling. Said premises are appraised at \$1200-

also on June 3, at half past two o'clock, p.m. on the premises in Doort Township, Union County, Ohio, in pursuance of the same order the undersigned will offer at public sale the following described real estate being a part of the Virginia Military Survey No. 5498, and beginning at the N.W. corner of the Michael Body land in said Survey, and in the center of Blues Creek: thence with the West line of said Body's land, and passing in 18 1/2 feet of a walnut tree on the bank of said creek, S. 6° 30' minutes E. 89.60 poles to a stone in the center of the Waels Dirt road, now stone: thence with the center of said road S. 50° W. 34.50 poles to a stone in the east line of C & P. Bridges land: thence with the east line of said land, and the A.C. Johnson and H.A. Perkins N. 5° 15' W. 109.31 poles to the center of Blues Creek: thence down said stream with the meanderings thereof to the beginning, containing 16 1/4 acres, more or less. Said tract is appraised at \$2100.00. Said premises will be sold for cash to the highest bidder and clear and free of all incumbrances.

D. M. Cuff
 Assignee of Thurston W. Crane. Heunes and Cuff attorneys.
 Delaware, Ohio, May 3-1922 5th.

The State of Ohio, Union Co. 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 five consecutive weeks on and next after May 3-1922, in the Marysville Tribune, a newspaper of general circulation in the county aforesaid.

John H. Shearer
 Subscribed to before me and signed in my presence, this 3rd day of June, A.D. 1922. Geo J. M. Huber, Notary Public Fees \$39.75

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Petition

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Petition for Sale of Real Estate To Pay Debts.
 Probate Court, Union County, Ohio,
 no. 9875-

Trilo L. Myers, administrator
 of the estate of
 William Blapham, deceased.
 Plaintiff
 vs.
 Frank Blapham,
 Nettie Blapham,
 Edith L. Powell,
 J. M. Powell,
 Carrie Bair,
 W. H. Bair, and
 J. S. Sellers
 Defendants.

Civil action

Petition To Sell Real Estate

Petition.

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of William Blapham, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is eight hundred and no/100 dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about One hundred and fifty and no/100 dollars; and, that the total value of the personal estate and effects of said deceased, is but Two hundred and forty five and 82/100 Dollars, being wholly insufficient to pay the debts and costs aforesaid.

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

Petition

Being thirty-five and one-half feet (35 1/2) off of the south part of Lot No. 82, of the village of Marysville within said Union County, Ohio, and being on South Main Street therein. Second Tract: Situated in the village of Marysville County of Union and State of Ohio, and bounded and described as follows, to wit: Begin using at a stake in the north line of West Eighth Street, at the south west corner of a lot of land now owned by Clarence Blapham; thence with said Blapham's east line N. 5° 15' E, 127 1/2 feet to a stake in the south line of an alley; thence with the line of said alley S. 84° 45' E. 64 feet and 10 inches to the west line of an alley; thence with the said line S. 5° 15' W. 127 1/2 feet to the north line of said West Eighth Street; thence with said line of said street N. 84° 45' W. 64 feet and 10 in. to the place of beginning. The said decedent died leaving the Defendants Frank Blapham, Edith L. Powell and, Carrie Bair, are the only children and heirs at law of said

9875- said decedent having the next estate of inheritance from said William Blapham, deceased, in said premises; that the defendant Nettie Blapham is the wife of the said Frank Blapham; J. M. Powell is the husband of the said Edith L. Powell; W. H. Bair is the husband of the said Carrie Bair; and that the said defendant J. L. Sellers has or claims to have and hold a mortgage lien on the first tract above described. The Plaintiff therefore prays that the rights, interests and liens of the said J. L. Sellers 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.

9875- The State of Ohio, Union County, ss.
 Oath Miss 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.
 Sworn to before me and signed in my presence. This 1st day of June, 1922.
 Miss L. Myers.
 Wm. Myers, Notary Public.

9875- Prancipe
 Miss L. Myers, admr. of the Estate of Wm Blapham, Decd.
 Plaintiff.
 Frank Blapham, et al.
 Defendants.

Prancipe.
 To the Probate Judge:
 Issue summons for said Defendants Carrie Bair and W. H. Bair, directed to the sheriff of Tuscarawas County, Ohio, (residence New Orleans, La.) Indorsed action for sale of real estate to pay debts and make returnable according to law.
 Miss L. Myers, Pft., atty.

9875- Filing Petition to Sell Real Estate
 Journal Entry:
 Miss L. Myers, admr. of the Estate of William Blapham, deceased.
 Plaintiff.
 Frank Blapham, et al.
 Defendants

In the Probate Court of Union County, Ohio.
 July 10th 1922.
 Case No. 9875-
 Journal entry.
 Filing Petition to Sell Real Estate.

This day came the Plaintiff Miss L. Myers, admr. of the estate of William Blapham, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said William Blapham, deceased, to pay debts, and the costs of administering the estate, of the said decedent. Whereupon, it is considered and ordered by this Court, that the

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9875- Summons. The

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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.

W. H. Huusted, Probate Judge.

9875-

Wainor

In the Probate Court of Union County, Ohio

Milo L. Myers, admr. of
The Estate of
William Clapham, deceased.
Plaintiff

No. 9875-
Petition To Sell
Real Estate.

Wainor

Frank Clapham, Nettie Clapham,
Edith L. Pomell, J. G. Pomell,
Carrie Bair and W. H. Bair ans.
J. L. Sellers
Defendants.

Wainor of Process
and
Consent to Sell.

W. 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. Frank Clapham, Nettie Clapham,

9875-

Wainor

In the Probate Court of Union County, Ohio

Milo L. Myers, admr.
of the estate of
William Clapham, deceased.
Plaintiff

No. 9875-
Petition To Sell
Real Estate.

Wainor

Frank Clapham, Nettie Clapham,
Edith L. Pomell, J. G. Pomell,
Carrie Bair, W. H. Bair ans.
J. L. Sellers
Defendants.

Wainor of Process
and
Consent To Sell.

W. 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.

Edith L. Pomell, J. G. Pomell, John L. Sellers

9875-

Summons.

Summons on Petition To Sell Real Estate
The State of Ohio, Union County, Probate Court.
To the Sheriff of Lucas County:

9875-

You are commanded to notify Carrie Bair and W. H. Bair that on the 10 day of July, A. D. 1922, Milo S. Myers, Adm. of the estate of William Clapham, 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 12 day of August 1922 said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due return of this writ on the 24 day of July, 1922.

Witness my hand and the seal of said Court, this 10 day of July, 1922. *W. H. Busted*, Probate Judge.

9875-

Sheriff's Return

The State of Ohio, Lucas County.
Received this writ July 11- 1922 at 8 o'clock - 9 AM, and pursuant to its command on July 16-1922 I served the within named Carrie Bair by personally handing to her a true and certified copy of this writ with all the endorsements thereon and at the same time I served the within named W. H. Bair, by leaving for him at his usual place of residence, a true and certified copy of this writ with all the endorsements thereon.
Pro. W. Shook, Sheriff, By H. D. Lindsay Deputy

Sheriff's Fees
Service and Return 75
additional names 25
2 miles traveled at 89, 16 Total \$ 1.16

9875-

Order For Appraisement

Order for appraisement

In the Probate Court, Union County, Ohio.
Milo S. Myers, Administrator
of the Estate of
William Clapham, Decd.
vs.
Plaintiff
vs.
Frank Clapham et al. Defendants.

no. 9875-
Journal Entry

Order for appraisement.
This day this cause came on to be heard upon the petition and the evidence, and Court find that all the defendants have been duly served with process herein, or, have voluntarily entered their appearance herein, and are in default for answer or demurrer to the said plaintiff's petition, and that thereby the allegations therein stated and contained are by them confessed to be true; 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 William Clapham, deceased. It is therefore ordered and adjudged by the Court that the said Milo S. Myers, as such, administrator

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Order of appraisement

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and W. H. L. Myers, said, filed County, Ohio, of which of certain said debts, of August and an order dur h. His 10- Judge.

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County, Ohio.

ment. upon that all cess herein, herein, and the said, gations em confessed tion it is cribed, to ur, deceased, by the Administrator

9875- cause said premises to be appraised, by the oaths of S. D. Boyd, L. Myers, and George Trapp, three judicious and disinterested free holders, of the vicinity, whom the court hereby appoints for that purpose, and, that they return their proceedings to this court for further order.

W. H. Husted, Probate Judge.

9875-

Order of Appraisement

Order of appraisement

The State of Ohio, Union County, ss.

Probate Court,

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 William Blapham, deceased, are Plaintiff and Frank Blapham, et al. are Defendants, you are commanded that by the oaths of S. D. Boyd, L. Myers, and George Trapp, 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 to wit: Being situated in the village of Marysville, County of Union and State of Ohio, First Tract: being 35 1/2 feet off of the south part of Lot No. 82, of the village of Marysville within said Union County, Ohio, and being on the east side of South Main Street therein. Second Tract: being situated in said village of Marysville, County of Union and State of Ohio, and bounded and described as follows: Beginning at a stake in the north line of West Eighth Street at the south east corner of a lot of land now owned by Clarence Blapham; thence with said Blapham's east line N. 5° 15' E. 127 1/2 feet to a stake in the south line of an alley; thence with the line of said alley south 84 degrees 45' E. 64 feet and 10 inches to the West line of an alley; thence with the said line S. 5° 15' W. 127 1/2 feet to the north line of said West Eighth Street; thence with said line of said Street N. 84° 45' W. 64 feet and 10 inches to the place of beginning. 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 5- day of September, A. D. 1922.

W. H. Husted, Probate Judge.

9875-

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 28. day of

9875-

the 28 day of September, 1922. Miles L. Myers, Adm'r.
 Oath of Appraisers.
 The State of Ohio, Union County. 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.

Oath
of
Appraisers

Geo. Trapp, L. Pyles, S. D. Boyd, appraisers.
 Sworn to before me and signed in my presence. This 28 day
 of September 1922. ^{read} Maud Pyles, Notary Public

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 { Tract No. 1. at \$700-
 Tract No. 2. " \$125.00

this 28 day of September 1922. Geo. Trapp, L. Pyles, S. D. Boyd ^{appraisers}
 Application to Sell Real Estate at Private Sale.

9875-

application
to
sell
Real Estate
at
Private
Sale

Miles L. Myers, Adm'r. of
 The Estate of
 William Clapham, Dec'd.
 Plaintiff
 Frank Clapham, et al.
 Defendants.
 Probate Court, Union County, Ohio
 No. 9875-
 Petition to Sell Real Estate
 application.

The said Plaintiff represents that it would be for the
 interest of the said estate to sell the real estate des-
 cribed in the petition in this case at private sale,
 for the following reasons: First, that if sold at
 private sale, will save costs of a public sale.
 Second, that Tract No. 1, can be sold at the ap-
 praised value, \$125- at once, and for cash, in full,
 in hand on day of sale. Third, applicant
 believes that Tract No. 2, can be sold at the appraised
 value and for cash, and he therefore asks for an
 order authorizing him to sell said real estate at
 private sale.

Miles L. Myers, Adm'r. of Wm Clapham
 The State of Ohio, Union County.
 Miles L. Myers being duly sworn, says that the various
 matters set forth in the foregoing Application are true
 as he verily believes.
 Sworn to before me and signed in my presence. This
 28 day of September 1922. ^{read} Maud Pyles, Notary Public

Affidavit of Disinterested Persons

The State of Ohio, Union County, O.
 H. F. Braddock and J. R. Taylor, being duly sworn, says
 that they know the facts set forth in the application
 to which this affidavit is attached; that they have

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affidavit
of
Disinterested
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no interest whatsoever 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.

W. F. Bodrick, J. R. Taylor.

Known to before me - and signed in my presence this 28-day of September, 1922. ^{State} Grand Jurors, Notary Public

9876-

Journal Entry: Orders approving appraisement for Private Sale - Probate Court, Union County, Ohio.

Mrs. L. Myers, Administrator

September 28th 1922.

Order of the estate of William Clapham, Dec'd.

Petition to Sell Real Estate

and appraisement of Plaintiff Frank Clapham, et al.

Defendants. Order of Sale.

for Private

This day came the said Plaintiff, by his attorney and produced to the Court, the report of an appraisement herein made by George Trapp, L. Tyler, and

S. D. Boyd, 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 the said admr. having heretofore entered into a sufficient bond herein as such administrator it is ordered that a further bond be dispensed with 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 Mrs. L. Myers, as such admr., proceed to sell said real estate 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. W. H. Husted, Probate Judge

9875-

Order

The State of Ohio, Union County.

Probate Court.

of Date.

To Mrs. L. Myers, admr. of the estate of William Clapham, 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 Frank Clapham, 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

9875 described premises, to-wit: Being situated in the village of Marysville, County of Union and State of Ohio. First Tract, being 35 1/2 feet off of the south part of Lot No. 82, of the village of Marysville within said Union County, Ohio, and, being on the east side of South Main Street therein. Second Tract: being situated in said village of Marysville, County of Union and State of Ohio, and bounded, and described as follows: Beginning at a stake in the north line of West Eighth Street, at the south-east corner of a lot of land now owned by Clarence Clapham; thence with said Clapham's east line N. 5° 15' E. 127 1/2 feet to a stake in the south line of an alley; thence with the line of said alley south 84° 45' E. 64 feet and 10 inches to the west line of an alley; thence with the said line S. 5° 15' W. 127 1/2 feet to the north line of said West 8th Street; thence with said line of said street N. 84° 45' W. 64 feet and 10 inches to the place of beginning. Said sale to be private and to be upon the following terms: 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 4th day of January, A.D. 1923.

Seal H. B. Hubbell Probate Judge.

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9875 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 4th day of January, 1923. Milo L. Myers, Adm'r.

9875 Report
 In obedience to the within order, I sold said premises on the 4th day of January, 1923, to-wit: First Tract to Nellis Little, for the sum of \$700- and the second tract to Nellis Clapham, for the sum of one hundred and twenty-five and 10/100 Dollars. Said sum being the appraised value of the same.

Milo L. Myers, adm'r, of said
 Dated the 4th day of January, 1923.

9875 Oath
 The State of Ohio, Union County.
 The above named, Milo L. Myers, 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 she could get for said property.

Milo L. Myers, Adm'r.
 Sworn to before me, and signed in my presence, this 4th day of January, 1923.
Seal Maud Myers, Notary Public

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 Filed
 July 11-1922
 C. H. Cropper,
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Journal Entry: Probate Court, Union County, Ohio
Miles L. Myers, Administrator
of the estate of
William Blapham, deceased.
Plaintiff

Orders
approving
and
Confirming
Sale

Frank Blapham, et al.
Defendants

Orders approving and
Confirming Sale.

This day this cause coming on to be heard with
report of Miles L. Myers, admr. of the estate of William
Blapham, deceased, of his proceedings and sales under
the former order of this Court; and upon the motion
of said petitioner to confirm the sale made in
obedience to said order; the Court having carefully
examined said report, and finding the proceedings of
said petitioner in all respects correct and being sat-
isfied 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 William Blapham, deceased,
in said real estate, to the purchasers, Tract No. 1. Nellie
Littler; Tract No. 2. Nellie Blapham, upon said purchasers,
paying the purchase price, in full, for the respective
tracts sold to them.

This proceeding to be recorded, and that said petitioner
pay the costs herein taxed at \$--- within ten days.

W. H. Husted, Probate Judge.

9901

Petition for Sale of Real Estate to Pay Debts.

Filed

July 11-1922
C. A. Hoopes,
attorney

M. E. Carmean, administrator
of the estate of
F. F. Carmean, deceased.
Plaintiff.

Probate Court, Union County, Ohio,
No. 9901

Civil Action

Petition to Sell Real Estate.

Willie J. Carmean, Marie Sellers
M. E. Carmean, Nellie Platt,
Mildred Bush, and The Citizens
Home and Savings Company of
Mansfield, Ohio, Defendants.

Petition

Petition.

The Plaintiff represents that he is the duly appointed
and qualified administrator of the estate of Benjamin
F. Carmean, late of Union County, Ohio, deceased; that the
amount of debts due from the deceased is thirteen
thousand and five hundred dollars, so near as
they can be ascertained, that the charges of
administration of said estate will amount to
about fifty dollars; and that the total value of the
personal estate and effects of said deceased is but

9901

... nothing ... being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Benjamin F. Carmean, died seized in fee simple, of the following described real estate situated in the County of Union, State of Ohio, and in the Village of Marysville, to wit: Beginning at a stone in the margin of Fifth Street (formerly Center Street) twelve feet west of the south west corner of sub lot no. 2, and at the south west corner of W.W. Sabins lot; thence north with the west line of said Sabins lot one hundred and eighty - three feet to a stake and stone; thence west seventy feet to a stake and stone; thence south parallel with said Sabins west line one hundred and eighty three feet to a stone in the margin of Fifth Street; thence east with the margin of Fifth Street seventy feet to the place of beginning. Plaintiff 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 and that the amount of said appraisement is -- nothing -- Dollars.

Petition

The said decedent died leaving the defendant Willie J. Carmean, his widow, who is entitled to dower in said premises; that the defendants Marie Sellers M.E. Carmean, Nellie Platt and Miedred Bush, are the only children of said decedent having the next estate of inheritance from said Benjamin F. Carmean, deceased, in said premises, that the defendant The Citizens Home and Savings Company holds a mortgage on said real estate of \$4000.00.

The Plaintiff therefore prays that the dower of said Willie J. Carmean, in said premises may be assigned and set off to her; that the rights, interests and liens of the said The Citizens Home and Savings Company 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 case made and provided, and for all other proper orders and relief in the premises.

M.E. Carmean,

9901

The State of Ohio, Union County,

Oath

M.E. Carmean, Administrator, 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.

M.E. Carmean,

Sworn to before me, and signed in my presence this 11th day of July, A.D. 1922.

C. A. Hoopes Notary Public

9901

Filing Petition to Sell R. Est.

Journal Entry: In the Probate Court of Union Co., Ohio, July 11th 1922. M.E. Carmean, Adm. of the estate of Benjamin F. Carmean, Dec'd. Plaintiff. Willie J. Carmean, et al. Defendants. Filing Petition to Sell Real Estate.

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order for appraisement

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This day came the Plaintiff M. E. Carmean, administrator of the estate of Benjamin F. Carmean, and presented to this Court his petition duly verified, praying an order for the sale of real estate of the said Benjamin F. Carmean 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.

W. D. Hausted, Probate Judge.

Waiver

9901

Waiver

In the Probate Court, Union County, Ohio

M. E. Carmean, Administrator Case No. 9901

v. Willie J. Carmean, et al

Waiver

Now come the defendants, Maria Sellers, Nelle Platt, Mildred Bush, and M. E. Carmean, and waive the issuing of summons, enter their respective appearances herein and consent to the sale of said premises.

M. E. Carmean, Maria Sellers, Nelle Platt, Mildred Bush,

answrs of Widow.

9901

answrs

In the Probate Court, Union County, Ohio

M. E. Carmean, Administrator Case No. 9901

v. Willie J. Carmean et al

answrs of Widow.

Now comes Willie J. Carmean, and says that she is the widow of the said Benjamin F. Carmean, deceased, and waives issuing and service of summons and enters her appearance herein. Defendant further

says that she waives the assignment of her dower in said premises by metes and bounds or in rents and profits and asks that the value of her dower and money be determined, that said premises be sold free from her dower estate and that she be paid her dower in money.

C. A. Hoopes, atty.

State of Ohio, Union County, ss:

Willie J. Carmean, being first duly sworn, says that she is one of the defendants in the above entitled cause; that the facts stated and the allegations made in the foregoing answers are true as she verily believes.

Willie J. Carmean.

Known to before me, and subscribed in my presence, this 11th day of July, 1922.

C. A. Hoopes, Notary Public

9901

order for appraisement

Order for Appraisement

Probate Court, Union County Ohio

July 11th 1922

9901 M.E. Carmean adur. Plff. No 9901 Journal Entry
 Willis J. Carmean. 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 Benjamin
 F. Carmean deceased. and Willis J. Carmean,
 the widow of the said Benjamin F. Carmean. having by her
 assumed, waived the assignment of her dower by miles and
 bounds: it is therefore ordered and adjudged by the Court
 that the said premises be appraised free of dower by the
 oaths of W.P. O'Brien, A. F. Robinson, and Homer Southard,
 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.
 H. B. Husted, Probate Judge.

9901 Order of Appraisement.
 The State of Ohio, Union County ss. Probate Court.
 To M.E. Carmean, Administrator of the estate of Benjamin F.
 Carmean 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 Benjamin F. Carmean, deceased,
 are Plaintiff and Willis J. Carmean, et al. are Defendants,
 you are commanded that by the oaths of W.P. O'Brien, Homer
 Southard and A. F. Robinson, 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 Willis J. Carmean therein to wit:
 Situated in the County of Union, in the State of Ohio, and
 in the Village of Maupinville. Beginning at a stone in
 the margin of Fifth Street (formerly Center Street) twelve feet
 west of the Southwest corner of Out Lot No. 2 and at the
 Southwest corner of W. W. Sabin's lot: thence north with
 the West line of said Sabin's lot, one hundred and
 eighty three feet to a stake and stone thence West
 seventy feet to a stake and stone: thence South par-
 allel with said Sabin's West line, one hundred and
 eighty three feet to a stone in the margin of Fifth
 Street: thence East with the margin of Fifth Street
 seventy feet to the place of beginning.
 You will make return of your proceedings to this
 Court forthwith upon execution of this order.

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Witness my signature, and the seal of said Probate Court at Marysville, Ohio, this 11- day of July, A. D. 1922.

W. H. Husted Probate Judge.

9901

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 11- day of July, 1922.

M. E. Carmean.

9901

Oath of appraisers.

Oath of appraisers.

The State of Ohio, Union County.

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.

W. P. O'Brien, A. F. Robinson, Homer Southard & appraisers. Known to before me and signed in my presence. This 11- day of July, 1922. C. A. Hoopes, Notary Public.

9901

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 forty-five hundred dollars free from said down estate. Given under our hands, this 11- day of July, 1922.

W. P. O'Brien, A. F. Robinson, Homer Southard & appraisers.

9901

Order approving appraisement of the estate of Benjamin F. Carmean, Dec'd for Bond

Journal Entry: Order approving appraisement for Bond, Probate Court, Union County, Ohio.

M. E. Carmean, Administrator of the Estate of Benjamin F. Carmean, Dec'd Plaintiff

vs. Willis J. Carmean et al. Defendants.

July 19, 1922. Petition to Sell Real Estate

Order for Bond.

This day came the said Plaintiff, by his attorney, and produced to the Court the report of an appraisement herein made by W. P. O'Brien, A. F. Robinson and Homer Southard 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 M. E. Carmean execute within one day, to the State of Ohio, a bond with sufficient freehold securities, to be approved by the Court, in the sum of Forty-five Hundred Dollars, conditioned according to Law, and this cause is continued.

W. H. Husted Probate Judge

9901

Answer to Cross Petition of The Citizens Home and Savings Co.

In the Probate Court of Union County, Ohio,

M. E. Carmean, administrator of the Estate of Benjamin F. Carmean, Cross Petitioner deceased. vs. Plaintiff

Willie J. Carmean, et al. Defendants, The Citizens Home and Savings Co.

Cross Petition of

The Citizens Home and Savings Co.

The Citizens Home and Savings Company is a corporation organized under the laws of the State of Ohio, with its principal place of business at Mansville, Ohio.

First Cause of Action: on the 28 day of July, 1916, Benjamin F. Carmean, and Willie J. Carmean, executed to the Citizens Home and Savings Company their note of even date for the sum of Four Thousand Dollars due in three years and bearing interest at 6% payable semi-annually.

That in order to secure the payment of said note they executed and delivered to said Company their Mortgage deed thereby conveying the premises described in the petition. That said mortgage was duly filed for record with the Recorder of Union County at 10:45 a.m. July 29, 1916, and was by him recorded in vol. 77 at page 346, in the Mortgage Records of Union County, Ohio, and in the first and best line upon said premises.

Second Cause of Action: That on the 30 day of March, 1921, the said Benjamin F. Carmean, and Willie J. Carmean, executed and delivered to said Company their note of even date for the sum of Five Hundred Dollars, due one year after date and bearing interest at 7% payable semi-annually.

That in order to secure the payment of said note they executed and delivered to said Company their mortgage deed thereby conveying the premises described in the petition.

That said mortgage was duly filed for record with the Recorder of Union County, on the 31 day of March, 1921, at 11:30 o'clock a.m. and was by him recorded in vol. 84 page 599 of Mortgage Records of said County, and in the second line upon said premises.

That there is due said Company upon said notes the sum of \$4500.00 with interest from April 1st 1922.

Wherefore this answering defendant prays that upon the sale of said premises, said sum of \$4500.00 with interest as aforesaid be first paid to it out of the proceeds of said sale.

State of Ohio, Union County ss.

C. A. Hoopes, being first duly sworn, says that he is the attorney for The Citizens Home and Savings

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order for Private Sale.

9901 application to M. E. Carmean at Private Sale.

Accountant
verified
The Citizens Home and Savings Co.
order for Private Sale
application to M. E. Carmean at Private Sale
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The Citizens Home and Savings Co.

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Company; that the facts stated and allegations made in the foregoing cross petition are true as he verily believes. B. A. Hoopes.
know to before me and subscribed in my presence this 26-day of September, 1922. Jessie Southwick, Notary Public
Journal Entry: Probate Court, Union County, Ohio.
September, 26-1922.
M. E. Carmean, Adm. of
The Estate of Benjamin F.
Carmean, deceased, Plaintiff
Willie J. Carmean, et al. Defendants.
Order for Private 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 Benjamin F. Carmean, deceased, did leave as widow entitled to dower in the said estate to be sold, but that said widow has elected to take her dower in money, and the Court being satisfied that it is necessary to sell the real estate of said Benjamin F. Carmean, described in the petition, to pay his debts, and it being made to appear to the Court upon satisfactory evidence, that it would be wrong 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 M. E. Carmean 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: 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. W. H. Busted, Probate Judge.
Application to Sell Real Estate at Private Sale.
Probate Court, Union County, Ohio.
No. 9901
M. E. Carmean, Administrator of the Estate of Benjamin F. Carmean, Dec'd. Plaintiff
Willie J. Carmean, et al. Defendants.
Petition to Sell Real Estate application.
The said Plaintiff represents that it would be for the best interest of the said defendants to sell the real estate described in the petition in this case at private sale, for the following reasons:

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That said premises can be sold for a larger sum at private than at public sale. and he therefore asks for an order authorizing him to sell said real estate at private sale.

M. E. Carmean administrator of the estate of Benjamin F. Carmean, deceased the State of Ohio, Union County, ss.

M. E. Carmean, being duly sworn, says that the various matters set forth in the foregoing application are true, as he truly believes

known to before me and signed in my presence. This 26 day of September 1922. W. H. Busted Probate Judge

9901

Affidavit of Disinterested Persons.

The State of Ohio, Union County, ss.

W. F. Bodrick, and J. Walter Kennedy, 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 sworn for the interest of the said defendants to sell said real estate at private sale than at public sale, as they truly believe.

W. F. Bodrick, J. Walter Kennedy, known to before me and signed in my presence, this 26 day of September 1922. C. E. Hoopes Notary Public.

9901

I know all men by these Presents: That Mr. M. E. Carmean, Willie J. Carmean, and W. P. S. Brien, are held and firmly bound unto the State of Ohio, in the sum of Forty-five hundred Dollars, for the payment of which they hereby jointly and severally bind ourselves, our heirs, executors and administrators. Signed by us, and dated at Mansfield, Ohio, this 26th day of September 1922.

Bond

The condition of the above obligation is such, that whereas the above bound, M. E. Carmean, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, administrator of the estate of Benjamin F. Carmean, deceased, and whereas the said M. E. Carmean, 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 26 day of September 1922, made an order requiring said Administrator to execute a bond according to the statute in such cases made and provided.

Now, if the said M. E. Carmean, 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

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approving Bond and ordering it a sale.

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to dispose of the same according to law; then this obligation to be void, otherwise to remain in full force.

M. E. Carmean, Willie J. Carmean, W. P. O'Brien.

This Bond approved in open court, this 26-day of September, 1922.

9901

Journal Entry; Probate Court, Union County, Ohio
M. E. Carmean, Adm. of the estate of Benjamin F. Carmean, Decd. Plaintiff

September 26, 1922.

approving Bond.

approving Bond and ordering sale.

Willie J. Carmean, et al. Defendants, vs. Ordering Sale.
This day this cause came on further to be heard, and it appearing to the court, that the said M. E. Carmean, the plaintiff above named has given bond as herebefore ordered, in the sum of Forty-five Hundred Dollars, with Willie J. Carmean and W. P. O'Brien freeholders as Sureties; it is ordered that said bond be and hereby is approved, and it is 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 M. E. Carmean, as such administrator proceed according to law to sell at Private Sale, the real estate described in the petition, free from the dower of Willie J. Carmean for not less than 2/3 the appraised value of said real estate 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. H. H. Husted Probate Judge.

9901 Order of Sale free of dower.

Order of Sale - free from dower, Probate Court.
The State of Ohio, Union County,
M. E. Carmean, administrator of the estate of Benjamin F. Carmean, deceased, Plaintiff;
vs.
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 Benjamin F. Carmean, deceased, are Plaintiff and Willie J. Carmean, 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 Willie J. Carmean, widow of Benjamin F. Carmean, deceased, the following described premises, to wit: Situated in the State of Ohio, County of Union and Village of Marysville, Beginning at a stone in the margin of Fifth Street (formerly Center Street) twelve feet

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West of the Southwest corner of out lot no. 2. and at the Southwest corner of A.W. Sabins lot: Thence north with the West line of said Sabins lot one hundred and 83 feet to a stake and stone; thence West seventy feet to a stake and stone; thence South parallel with said Sabins West line, one hundred and eighty three feet to a stone in the margin of Fifth Street; Thence east with the margin of Fifth Street seventy feet to the place of beginning. Said sale to be private 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 26-day of September A.D. 1922. *W. H. Husted, Probate Judge.*

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Return

Return
 To the Probate Court of Union County, Ohio.
 In the 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 26-day of Sept. 1922.
M. E. Carmean, Admin.

9901

Report of Sale

Report of Sale
 In obedience to the within order, I sold said premises on the 26-day of September 1922, to William J. Carmean, for the sum of Forty-five hundred dollars, said sum being the appraised value of the same.
M. E. Carmean, Admin.

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Oath

Dated the 26-day of September 1922.
 The State of Ohio, Union County.
 The above named M. E. Carmean, administrator being duly sworn, says that the sale above reported had 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.
M. E. Carmean.

9901

Orders of Confirmation and Distribution

Sworn to before me, and signed in my presence, this 26-day of September, 1922.
W. A. Hoopes, Notary Public
 Probate Court, Union County, Ohio.
 September 26, 1922.
 Petition to Sell Real Estate,
 of the Estate of Benjamin F. Carmean, de cd.
 Plaintiff
 William J. Carmean, et al.
 Defendants
 Orders of Confirmation and Distribution

This day this cause came on to be heard on the report of Administrator of Benjamin F. Carmean, estate 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

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Confirmation and Distribution
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 Defendants

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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 Benjamin F. Carmean in said real estate, to the purchaser, Willis J. Carmean, 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 Forty-five hundred dollars: and the said Willis J. Carmean, widow, having by answer herein, denied 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 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 - free of dower.

Confirmation
and
Distribution

The Court finds that there is due the said The Citizens Home and Savings Co. upon the notes set forth in its answer and cross-petition, from the estate of said Benjamin F. Carmean, the sum of Forty-six hundred and thirty-seven dollars, with interest thereon from the date of this entry: that the said Benjamin F. Carmean, and said Willis J. Carmean, his wife, to secure the payment of said promissory notes 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.

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 \$50.00 to C. A. Hoopes, and \$186.00 the percentage of said Administrator herein, amounting to the sum of \$243.00 Second, to The Citizens Home and Savings Co. on the notes and mortgages set forth and described in its answer and cross-petition herein, the sum of

9911 of \$ 4257. which the court finds to be the amount due it. It is further ordered that the balance of said proceeds amounting to the sum of \$ --, be accounted for by said admr. according to law. and it is further ordered that his proceeding be ordered, and that said petitioner pay the costs herein, taxed at \$ 13.00 out of the proceeds of said sale, within ten days.

W. H. Husted, Probate Judge.

9912
Filed
August 26

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

1922 of the estate of Al Poling, deceased,
Plaintiff

No. 9912
Civil Action

vs.
Lettie Poling
Francis A. Poling (minor)
Mrs. Ora Norvil

Petition to Sell Real Estate
Petition.

Defendants.

Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the Estate of Al Poling deceased, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Seven hundred and fifty-five (\$ 755.00) Dollars, as near as they can be ascertained that the charges of administration of said estate will amount to about two hundred (\$ 200-) Dollars; and that the total value of the personal estate and effects of said deceased is but Seven hundred and forty five (\$ 745.00) Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Al Poling died seized in fee simple of the undivided 1/2 of the following described real estate, situated in the County of Union, State of Ohio, and in the Township of Allen, to-wit: Part of Survey, No. 15-309 and 12305 and 3151, and bounded and described as follows: Beginning at a stone where the southerly line of the A and H.W. Railway lines cross the line, formerly between J. K. Young Land Isaac Mattox, S. 35 3/4 (correcting the course) E. 68 poles to a stone and brick; thence S. 35 1/2 parallel with the said railroads lands 15-poles to a stone and brick; thence N. 35 3/4 W. 68 poles to a stone and brick in the line of the railroad lands; thence with said line N. 39° E. 15 poles to the beginning containing 6 acres, more or less and being a part of Survey No. 15-309.

Also the following premises, Beginning at the same corner with the last piece of land named;

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thence S. $35\frac{3}{4}^{\circ}$ E. 173.50 poles, (correcting the course) to a stone in the place of two bricks; thence N. $35\frac{3}{4}^{\circ}$ E. 39.57 poles to a stake and stone; thence N. $35\frac{3}{4}^{\circ}$ W. 154 poles to a stone in the line of the A. and G. W. Railway lands; thence with this line S. 38° W. 41 poles to the beginning, containing 44 acres, more or less, and being a part of Survey No. 15-359 and 12-308.

also, the following premises. Beginning at a stake in the center of the Marysville and Bellefontaine Road, corner to R. Smith's land; thence N. $35\frac{3}{4}^{\circ}$ E. 76 poles to a stake in the northeasterly line of Survey No. 315-1; thence with said line S. 33° E. 53.60 poles to a stone in said line and in the line of said Survey No. 15-309; thence N. 57° E. 57.50 poles to a large stone; thence S. 33° E. 22.70 poles to a stake; thence S. 57° W. 71.26 poles to a stone and brick in the center of said Marysville and Bellefontaine Road; thence with the center of said road N. 60° W. 96.84 poles to the beginning, containing 35 acres, more or less, being part of Surveys No. 315-1 and 15-309, containing in all 85 acres, more or less.

Petition

The said decedent died leaving the defendant Little Poling, his widow who is entitled to dower in said premises; that the defendant, Francis A. Poling is the only child of said decedent, having the next estate of inheritance from said Little Poling, deceased, in said premises that the defendant Ara Norvif holds a mortgage upon said real estate, which was dated February 27-1911 and recorded in Union County Mortgage Record No. 54 page 400; upon which there is due from the deceased, the sum of \$350.00 with interest.

The Plaintiff therefore prays that the dower of said Little Poling in said premises may be assigned and set off to her; that the rights, interests and liens of the said Francis A. Poling, and, Ara Norvif, 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 case made and provided, and for all other proper orders and relief in the premises.

Otta Poling.

The State of Ohio, Union County,

Otta Poling, administrator of the estate of Little Poling, deceased, 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.

Otta Poling.

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9912 sworn to before me, and signed in my presence, this
 26-day of August A.D. 1922. W. H. Kusted Probate Judge

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 Prairife
 Probate Court, Union County, Ohio,
 no. 9912
 Civil action
 Petition to Sell Real Estate,
 Otto Poling, admin. of
 The Estate of
 Ai Poling, dec'd.
 Plaintiff
 Lettie Poling,
 Francis A. Poling (minor)
 Defendants,
 directed to Otto Poling, Plaintiff, returnable according to law.
 Prairife to the Probate Judge:
 Issue summons for said
 Francis A. Poling minor,
 Otto Poling, Plaintiff

9912
 Journal Entry:
 In the Probate Court of Union County, Ohio,
 August 26-1922.
 Otto Poling, administrator
 of Ai Poling, deceased.
 Plaintiff
 vs.
 Lettie Poling, Francis A. Poling,
 and others, Defendants.
 Filing Petition to Sell
 Real Estate
 This day came the Plaintiff Otto Poling, administrator
 of the estate of Ai Poling, deceased, and presented to
 this Court his petition, duly verified, praying an order
 for the sale of real estate of the said Ai Poling, 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 case is continued.
 W. H. Kusted, Probate Judge

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 Wainr
 In the Probate Court of Union County, Ohio,
 no. 9912
 Petition to Sell Real Estate,
 Otto Poling, admin. of
 The Estate of
 Ai Poling, Dec'd.
 Plaintiff
 vs.
 Lettie Poling, Francis A. Poling,
 and others,
 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 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

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Summons on Petition to Sell Real Estate,

the State of Ohio, Union County,

Probate Court,

Summons

To Otta Poling, Plaintiff:

You are hereby commanded to notify Francis A. Poling a minor, making service of this summons upon said minor, and also upon the guardian, or father, or if neither guardian or father can be found, then upon the mother, or the person having the care of said minor, or with whom he lives; that on the 26-day of August A. D. 1922, Otta Poling, administratrix of the estate of Al Poling, 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 he answers by the 30-day of September 1922, said petition will be taken as true, and an order granted accordingly. Said Plaintiff will make

due return of this writ on the 9-day of September 1922, witness my hand and the seal of said Court, this 26-day of August, 1922. W. H. Busted, Probate Judge.

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Return

Return

The State of Ohio, Union County,

Recind this writ August 26-1922, at 10 o'clock, a. m., and on the days and in the manner hereinafter named, I served the same on the within named defendant August 26-1922, on Francis A. Poling by delivering to him personally a copy of this writ with all the endorsements thereon, and also August 26-1922 on Lettie Poling the guardian of the said Francis A. Poling, minor, by delivering to her personally a copy of this writ with all the endorsements thereon. The said Lettie Poling being the mother of said Francis A. Poling, and, the person having the care of and with whom lives the said Francis A. Poling, minor.
Otta Poling

Swears to before me, and signed in my presence, this 26-day of August 1922. W. H. Busted, Probate Judge.

9912

Answer

Otta Poling, administratrix

No. 9912

of

of the Estate of

Answer of Widow.

Widow

Al Poling Deceased,
Plaintiff.

Proceedings to Sell
Real Estate

Lettie Poling, et al. Defendants

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Busted Probate Judge,
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and now comes Lettie Poling 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 Ai Poling, deceased, and, as such is entitled to dower in the premises described in said petition; that her age is forty-seven (47) 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 thereon 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.

Lettie Poling,

The State of Ohio, Union County, ss.

Lettie Poling being duly sworn, makes oath that the facts stated in the foregoing answer are as she believes true.

Lettie Poling

Sworn to by said Lettie Poling before me, and signed by her in my presence, this 26th day of August A.D. 1922.

W. B. Busted, Probate Judge

9912

Application Guardian ad litem

Probate Court, Union County, Ohio,
August 30. A.D. 1922.

application
Guardian
ad litem

Otta Poling, administrator
of the estate of:

Ai Poling, deceased. Plaintiff.

Lettie Poling, Francis A. Poling et al. application for appointment
Defendants of Guardian ad litem.

To the Hon. W. B. Busted, Judge of said Court:

The undersigned Otta Poling, admsr, makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case.

The defendant Francis A. Poling is under the age of fourteen years, and has been duly served with summonses herein.

The undersigned suggests that Mr. H. Beames who is a suitable person be appointed as such Guardian ad litem.

Respectfully,

Otta Poling, Admsr. of Ai Poling, dec'd.

9912

Journal entry on appointment of Guardian ad litem
Probate Court, Union County O.

Entry

August 30- 1922.

Otta Poling, admsr. of
The Estate of Ai Poling, deceased,
Plaintiff

No. 9912.
appointment of

Lettie Poling, Francis A. Poling et al. Guardian ad litem.
Defendants.

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This day Otta Poling, admr. of Ai Poling deceased, 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 Francis A. Poling is under the age of fourteen years, and has been duly and legally served with summons herein, it is ordered that W. H. Reams, Jr and she hereby is appointed Guardian for the suit, for said minor defendant, and now comes the said W. H. Reams, Jr and in open Court accepts said appointment.

W. H. Reams, Jr, Probate Judge

9912
Answer of
Guardian
ad
litem

Otta Poling, admr. of
Ai Poling, deceased,
Plaintiff
v.
Lettie Poling, et al.
Defendants.

Answer of Guardian ad litem,
Probate Court, Union County, Ohio,
No. 9912
Petition to Sell Real Estate
Answer of Minor Defendants,

and now come the said Francis A. Poling, the minor defendant to the petition in said cause, by W. H. Reams, Jr, 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 cause, and for such relief as may be just. Francis A. Poling, W. H. Reams, Jr, Edu. ad litem.

9912

Order for
appraisal

Otta Poling, admr. of
Ai Poling, deceased,
Plaintiff
v.
Lettie Poling et al, Defendants

Order for appraisal
Probate Court, Union County, Ohio,
No. 9912,
Journal Entry,

This day this cause came on to be heard upon the petition, proofs and exhibits and the answer of Lettie Poling as widow of Ai Poling, deceased, 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 Ai Poling, deceased. And, Lettie Poling the widow of the said Ai Poling having by her answer, waived the assignment of her dower by writs and bonds; it is therefore ordered, and adjudged, by the Court that

9912 the said premises be appraised four of down, by the oaths of Frank L. Cross, Joseph J. Zahm, and Ervitt Epps, judicious and disinterested freeholders of the vicinity, whom the Court hereby appoints for that purpose, and that they return their proceedings to this Court for confirmation.

W. H. Husted, Probate Judge.

9912

Order of appraisement.

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

To Frank L. Cross, Joseph J. Zahm, and Ervitt Epps, 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 an Plaintiff and

Order of appraisement

Francis A. Poling et al. an defendants, you are commended that by the oaths of Frank L. Cross, Joseph J. Zahm and Ervitt Epps, 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 subject to the down estate

of the Poling therein, to wit: Real estate situate in the State of Ohio, County of Union and Township of Allen being part of Survey No. 15-309, 12308 and 3157, and bounded and described as follows: Beginning at a stone where the southerly line of the A. and G. N. Railway lines cross the line formerly between J. H. Young and Isaac Mattox, S. $35^{\circ} \frac{3}{4}$ (Correcting the Course) E. 68 poles to a stone and brick; thence S. 38° W. parallel with the said railroad lands 15 poles to a stone and brick; thence N. $35^{\circ} \frac{3}{4}$ E. 68 poles to a stone and brick in the line of the railroad lands; thence with said line N. 39° E. 15 poles to the beginning, containing 6 acres more or less and being a part of Survey No. 15-309.

Also the following premises: Beginning at the same corner with the last piece of land named; thence S. $35^{\circ} \frac{3}{4}$ E. 173.50 poles (Correcting the Course) to a stone in the place of two bricks; thence N. $35^{\circ} \frac{3}{4}$ E. 39.59 poles to a stake and stone; thence N. $35^{\circ} \frac{3}{4}$ W. 184 poles to a stone in the line of the A. and G. N. Railway lands; thence with this line S. 38° W. 41 poles to the beginning, containing 44 acres more or less, and being a part of Survey No. 15-309 and 12308.

Also the following premises: Beginning at a stake in the center of the Marysville and Bellefontaine Canal Road, corner to R. Smith's land; thence N. $35^{\circ} \frac{3}{4}$ E. 76 poles to a stake in the northeasterly line of Survey No. 3151; thence with said line S. 33° E. 83.60 poles to a stone in said line and in the line of said

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W. H. Deusted, Probate Judge.

9912 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-day of September 1922.

Otta Poling, administrator.

9912 Oath of Appraisers, The State of Ohio, Union County. 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. Frank L. Cross, Joseph Zalus, Everett Epp, Appraisers. Sworn to before me and signed in my presence. This 30th day of September 1922. Adelle M. Cheney, Notary Public.

9912 Appraisers Return In obedience to the foregoing order, after bringing 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-seven Hundred (\$2700-) Dollars, subject to said donor estate. Given under our hands this 30 day of September 1922. Frank L. Cross, Joseph Zalus, Everett Epp, Appraisers.

9912 Application To Sell Real Estate at Private Sale. Application to Sell Real Estate at Private Sale, Probate Court, Union County, Ohio, No. 9912. Petition to Sell Real Estate application. Lettie Poling, et al. 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:

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1. a private sale will save to said estate a considerable sum in costs and expenses, incident to a public sale. 2. a private sale for cash will enable said Plaintiff to close the administration of said estate at an earlier date than by a sale at public auction. 3. a private sale now for cash will save to said estate the interest on the mortgage affecting said lands. and he therefore asks for an order authorizing him to sell said real estate at private sale.

Otta Poling, admr.

9912

Affidavit of Disinterested Persons

The State of Ohio, Union County ss.

Lansow B. Barry, A. M. Cheney, and Charles E. Blain 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 Ai Poling, deceased, to sell said real estate at private sale than at public sale, as they verily believe.

Lansow B. Barry, A. M. Cheney, Charles E. Blain.

Sworn to before me and signed in my presence, this 30th day of September 1922. ^{W. H. Husted} Probate Judge.

9912

Journal entry: In the Probate Court of Union County, Ohio
Marysville, Union County, Ohio, Sept. 30th 1922.

Otta Poling, admr. of the estate of Ai Poling, dec'd. Plaintiff

Lettie Poling 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,

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9912 the Court finds that it would be for the best interests of said estate of Ai Poling deceased, and, all parties interested therein that said real estate be sold at private sale. It is thereupon by the Court ordered that said Otto Poling Admin. 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, 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.

W.H. Husted, Probate Judge.

Order of Sale - Free of Down.

9912
Order
of
Sale,
Free of
Down.

The State of Ohio, Union County, Probate Court.
To Otto Poling, Administrator of Ai Poling, 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 Admin. of the estate of Ai Poling, deceased, are Plaintiff and Lettie Poling 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 of Lettie Poling widow of Ai Poling deceased, the following described premises, to wit:

Real estate situate in the State of Ohio County of Union and Township of Allen, being part of Surveys nos. 15-309, 17-308 and 3151, and bounded and described as follows: Beginning at a stone where the southerly line of the A. and G. W. Railway lines cross the line formerly between J. K. Young and Isaac Mattox S. $35\frac{3}{4}$ (correcting the course) E. 68 poles to a stone and brick; thence S. 38° W. parallel with the said rail road lands 15 poles to a stone and brick; thence N. $35\frac{3}{4}$ W. 68 poles to a stone and brick in the line of the railroad lands; thence with said line N. 39° E. 15 poles to the beginning, containing 6 acres, more or less, and being a part of Surveys nos. 15-309, also, the following premises, Beginning at the same corner with the last piece of land named; thence S. $35\frac{3}{4}$ E. 173.50 poles (correcting the course) to a stone in the place of two bricks; thence N. $35\frac{3}{4}$ E. 39.59 poles to a stake and stone; thence N. $35\frac{3}{4}$ W. 184 poles to a stone in the line of the A. and G. W. Railway lands; thence with this line S. 38° W. 41 poles to the beginning, containing 44 acres, more or less, and being a part of Surveys nos. 15-309 and 17-308. also, the following premises

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Beginning at a stake in the center of the Mansville and Bellefontaine gravel Road, corner to R. Smichland's, thence N. 35° 14' E. 76 poles to a stake in the north-easterly line of survey No. 3157; thence with said line S. 33° E. 83.60 poles to a stone in said line and in the line of said survey No. 13-309; thence N. 57° E. 57.50 poles to a large Elm; thence S. 33° E. 22.70 poles to a stake; thence S. 67° W. 71.26 poles to a stone and brick in the center of the said Mansville and Bellefontaine Road; thence with the center of said road N. 60° W. 96.84 poles to the beginning. Containing 35 acres more or less. Containing in all 85 acres more or less. Said sale to be for from down 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 30th day of September 1922.

W. H. Husted, Probate Judge. Seal

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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 30th day of September, 1922.

Otta Poling, admin.

9912

Report of Sale

Return

Report of Sale

In obedience to the within order, I sold said premises on the 30th day of September 1922. To Lettie Poling for the sum of Twenty-seven hundred (\$2700-) Dollars, said sum being the appraised value of the same.

Otta Poling, admin.

Dated the 30th day of September 1922.

The State of Ohio, Union County ss.

The above named Otta Poling, 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. Otta Poling admin.

Sworn to before me and signed in my presence, this 30th day of September 1922.

Seal W. H. Husted, Probate Judge.

9912

Confirmation

Journal entry; Probate Court, Union County, Ohio,
Otta Poling, admin. of the estate of Ai Poling, deceased. Plaintiff
October 2 - 1922,

9912

Distribution

Lettie Poling, et al. Defendants. Order of Confirmation, Distribution
This day this cause came on to be heard on the report of Otta Poling, administrator of Ai Poling, deceased, of his proceedings under the former order of this Court. aw

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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 Al Poling, in said real estate, to the purchaser, Lettie Poling, upon the said purchase, paying 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 Twenty seven hundred (\$2700) Dollars; and the said Lettie Poling widow, having by answer herein

Confirmation

Distribution

waived the assignment of dower, in said premises, and by incles and bonds, or in rents 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 Six Hundred and two ³/₁₀₀ (\$602.31) Dollars. The Court finds that there is due the said Ara Novick upon the note set forth in the petition, from the estate of said Al Poling deceased, the sum of Three Hundred and fifty (\$350) Dollars, with interest thereon from the date of this entry; that the said Al Poling and Lettie Poling, husband and wife, 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.

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 services stamp on deed etc, herein, amounting to the sum of \$44.00. Third - To Lettie Poling widow, the sum of \$602.31, which the Court finds to be the value, of her dower interest in said premises. Fourth - To Ara Novick,

bring duly, been made for said best price adms, since, this Probate Judge, nty, Ohio, tribution the report of ased, of Court, and

9912 on the note and mortgage set forth and described in the petition herein, the sum of \$305.50, which the court finds to be the amount due her. from the estate of Ai Poling deceased. It is further ordered that the balance of said proceeds, amounting to the sum of \$1698.69 be accounted for by said Administrators according to law. and it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$16.00 out of the proceeds of said sale within ten days. W. H. Husted, Probate Judge.

9928
Filed
September 20th 1922
E. W. Potter
Probate Judge

Jay Norris, Guardian of
Amanda Norris, an incompetent.
Plaintiff
vs
his said ward.
Amanda Norris,
Defendant.

Guardian's Petition to Sell Real Estate.
Probate Court, Union County, Ohio.
No. 9928
Petition to
Sell Real Estate.
Petition.

The Plaintiff represents that he is the duly appointed and qualified Guardian of Amanda Norris, an incompetent of the age of 80 years, on the -- day of -- 1922, and residing with said Jay Norris, at Richmond, Union County, Ohio.

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 Village of Richmond, to wit:

Beginning at the south west corner of a strip of land, thirty three and one third (33 1/3) feet in width off the west side of in lot number Two Hundred and Seventy two (272) in Henry T. Marriott's addition to said Village of Richmond, Ohio, conveyed by James W. Woodruff, and wife to Grantor herein, by deed, dated March 5- 1901, and recorded in Deed Book No. 83, page 160 and 161 Union County, Ohio, records of deeds; thence eastwardly forty (40) feet to a stake; thence northwardly and parallel with the west of said lot No. 272 to an alley; thence westerly forty (40) feet to a stake corner to said land of Grantor herein; thence southerly along the line of said Grantor's land to the place of beginning, being forty (40) feet off the west side of said in Plot Number Two Hundred and Seventy two (272) as recorded in Plat Book at Marysville, Ohio

Also one other tract of land situated in the County of Union, State of Ohio, and in the Village of Richmond land, bounded and described as follows: Being part of Lot No. 272, in Henry T. Marriott's Addition to said Village. Beginning at the southeast corner of a part of said Lot No. 272, conveyed by Arthur C. Thompson, to Amanda Norris, March 8th 1908, said

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beginning point being 40 feet east of the south-west corner of said lot No. 272. and in the north margin of Bonford Street; thence easterly with the north margin of said Street 20 feet to a stake; thence northerly and parallel with the West line of said Lot No. 272, 132 feet to an alley; thence westerly 20 feet to a stake, corner to the Lot of Amanda Norris; thence southerly along the line of said Norris lot 132 feet to the beginning.

Said real estate is worth annually one hundred and forty-four dollars. That said Plaintiff, has received \$126 rents from the real estate of his ward.

That the sale of said real estate is now to the interest of the said Incompetent by reason of her advanced age, mental and physical disability and infirmity. And further, because if said property is not sold, a large proportion of her funds will be exhausted in much needed repairs on said property, thus jeopardizing her proper care in nursing maintenance, and medical attention. The Plaintiff therefore prays that said Amanda Norris, an Incompetent as aforesaid, 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.

Jay Norris, Guardian

The State of Ohio, Union County, ss.

Jay Norris, 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.

Jay Norris, Guardian.

Done to before me and signed in my presence, this 20th day of September 1922. Edward W. Foster, Notary Public, Union County, Ohio.

9928

Journal Entry: Order on fixing time of hearing ^{and for notice}

Probate Court, Union County, Ohio.

Wednesday, September 20 - 1922.

Jay Norris, Guardian of Amanda Norris, an Incompetent, Plaintiff.

vs. Defendant. Order for notice.

This day Jay Norris Guardian of Amanda Norris, an Incompetent, appeared in open court and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his said ward, Amanda Norris, an Incompetent. It is ordered that the time of hearing said petition be and hereby is fixed for the 27th day of September 1922, at one o'clock, P. M. It is further ordered that said Guardian cause notice thereof, and of the filing

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and demand of said petition, to be given to said Amanda Norris, his ward, 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, 1 days before said day of hearing and this cause is continued. W.H. Husted, Probate Judge.

Notice to Defendant.

The State of Ohio, Union County, ss.

To Amanda Norris, an Incompetent. You are hereby notified, that on the 20-day of September 1922, 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 Amanda Norris, an incompetent, situated in the County of Union, in the State of Ohio, and, in the Village of Richmond, and, described as follows, to wit: Beginning at the south west corner of a strip of land thirty three and two third (33 2/3) feet in width off the west side of In lot Number Two Hundred and Seventy two (272) in Henry T. Marriotts Addition to said Village of Richmond, Ohio, conveyed, by James W. Woodruff and wife to Grantor herein by Deed dated March, 5th 1901, and recorded in Deed Book, No. 13, pages 160 and 161 Union County, Ohio, records of deeds; thence eastwardly forty (40) feet to a stake; thence northerly and parallel with the west of said Lot No. 272 to an alley; thence westerly forty (40) feet to a stake corner to said land of Grantor herein; thence southerly along the line of said Grantors land to the place of beginning, being forty (40) feet off the west side of said Lot Number Two Hundred and Seventy two (272) as recorded in Plat Book, at Mansfield Ohio, also, one other tract of land situated in the County of Union State of Ohio, and in the Village of Richmond, and bounded and described as follows; Being part of Lot No. 272 in Henry T. Marriotts addition, to said village. Beginning at the south east corner of a part of said Lot No. 272, conveyed, by Arthur C. Thompson to Amanda Norris, March, 8th 1908, said beginning point being 40 feet east of the south-west corner of said Lot No. 272, and, in the north margin of Bonford Street; thence eastwardly with the north margin of said Street 20 feet to a stake; thence northerly and parallel with the west line of said Lot No. 272, 132 feet to an alley; thence westerly 20 feet to a stake, corner to the lot of Amanda Norris; thence southerly along the line of said Norris Lot 132 feet to the beginning. Said petition

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will be for hearing by said court, on the 27th day of September 1922, at one o'clock P.M., at which time an order will be asked, as prayed for in said petition.

Dated this 20th day of September, 1922.

Jay Norris, Edu. of Amanda Norris.
Affidavit of Service.

The State of Ohio, Union County, ss.

I, Jay Norris, being duly sworn, say, that on the 20th day of September 1922, I served this writ by delivering a true copy thereof personally to the following named persons, to wit: Amanda Norris, incompetent, and also upon myself as her Guardian.

Jay Norris.

Known to before me and signed in my presence, this 21st day of September, 1922, Edward H. Porter, Notary Public, Union Co., Ohio.

9928.

Journal Entry: Order on Hearing, of appraisement

Probate Court, Union County, Ohio.

Jay Norris, Guardian

October 13th 1922.

of Amanda Norris, an incompetent,
vs. Plaintiff

Petition to Sell Real Estate

Amanda Norris, Defendant.

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 is being

satisfied that it is necessary to sell the real estate of said Amanda Norris, described in the petition, in order to provide the means for her proper care in nursing, maintenance, and, medical attention,

And, for the further reason that said property is in immediate need of substantial repairs that would exhaust a large proportion of her funds, and thus divert the same from said necessary nursing, maintenance, and medical attention.

It is ordered that George Lee, J. E. Brown, and L. J. McCoy 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 debt. 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 17th day of October 1922. and,

9928

this cause is continued H. B. Busted, Probate Judge.
Order of Appraisement.

The State of Ohio, Union County, ss. Probate Court,
To Jay Norris, Guardian of Amanda Norris, and incompetent. In re: Incompetent.

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 Guardian of Amanda Norris, an Incompetent are Plaintiff and, Amanda Norris et al. are Com. I command that by the oaths of George Lee, J. E. Hour, and S. J. Mc Coy, 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, full of dower, to wit: Situated in the County of Union, State of Ohio, and in the village of Richmond.

Beginning at the south west corner of a strip of land thirty three and one third (33 1/3) feet in width off the west side of in lot number Two Hundred and Seventy Two (272) in Henry T. Marriott's Addition to said Village of Richmond, Ohio, conveyed by James W. Woodruff and wife to Grantor herein by Deed dated March, 5th 1901, and recorded in Deed Book, No. 83 pages 160 and 161 Union County, Ohio. Record of Deeds; thence eastwardly forty (40) feet to a stake; thence northwardly and parallel with the west of said lot no. 272 to an alley; thence westerly forty (40) feet to a stake corner to said land of Grantor herein; thence southerly along the line of said Grantor's land to the place of beginning, being forty (40) feet off the west side of said in lot number Two Hundred and Seventy Two (272) as recorded in Plat Book, at Marysville, Ohio.

Also one tract of land situated in the County of Union, State of Ohio, and in the Village of Richmond, and bounded and described as follows: Being part of Lot No. 272, in Henry T. Marriott's Addition to said Village.

Beginning at the south east corner of a part of said Lot No. 272, conveyed by Arthur C. Thompson, to Amanda Norris March, 8th 1908, said beginning point being 40 feet east of the south west corner of said Lot No. 272, and in the north margin of Bonford Street; thence eastwardly with the north margin of said street 20 feet to a stake; thence northwardly and parallel with the west line of said Lot No. 272, 132 feet to an alley; thence westerly 20 feet to a stake corner to the Lot of Amanda Norris; thence southerly along the line of said Norris Lot 132 feet to the beginning.

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

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Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 13th day of October A.D. 1922.

W. H. Husted, Probate Judge
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 17th day of October 1922.
Jay Norris, Guardian as aforesaid.

Oath of appraisers.

The State of Ohio, Union County.

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.

Geo. W. Lee, L. J. McCoy, John E. Howr, appraisers.

Sworn to before me and signed in my presence, this 14th day of October 1922.
Percy H. Sanders, Notary Public, Union Co., Ohio.
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 including both tracts described herein at Fifteen Hundred Dollars, free of Down. Sworn under our hands, this 14th day of October 1922.
Geo. W. Lee, L. J. McCoy, John E. Howr, appraisers.

9928

Journal Entry: Order approving appraisement for Bond.
Probate Court, Union County, Ohio.
Jay Norris, Guardian of Amanda Norris, an incompetent. Thursday, Oct. 19-1922.
Petition To Sell Real Estate.

Plaintiff.

vs. Amanda Norris, 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 George W. Lee, L. J. McCoy, and John E. Howr, 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 Jay Norris, as 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 Thousand (\$3000) Dollars, conditioned according to law, and this cause is continued.

W. H. Husted

Probate Judge

9924

Application to Sell Real Estate at Private Sale,
Probate Court, Union County, Ohio.

Jay Norris, Guardian of
Ammanda Norris, an incompetent,
Plaintiff

vs.
Petition to Sell Real Estate

Ammanda Norris, Defendant

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: 1. Because if sold at private sale it must bring at least as much as the appraisement, whereas, if sold at public sale, it might be sold for two-thirds of the appraisement only. 2. Because a purchaser at the appraisement is already secured. 3. Because it will save the costs of advertising.

And he therefore asks for an ^{order} authorizing him to sell said real estate at private sale.

Jay Norris, Gdn. of Ammanda Norris,
The State of Ohio, Union County ss.

Jay Norris, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.

Sworn to before me and signed in my presence, this 14 day of October 1922. ^{not} Edward W. Porter, Notary Public, Union Co. Ohio

Affidavit of Disinterested Persons

The State of Ohio, Union County ss

George Lee, J.E. Horn, and D.J. McCoy, 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 Ammanda Norris, incompetent, as aforesaid, to sell said real estate at private sale, than at public sale for the reason heretofore given herein, as they verily believe.

Geo. W. Lee, D.J. McCoy, John E. Horn.

Sworn to before me and signed in my presence, this 14 - day of October 1922. ^{not} Percy H. Sanders, Notary Public

Bond.

Know all men by these Presents, that we Lloyd Winter, S.L. Davis, and Geo. W. Lee are held and firmly bound unto the State of Ohio, in the sum of three thousand (\$3000.00) Dollars for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators. Signed by us, and dated at Mansfield, Ohio, this 23 - day of October A.D. 1922.

The condition of the above obligation is such, that whereas, the above bound, Jay Norris, heretofore duly appointed and qualified by the Probate Court of Union County, Ohio,

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Guardian of Amanda Norris an Incompetent, and, whereas, the said Jay Norris, 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 Fifteen Hundred (\$1500-) Dollars, and whereas, said Court, on the 19-day of October 1922 made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided. Now, if the said Jay Norris 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.

Lloyd Winters, S. L. Davis and Geo. W. Lee
 Executed In Presence of M. C. Winter, Percy Sanders,

This bond approved in open Court, this 24 day of October 1922. W. B. Husted, Probate Judge.

9928

Journal Entry: Order approving Bond for Private Sale,
 Probate Court, Union County, Ohio,

Jay Norris, Guardian of Amanda Norris, an Incompetent, Plaintiff
 vs. Amanda Norris, Defendant. Order of Sale.
 Tuesday, October 24 - 1922.
 Petition to Sell Real Estate.

This day this cause came on further to be heard, and it appearing to the Court, that the said Jay Norris Guardian of Amanda Norris, an Incompetent the plaintiff above named has given bond as heretofore ordered, in the sum of Three Thousand (\$3000-) Dollars, with Lloyd Winters, S. L. Davis and Geo. W. Lee, 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 Jay Norris as such Guardian proceed to sell said real estate free of doubt, 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.

W. B. Husted, Probate Judge.

9925

Order of Sale. Free of Dower.

The State of Ohio, Union County Probate Court,
 To Jay Norris, Guardian of Amanda Norris, Incompetent: 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 Amanda Norris, an Incompetent, are Plaintiff and, Amanda Norris 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 following described premises, to-wit: Situated in the County of Union, State of Ohio, and in the village of Richmond: Beginning at the south west corner of a strip of land thirty three and one-third ($33\frac{1}{3}$) feet in width off of the west side of In lot Number two hundred and seventy-two (272) in Henry T. Marriott's addition to said village of Richmond Ohio, conveyed by James W. Woodruff and wife to Grantor herein by Deed dated March 5th - 1901 and recorded in Deed Book No. 83 pages 160 and 161, Union County, Ohio, Records of Deeds; thence easterly forty (40) feet to a stake; thence northerly and parallel with the west of said lot no. 272 to an alley; thence westerly forty (40) feet to a stake corner to said land of Grantor herein; thence southerly along the line of said Grantor's land to the place of beginning, being forty (40) feet off the west side of said In lot Number Two hundred and seventy-two (272) as recorded in Plat Book at Mansfield, Ohio. Also, one ^{other} tract of land situated in the County of Union, State of Ohio, and in the village of Richmond, and bounded and described as follows: Being part of Lot No. 272, in Henry T. Marriott's addition to said village, Beginning at the south-east corner of a part of said Lot no. 272, conveyed by Arthur B. Thompson to Amanda Norris March, 8th 1905, said beginning point being 40 feet east of the south-west corner of said Lot no. 272, and in the north margin of Bonford Street; thence eastwardly with the north margin of said Street 20 feet to a stake; thence northerly and parallel with the west line of said lot no. 272, 132 feet to an alley; thence westerly 20 feet to a stake corner to the Lot of Amanda Norris; thence southerly along the line of said Norris Lot 132 feet to the beginning. Said sale to be free of dower, and to be upon the following terms: cash in hand on day of sale. 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 Mansfield, Ohio, this 24th day of Oct. A. D. 1924.

Seal

W. H. Husted

Probate Judge

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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-day of October 1922.

Jay Norris, Guardian.

Report of Sale.

In obedience to the within order, I sold said premises on the 24-day of October, 1922, to Maggie V. Norris, for the sum of fifteen hundred dollars, said sum being the appraised value of the same. Jay Norris, Guardian.
Dated the 24-day of October 1922.

The State of Ohio Union County. The above named Jay Norris, 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.

Jay Norris, Guardian.

Brought to before me, and signed in my presence, this 24-day of October 1922, ^{at} Edward H. Porter, Notary Public, Minn. Co.,

9928

Journal entry: Probate Court Union County, O. October, 24-1922.
Jay Norris, as Guardian Proceeding to sell real estate of Amanda Norris.

An Incompetent.

v. Plaintiff

Amanda Norris.

Confirming Sale.

Defendants.

This day this cause coming on to be heard on the return of Jay Norris, Guardian of Amanda Norris, an Incompetent 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 Jay Norris as such Guardian, make to the purchaser Maggie V. Norris, a good and sufficient deed for the premises so sold. It is further ordered, that this proceeding be recorded, and that said Guardian pay the costs.

H. H. Heusted, Probate Judge.

9929
Filed

Sept. 21-
1922.

John Styer, Guardian of
Albert L. Robinson, ^{indecible} Tutelle
Plaintiff

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His said Ward,
Albert L. Robinson,
Cash W. Robinson
Roy Robinson

Defendants.

Petition to Sell Real Estate,
Probate Court, Union County, Ohio,
No. 9929.

Petition to Sell Real Estate

Petition.

The Plaintiff represents that he is the duly appointed and qualified Guardian of Albert L. Robinson, of the age of 69 years on the first day of June 1922, and residing by himself on his farm in Thompson Township, in Delaware County, Ohio. That the 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 village of Richwood, Unit: Survey No. 6307, known as Lot No. 70-8 Beem's addition to the village of Richwood, Ohio, conveyed by deed from Sadie Lamer and R. C. Lamer to Thomas J. Fletcher, Recorded in Volume 93 page 404 Deed Records of Union County. Also a farm of fifty-seven and 3/4 acres in Township of Thompson, County of Delaware, Ohio. Said real estate is worth annually about three hundred dollars. That said Plaintiff has received rents from the real estate of his Ward, about \$250.00 per year for farm and about \$60.00 per year for the town property. That the sale of said real estate is advisable and necessary for the reason that the ward has no further use of the town property mentioned above, and it is deemed for his best interest to sell same and make such repairs and improvements on his farm as are needed. The Plaintiff therefore prays that said Albert L. Robinson, Cash W. Robinson and Roy Robinson, 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.

J. S. Styer, Guardian

The State of Ohio, Union County ss.

John Styer, 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.

J. S. Styer,

Sworn to before me, and signed in my presence, this 21 day of September, 1922.

C. E. Lackler,

Notary Public

Petition

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Journal Entry: Orders Fixing Times of hearing, and, for notice
Probate Court, Union County, Ohio,
September 21-1922

John Styer, Guardian of
Albert L. Robinson, ^{Indebite}

Plaintiff,

Petition to Sell Real Estate

His ward, Defendant,

Order for Notice.

This day John Styer, Guardian of Albert L. Robinson, by his Attorney, appeared in open court, and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his said ward Albert L. Robinson.

It is ordered that the time of hearing said petition be and hereby is fixed for the 4-day of October 1922, at 1 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 Albert L. Robinson, Cash W. Robinson and Roy Robinson, his ward, and to Cash W. Robinson and Roy Robinson, 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, five days before said day of hearing, and this cause is continued.

H. H. Husted, Probate Judge

9929

Order for Notice.

Probate Court, Union County, Ohio.

John Styer, Guardian of, No. 9929

Albert L. Robinson, ^{Indebite} Plt.

Proceeding to Sell Real Estate.

against

His said ward, Deft. Order for Notice.

You are hereby ordered to give notice to Albert Robinson, ^{Indebite} your ward, and Cash W. Robinson and Roy Robinson, ^{Defts.} to your petition, this day filed in said Probate Court, for assignment of dower, and sale of the following described real estate of said ward, of the filing of said petition and the time when the same will be heard: such notice to be given at least five days before the time hereinafter named for said hearing.

The real estate so asked to be sold is described as follows, to-wit: Survey No. 6307 known as Lot # 758 Beech's Addition to the Village of Richmond, Ohio, conveyed by deed from Sadie Turner and R. C. Turner to Thomas and Jennie Fletcher, Recorded in Volume 93 Page 404 Deed Records of Union County.

Said petition will be for hearing before said Probate Court, at the office of the Judge of said Court, in Mansville, Ohio, on the 4-day of October A. D. 1922, at 1 o'clock, P. M.

Said Guardian will make due return showing how he served this order.

Witness my hand and the seal of said Court, at Mansville, Ohio, this 21-day of September 1922, H. H. Husted Probate Judge

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Return

Received this order the 21- day of September 1922 and thereupon served the same by leaving a copy of this order with them as shown hereon.

John Styer, Guardian

W. the undersigned, defendants named herein, do each of us, acknowledge due and legal service of the foregoing writ: L. W. Robinson, L. T. Robinson, Albert Robinson.

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Return

The State of Ohio, Union County.

I, John Styer being duly sworn, say, that on the 30- day of September 1922, I served this writ, by delivering a true copy thereof personally to the within named Cash W. Robinson and Roy Robinson.

J. S. Styer, Guardian.

Sworn to before me and signed in my presence, this 17- day of October, 1922

H. H. Husted, Probate Judge.

9929

Order for Appraisement

Probate Court, Union County, Ohio, Oct. 4 - 1922.

John Styer, Guardian of Albert L. Robinson, Inmate.

No. 9929.

Journal entry

Plaintiff

Albert L. Robinson, Defendant, Order for Appraisement.

This day this cause came on to be heard upon the petition, proofs, and exhibits, filed in this Court by the guardian John Styer, 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. It is therefore ordered by the Court, that the said premises be appraised free of doors, by the oaths of L. J. McCoy, Jonas Blue and Ralph Peet, 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.

H. H. Husted, Probate Judge

9929

Order of appraisement.

The State of Ohio, Union County, ss.

Probate Court.

To John Styer, Guardian of Albert L. Robinson, Inmate, 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 the person and estate of Albert L. Robinson, Inmate, are Plaintiff and Albert L. Robinson et al. are Defendants you are commanded by the oaths of L. J. McCoy and Jonas Blue and Ralph Peet 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 described premises, Survey No. 6307, known as Lot # 70-8, Beem's addition to the Village of Pickwood, Ohio, conveyed by deed from Sadie

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Zanner and R.C. Zanner to Thomas and Jervis Fletcher. Recorded in Volume 93 Page 404 Deed Records of Union County.

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-day of October, A.D. 1922. W.B. Busted, Probate Judge.

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-day of Oct. 1922.

John Styer.

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Oath of appraisers.

The State of Ohio, Union County vs. 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.J. McCoy, R.C. Peet, Jonas Blue & appraisers.

Sworn to before me, and signed in my presence, this 7-day of October 1922. C.E. Lacker, Notary Public

Appraisers Return

9929

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 forty dollars, Same under our hands, this 7-day of October 1922. L.J. McCoy, R.C. Peet, Jonas Blue & appraisers.

9929

Journal Entry: Orders approving appraisement and for Bond, Probate Court, Union County, Ohio.

John Styer, Guardian, of Albert L. Robinson, Insane, Plaintiff

October 17-1922.

Albert L. Robinson, Defendants, Order for Bond.

This day came the said Plaintiff, by his attorney, and produced to the Court the report of an appraisement herein made by L.J. McCoy, Jonas Blue, and Ralph Peet, 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 John Styer execute within 3 days, to the State of Ohio, a bond with sufficient freehold Sureties to be approved by the Court, in the sum of One Thousand Dollars, conditioned according to law, and this Cause is continued. W.B. Busted, Probate Judge.

Application To Sell Real Estate at Private Sale -

9929

The said Plaintiff represents that it would be for the best interest of the said Albert L. Robinson to sell the real estate described in the petition in this case at private sale, for the following reasons: 1. Said real estate is not in a desirable location and would not attract bidders to the same. 2. Said property has been appraised at its true worth and the plaintiff believes that it would in no event bring more than the appraised value. 3. It would save the costs of advertisement and sale. 4. It can be sold to Kember Hatcher of Richmond, Ohio, for the appraised value and he will pay cash for it and he therefore asks for an order authorizing him to sell said real estate at private sale.

John Styer, Guardian of Albert L. Robinson.

The State of Ohio, Union County ss.

John Styer, ^{Guardian} bring duly sworn, says that the various matters set forth in the foregoing application are true, as he truly believes.

Done to before me and signed in my presence, this 27 day of October 1922, ^{at} W.H. Husted Probate Judge.

Affidavit of Disinterested Person

The State of Ohio, Union County ss.

Frank P. Scott and Bent Sinkey, bring duly sworn, say that they know the facts set forth in the application to which this affidavit is attached: they they have no interest whatever in the matters therein referred to, and that it will be done for the interest of the said ward, Albert L. Robinson, to sell said real estate at private sale than at public sale - as they verily believe.

Frank P. Scott, Bent Sinkey.

Brought before me and signed in my presence, this 12 day of October 1922, ^{at} L.E. Fackler, Notary Public

Bonds

9929

Know all men by these Presents: that we John Styer, principal, and George Burgoon, and George Rigel, sureties, are held and firmly bound unto the State of Ohio, in the sum of One 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 Richmond, Ohio, this 20 day of October A. D. 1922. The Condition of the above obligation is such, that whereas, the above bound John Styer was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Albert L. Robinson, and whereas the said John Styer, 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 proceeding in said court duly had, has been appraised at the sum of Four Hundred Forty Dollars. And whereas, said Court

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on the 17th day of October 1922. made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided. Now if the said John Styer as Guardian aforesaid, shall faithfully discharge his duties as such Guardian, and, faithfully pay over his 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.

John Styer, Geo. W. Bargoon, George Rigel.
Executed in Presence of R. W. Frackler. B. E. Frackler.

This bond approved, in open Court, this 27th day of October 1922. W. H. Busted, Probate Judge.

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Journal Entry: Probate Court, Union County, Ohio.

John Styer, Guardian of
Albert L. Robinson, Insane

October 27 - 1922.

Plaintiff
Albert L. Robinson.

Approving Bond, and,
Ordering Sale.

This day this cause came on further to be heard, it appearing to the Court, that the said John Styer the plaintiff above named has given bond as here-
tofore ordered, in the sum of One thousand (\$1000-) Dollars, with George Bargoon, and George Rigel freeholders as sureties it is ordered that said bond be and hereby is approved,

and it is 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 John Styer as such Guardian proceed according to law to sell at private sale, the real estate described in the petition for not less than the appraised value of said real estate, and said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.
H. H. Busted, Probate Judge.

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Order of Sale.

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

To John Styer, Guardian of Albert L. Robinson, Insane: 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 Guardian of Albert L. Robinson, Insane are Plaintiff, and Albert L. Robinson 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: Survey no. 6307, known as Lot # 758 Beem's Addition to the Village of Richmond, Ohio, conveyed by deed from David Tanner and R. C. Tanner to Thomas and

9929

Jessie Fletcher. Recorded in Volume 93, page 404. Deed Records of Union County. Sale to be free down, 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 on execution of this order. ~~Seal~~ Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 27 day of October 1922.

W. H. Husted, Probate Judge.

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 day of October 1922. J. S. Styer.

Report of Sale.

In obedience to the within order, I sold said premises on the 27 day of October 1922 to Reuben Hatcher for the sum of four hundred and forty dollars said sum being the appraised value of the same.

John Styer, Seller.

Dated the 27 day of October 1922.

The State of Ohio, Union County, ss. The above named John Styer, Guardian of Albert L. Robinson, imbecile, being duly sworn, says that the sale above report 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 Styer

Sworn to before me, and signed in my presence, this 27 day of October 1922.

W. H. Husted, Probate Judge

9929

Journal Entry: Orders approving and confirming Sale, Probate Court, Union County, Ohio, October 27th 1922.

John Styer, Guardian of Albert L. Robinson, Imbecile.

Plaintiff

Albert L. Robinson, Def't.

Orders approving and confirming Sale.

This day this cause coming on to be heard on the report of John Styer, Guardian of Albert L. Robinson, imbecile, of his proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in obedience to said order: 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 thereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Albert L. Robinson imbecile, in said real estate to the purchaser, Reuben Hatcher, upon the said purchase. It is further ordered, that said proceedings be recorded, and that said petitioner pay the costs herein taxed at \$13.⁰⁰ within ten days.

W. H. Husted Probate Judge

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Petition for Sale of Real Estate to Pay Debts,
 Probate Court, Union County, Ohio,
 No. 9936.
 John L. Loughran, Administrator,
 of the estate of E. L. Price, deceased,
 Plaintiff
 Civil Action

vs.
 Florence O. Harris, and
 husband, Harry Harris,
 Lida B. Stoker, and
 Frank Stoker, her husband,
 Defendants.

Petition to Sell Real Estate

Petition.

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of E. L. Price late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Four Thousand 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 One Hundred Dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said E. L. Price died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to wit: Tract one, Parts of Lot nos. 31 and 42, being 27 1/2 feet front and extending the same width to the west line of said lots nos. 31 and 42, and being the south half of the following described tract, to wit: 54 1/2 feet front and extending the same width to the west line of the lots, to wit: all the south part of the lot no. 31, except the 57 1/2 feet conveyed to John L. Sellers, and all the north side of lot no. 42 except the south half of said lot no. 42 owned by the Presbyterian Church, and also, excepting 15 feet wide next to the Presbyterian Church lot, leaving 54 1/2 feet in said lots 31 and 42, and also Part of Lot no. 31, in said Village 27 1/2 feet front and extending the same width to the west line of said lot no. 31 and being the north half of the following described tract, to wit, 54 1/2 feet front and extending the same width to the west line of the lots, to wit: All the south part of the lot no. 31 except the 57 1/2 feet conveyed to John L. Sellers, and all the north side of Lot no. 42, except the south half of said Lot no. 42, owned by the Presbyterian Church, and also extending 15 feet wide next to the Presbyterian Church Lot leaving 54 1/2 feet in said Lots no. 31 and 42.

The said decedent died leaving no widow, who is

9936

who is entitled to dower in said premises: that the defendants Florence O. Harris, and Harry D. Harris, husband and wife, and the Florence O. Harris, is the adopted daughter of the within named deceased, he having no other children, and the record of said adoption being made in the Probate Court of Union County, Ohio, and they are the only legal representatives of said decedent having the next estate of inheritance from said E. L. Price, deceased, in said premises: that the within named Lida B. Stoker legatee named in the late Will of E. L. Price deceased together with her husband made a Quit Claim Deed to Florence O. Harris for all the within described real estate, the same being duly filed in Deed Book, Volume 128, Page 106. The Plaintiff says that the tract described herein was appraised at \$3000.00 in the inventory, and the first tract was appraised at \$2500.00, and the Plaintiff herein asks that the said appraisement be adopted, and no further appraisement made.

The Plaintiff therefore prays that Lida B. Stoker and her husband Frank Stoker the within named defendants, the former being a legatee mentioned in the last will and testament of E. L. Price, deceased, that your petition 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.

The State of Ohio, Union County, ss.

John L. Longhry, Adm'r of the Estate of E. L. Price, deceased, 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 L. Longhry.

Known to before me and signed in my presence, this 26 day of September, 1922. *Attest* A. H. Kallefrank, Notary Public

9936

Journal Entry: In the Probate Court of Union County, Ohio, Sept. 27th 1922, No. 9936
 Journal Entry.
 Filing Petition to Sell Real Estate.

John L. Longhry, Adm'r.
 of the estate of E. L. Price, deceased,
 Plaintiff
 v.
 Florence O. Harris, and
 Harry D. Harris, husband
 and wife.
 Defendants.

This day came the Plaintiff John L. Longhry, adm'r, of the estate of E. L. Price, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said E. L. Price, 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

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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.

W. H. Husted, Probate Judge,

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Warrant of Process.

In the Probate Court of Union County, Ohio,

John L. Longhury, Administrator
of the Estate of E. L. Price, Estate.

vs. 9936

Petition to Sell

Real Estate

Florence O. Harris, and
Husband, Harry D. Harris
Lida B. Stokes,

Warrant of Process

and

Consent to Sell.

Frank Stokes, her husband,

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.

Florence O. Harris, Harry D. Harris, Lida B. Stokes, Frank Stokes,
September 27th 1922.

9936

Application to Sell Real Estate at Private Sale

Probate Court, Union County, Ohio,

vs. 9936

John L. Longhury, Adm.
of the estate of
E. L. Price, Deceased.
vs.
Plaintiff

Petition to Sell Real Estate

Florence O. Harris 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. It would be a saving of court costs to sell at private sale for the best interest of said estate.
2. The Plaintiff has an opportunity to sell said land or property at once, to sell at private sale.
3. It is the desire of the legal representatives of said estate of the same, to be sold at private sale.
4. A better price can be procured at private sale.

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

John L. Longhury, Adm.

of the estate of E. L. Price, Deceased.

9936

The State of Ohio, Union County ss.

John L. Longhrey being duly sworn, says, that the various matters set forth in the foregoing application are true as he verily believes.

John L. Longhrey.

Sworn to before me, and signed in my presence, this 29 day of September 1922. [Seal] W. H. Busted, Probate Judge.

The State of Ohio, Union County ss.

John L. Longhrey being duly sworn, says, that the various matters set forth in the foregoing application are true as he verily believes.

John L. Longhrey.

Sworn to before me and signed in my presence, this 29 day of September 1922. [Seal] W. H. Busted Probate Judge.

9936

Affidavit of Disinterested Persons

The State of Ohio, Union County ss.

A. G. Kirby and J. W. Kennedy, 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 what ever, 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.

A. G. Kirby.

J. W. Kennedy.

Sworn to before me, and signed in my presence, this, 29 day of September 1922.

[Seal] John L. Longhrey, Notary Public

9936

Journal Entry: Probate Court, Union County, Ohio.

John L. Longhrey, Administrator, September 29 - 1922.
of Estate of E. L. Price, Dec.
Plaintiff

Florence O. Harris, et. al. Order for Private Sale-
Defendants.

This day this cause came on to be heard, upon the petition, evidence, and testimony of John L. Longhrey, Admin. of the Estate of E. L. Price, deceased, 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 E. L. Price, deceased, did not leave a widow entitled to dower in the estate to be sold, and an appraisal of such estate is contained in the inventory.

It is ordered that another appraisal be and hereby is dispensed with. And the Court being satisfied that it is necessary to sell the real estate of said E. L. Price, 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

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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 L. Longrey 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 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.

W. H. Husted, Probate Judge.

Order of Sale. Free of Dower.

The State of Ohio, Union County.

Probate Court.

To John L. Longrey, admr. of E. L. Price, Deceased, Petitioner;

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 L. Longrey, admr.,

of E. L. Price, deceased, are Plaintiff and Florence O. Harris

and Harry D. 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, to wit:

Tract, \$ 2800.00, thereof free of the dower of -- no -- widow,

of E. L. Price, deceased, the following described premises

To wit: Tract, One Part of In lots no- 31 and 42. Being

27 1/2 feet front and extending the same width to the

West line of said lots no- 31 and 42, and being the

South half of the following described tract, to wit:

54 1/2 feet front and extending the same width to the

West line of the lots, to wit, all the South part of the

lot # 31, except the 57 1/2 feet conveyed to John L. Sellers

and all the North side of lot no. 42, except the

South half of said lot no. 42, owned by the

Presbyterian Church, and also excepting 15 feet wide

next to the Presbyterian Church lot, leaving 54 1/2 feet in

said lots 31 and 42. And, also part of In lot no. 31

in said village 27 1/2 feet front and extending the

same width to the West line of said Lot no. 31 and

being the North half of the following described tract

to wit: 54 1/2 feet front and extending the same

width to the West line of the lots, to wit: all the

North part of the lot no. 31, except the 57 1/2 feet

conveyed to John L. Sellers, and all the North side of

Lot no. 42, except the South half of said lot no. 42

owned by the Presbyterian Church, and also excepting

15 feet wide next to the Presbyterian Church lot leaving

54 1/2 feet in said lots no. 31 and 42.

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 Marysville, Ohio, this 30 day of Sept. A. D. 1922

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^{Recd} W. H. Husted, Probate Judge
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-day of Sept. 1922.

John L. Longmire, Adm. of Est. of E. L. Price, Decd.
Report of Sale.

In obedience to the within order, I sold said premises on the 30-day of September 1922, to tract one, described herein to G. M. Haines \$35.00 said sum being more than the appraised value of the same, John L. Longmire, Adm.

Dated the 30-day of September 1922.

The State of Ohio, Union County

The above named, John L. Longmire, Adm. of estate of E. L. Price, Decd., 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 L. Longmire, Adm. Est. E. L. Price, Decd.

9936

Union County, Probate Court Union County, Ohio.

John L. Longmire, Adm.,
Estate of E. L. Price, Decd.,
Plaintiff

September 30th 1922.

Florence C. Harnis, et al.
Defts.

Order approving and
confirming sale.

This day this cause coming on to be heard on the report of John L. Longmire, Adm. of estate of E. L. Price deceased, of his proceedings and sale, under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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. L. Price, deceased, in said real estate to the purchaser, G. M. Haines, paying to said petitioner for cash.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein at \$--.

W. H. Husted
Probate Judge.

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Filed
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John W. Daily
Attorney.

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John W.
Dailley
Attorney

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

John A. Kennington, Administrator vs. 9937
of the estate of Lucy Wykoff (Wycuff), Deceased, Plaintiff.
Charles Wykoff (Wycuff), Defendant. Petition to Sell Real Estate.
Petition.

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Lucy Wykoff (Wycuff) late of Union County, Ohio, deceased; that the amount of debts due from the deceased is (\$150.00) one hundred and fifty dollars as near as they can be ascertained (a schedule of which debt is hereto attached, marked Exhibit A;) that the charges of administration of said estate will amount to about fifty dollars, and, the total value of the personal effects of said deceased is but -- no value --, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Lucy Wykoff (Wycuff) died seized in fee simple of the following described real estate, situated in the County of Union, State of Ohio, and in the village of Milford Center, to-wit: Beginning at a stake at the intersection of the east line of the alley between lots no. 33 and 34, prolonged and the north line of Center Street; thence northerly with the east line of said alley 125 feet to a stake; thence easterly parallel with Center Street 43 feet to a stake; thence southerly parallel with said alley 125 feet to a stake, in the north line of Center Street; thence with said line westerly 43 feet to the place of beginning. The grantee in accepting this deed agrees not to build or place a building on said lot nearer to the street line than twenty feet (20) feet; on a grade not less than two and one-half (2 1/2) feet above the curb line.

Plaintiff 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, and that the amount of said appraisement is (\$200.00), Two hundred dollars. The said decedent died leaving the defendant Charles Wykoff (Wycuff) her widow who is entitled to dower in said premises; that the defendant Charles Wykoff (Wycuff) is the only heir at law of said decedent, having the next estate of inheritance from said Lucy Wykoff (Wycuff) deceased, in said premises. The Plaintiff therefore prays that the dower of said Charles Wykoff

Petition

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[Mycaff] in said premises may be assigned and set off
 to him: that the rights interests and liens of the said
 Charles Mykoff (Mycaff) may be fully determined, ad-
 justed and protected according to equity and that your
 petition may be authorized and ordered to sell said
 real estate subject to court, unless the widow release
 said court according to the statute in such case
 made and provided. And for all other proper orders and
 relief in the premises.

The State of Ohio, Union County:

John A. Remington, administrator, 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 A. Remington, Adm'r.
 Sworn to before me, and signed in my presence, this 26-
 day of September A.D. 1922. ^{State} John W. Dailey, Notary Public.

Præcipe.

Probate Court, Union County, Ohio.

John A. Remington, adm'r. of the
 Estate of Lucy Mykoff (Mycaff), Dec'd.
 Plaintiff
 Charles Mykoff (Mycaff) Def't.
 Defendant.

Præcipe
 To the Probate Judge:
 Issue summons for said
 Chas. Mykoff (Mycaff), Winford Center, Ohio,
 John W. Dailey, Plaintiff's Attorney

John A. Remington, as adm'r.
 of the estate of Lucy Mykoff (Mycaff)
 v. Plaintiff
 Charles Mykoff (Mycaff).
 Defendant.

In the Probate Court of Union County, Ohio,
 September 26-1922,
 Case no. 9937,
 Journal entry,
 Filing Petition to Sell
 Real Estate.

This day came the Plaintiff John A. Remington, as ad-
 ministrator of the estate of Lucy Mykoff (Mycaff) and presented
 to this court, his petition, duly verified, praying an order
 for the sale of real estate of the said Lucy Mykoff (Mycaff)
 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.

W. H. Husted, Probate Judge.

Answer of Widow.

Probate Court, Union County, Ohio.
 No. 9937

John A. Remington, adm'r.
 of the estate of Lucy Mykoff (Mycaff).
 Defendant, Plaintiff
 Charles Mykoff (Mycaff). Defendant.

Answer of Widow

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 Answer
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 Widow

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And now comes Charles Mykoff (Mykuff) 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 Lucy Mykoff (Mykuff) deceased and, as such is entitled to dower in the premises described in said petition, that his age is -- years, and he freely 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 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 deems the just and reasonable value of his dower interest in said real estate.

Charles his & mark. Mykoff (Mykuff)
witness, Charles Michal.

The State of Ohio, Union County.

Charles Mykoff (Mykuff) bring duly sworn, says that the statements in the foregoing answer are true, as he verily believes.

Charles his & mark. Mykoff (Mykuff)
Witness H. E. McComell, Chas. Michal.

Sworn to before me, and signed in my presence, this 26-day of September A. D. 1922, John A. Kennington Notary Public
Application to Sell Real Estate at Private Sale,
Probate Court, Union County, Ohio.

9937

John A. Kennington, Adm'r. of
The Estate of Lucy Mykoff (Mykuff), Dec'd. Plaintiff
vs. Charles Mykoff (Mykuff), Defendant. Application.

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

Said property was appraised at \$200- and can be sold at private sale for a higher sum.
Said property is deteriorating in value, and a quick sale will be for the best.

It is very doubtful if said property can be sold at 2/3 of the appraisement at public sale. And he therefore asks for an order authorizing him to sell said real estate at private sale.

John A. Kennington, Adm'r. of Lucy Mykoff (Mykuff),

The State of Ohio, Union County ss.

John A. Kennington, Adm'r., bring duly sworn, says that the various matters set forth in the foregoing Application are true as he verily believes.

John A. Kennington Adm'r.

9937

Sworn to before me and signed in my presence. This 27-day of September 1922. John W. Dailey, Notary Public

Affidavit of Disinterested Persons.

The State of Ohio, Union County, ss.

Harry L. Agner and Charles Michels, 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 matters therein referred to, and that it will be more for the interest of the said Charles Wyckoff (Charles Wyckoff) to sell said real estate at private sale than at public sale, for the reasons stated, as they verily believe.

H. L. Agner. Charles Michels.

Sworn to before me and signed in my presence. This 27-day of September 1922. John W. Dailey, Notary Public

Order for Private Sale.

Probate Court, Union County, Ohio.

John A. Kennington, admr. September 27- 1922.

of the Estate of Lucy Wyckoff (Wyckoff) Decd. v. Plaintiff

Order for Private Sale.

Charles Wyckoff (Wyckoff), Deft.

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 Lucy Wyckoff (Wyckoff) 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 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 Lucy Wyckoff (Wyckoff) 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 Charles Wyckoff, to sell the real estate described in the petition at private sale. It is therefore further ordered that said John A. Kennington, as such administrator proceed to sell said real estate, free of dower, at private sale, for not less than \$200 - 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.

W. H. Busted, Probate Judge.

Order of Sale - Free of Dower.

The State of Ohio, Union County.

Probate Court.

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Order of Sale

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John A. Kennington, Adm. of the estate of Lucy Wykoff (Wykuff) 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 Lucy Wykoff, (Wykuff) are Plaintiff, and Charles Wykoff (Wykuff) is defendant, you are now ordered to proceed according to law, to sell at private sale, for not less than \$200- the appraised value, thereof, free from the claim of Charles Wykoff (Wykuff) widow of Lucy Wykoff, (Wykuff) deceased, the following described premises, to wit: Beginning part of a cont lots no. 22, and 23, Beginning at a stake at the intersection of the East line of the alley between lots no 33 and 34 prolonged and the north line of Center Street: Thence northerly with the East line of said alley 125 feet to a stake; thence easterly parallel with Center Street 43 feet to a stake; thence southerly parallel with said alley 125 feet to a stake in the north line of Center Street; thence with said line westerly 43 feet to the place of beginning. The grantee in accepting this deed agrees not to build or place a building on said lot nearer to the street than twenty (20) feet on a grade not less than 2 1/2 feet above the curb line. Said sale to be on the premises, and to be upon the following terms: Cash to be paid on delivery of the deed. You will make return of your proceedings to this Court, forthwith upon execution of this order.

Order of Sale

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 29th day of September A.D. 1922.
 W. H. Husted Probate Judge.
 Return

9937

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 12th day of October 1922.
 John A. Kennington, Adm.

Report of Sale -
 In obedience to the within order, I sold said premises on the 12th day of October 1922, to Harry Parr and Leola Parr for the sum of Three Hundred Dollars, (\$300.00) said sum being above the appraised value of the same.
 John A. Kennington, Adm. of Estate,
 Dated the 12th day of October, 1922.

The State of Ohio, Union County.
 The above named John A. Kennington 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, Adm.

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Sworn to before me, and signed in my presence, this 14th day of October, 1922.

John W. Dailey, Notary Public

Probate Court, Union County, Ohio.

October 14 - 1922.

John A. Kennington, Adm. of Lucy Wykoff (Wykuff) Plaintiff

Charles Wykoff (Wykuff), Defendants Order approving and confirming sale. This day this cause coming on to be heard on the report of John A. Kennington, Adm. of Lucy Wykoff (Wykuff) decd. of his proceedings and sale under the former order of this court; and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Charles Wykoff (Wykuff) in said real estate, to the purchasers, Harry Parr and Delah Parr upon the said purchase, paying to the petitioner herein the purchase money, amounting to Three Hundred Dollars, (\$300-). It is further ordered that this proceeding be recorded, and that said petitioner pay the costs therein taxed at \$32.71 within ten days.

H. H. Husted, Probate Judge Exhibit A Debts due from estate of Lucy Wykoff (Wykuff) Deceased, Funeral Expenses Gabriel \$87.00 Taxes paid by John A. Kennington 14.00 Half year taxes due Cemetery bill 10.00 Adm. bond 5.00 John Kennington for appraisers 3.00 Dr. Baker medical attention 2.00 Fire Insurance on premises 5.00 Probable cost of brass marker 30.00 Total \$161.00

9951

9951 Petition for Sale of Real Estate to Pay Debts. October 17th 1922 Bent Leabill, Executor of the Estate of Lorina J. Barber, Deceased Plaintiff. Oscar Murphy, Alice A. Murphy, Herman Murphy, Audrey Murphy, Florence Farrington, Nyr Farrington, Reals Farrington? Defendants. Probate Court, Union Co. Ohio No. 9951 Civil action. Petition to Sell Real Estate. Petition.

9951

9951 October 17th 1922 Fackler and Fackler attys. Bent Leabill, Executor of the Estate of Lorina J. Barber, Deceased Plaintiff. Oscar Murphy, Alice A. Murphy, Herman Murphy, Audrey Murphy, Florence Farrington, Nyr Farrington, Reals Farrington? Defendants. Probate Court, Union Co. Ohio No. 9951 Civil action. Petition to Sell Real Estate. Petition.

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The Plaintiff represents that he is the duly appointed and qualified executor of the estate of Lovina J. Barber, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Six Hundred Dollars, as near as they can be ascertained (a schedule of which debt is marked Exhibit A.) that the charges of administration of said estate will amount to about eighty-five dollars; and, that the total value of the personal estate and effects of said deceased is but ninety dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Lovina J. Barber died seized in fee simple the following described real estate situated in the County of Union, State of Ohio, and, in the village of Richmond town; Being all of lot number 246 situate on the south side of West Ottawa Street in the Henry Marriott addition to the said Village of Richmond

995-1

Exhibit A. Schedule of Debts of Decedent.

Thurman Murphy	note	7 100.00
Mr. Yarrington	note	50.00
Mrs. Alice McAdams		40.00
S. R. Sanders	undertaker	128.00
H. C. Duke	doctor bill	130.00
Taxes	3 half-taxes	60.00
Monument		100.00

Plaintiff 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, and, that the amount of said appraisement is Eight Hundred Dollars. The said decedent died leaving no widow; that the defendant Oscar Murphy is the son of decedent, and would be entitled to the next estate of inheritance, that the defendants Florence Yarrington, Leah Yarrington, Thurman Murphy, are devisees and legatees under the will of decedent. The Plaintiff therefore prays that your petitioner may be authorized and ordered to sell said real estate according to the statute in such case made and provided, and, for all other proper orders and relief in the premises.

Fackler and Fackler, Attorneys for Plaintiff.

The State of Ohio, Union County,

Bert Cahill Executor of Estate of Lovina J. Barber, 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.

Bert Cahill.

Debts,
 Union Co. Ohio,
 Real Estate.

995-1

known to before me, and signed in my presence. This 9th day of October A.D. 1922.

L. E. Shackles, Notary Public

Journal Entry: In the Probate Court of Union County, Ohio, October 17th 1922.

Bent Calhoun, Executor of the Estate of Louisa J. Barber, Decd.
v. Plaintiff

Case No. 995-1

Oscar Murphy, Alice A. Murphy, Sherman Murphy, Audrey Murphy, Florence Garrisonton et al.
Defendants

Journal entry, Filing Petition to Sell Real Estate.

This day came the Plaintiff Bent Calhoun, Executor, of the estate of Louisa J. Barber, and presented to this court his petition duly verified, praying an order for the sale of real estate of the said Louisa J. Barber, 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.

W. H. Husted, Probate Judge.

995-1

Warrant

In the Probate Court of Union County, Ohio, No. 995-1

Bent Calhoun, Executor of the Estate of Louisa J. Barber, Decd.
P. Plaintiff

Petition to Sell Real Estate,

Oscar Murphy, Alice M. Murphy, Sherman Murphy, Audrey Murphy, Florence Garrisonton and Nye Garrisonton.
Defendants.

Warrant 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.

Sherman Murphy; Audrey Murphy; Florence Garrisonton; Nye Garrisonton; Oscar L. Murphy; Alice A. Murphy.

995-1

Application for Appointment of Guardian Ad Litem, Probate Court, Union County, Ohio.

Bent Calhoun, Executor of the estate of Louisa J. Barber Decd.
v. Plaintiff

November 2- 1922. Application for appt. of

Oscar Murphy, et al.
Defendants.

Guardian Ad Litem.

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To the Hon. W. H. Husted, Judge of said Court:
 The undersigned Bent Cahill, Executor of the estate of Lorina J. Barber, makes application for the appointment of a Guardian ad litem for the minor defendant, in the above entitled case. The defendant Reale Yarrington, the age of fourteen years, and has been duly served with summons herein, and has neglected to make application for the appointment of a Guardian ad litem for a period of twenty days thereafter. The undersigned suggests that LeRoy Allen who is a suitable person be appointed as such Guardian ad litem. Respectfully, Bent Cahill, Journal Entry, On appointment of Guardian ad litem, Probate Court, Union County, O. November 2 - 1922.
 Bent Cahill, Executor of the Estate of Lorina J. Barber, Decd.
 Plaintiff

995-1

Plaintiff | appointment of
 Oscar Murphy, et al, Defendants, | Guardian ad litem.
 This day Bent Cahill, Executor of the estate of Lorina J. Barber, 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 Reale Yarrington is of the age of fourteen years, and has been duly and legally served with summons herein, and has for twenty days thereafter neglected to apply for the appointment of a guardian, it is ordered that LeRoy Allen, Jr. he hereby is appointed Guardian for the suit, for said minor defendant, and now comes the said LeRoy Allen, and in open Court accepts said appointment
 W. H. Husted, Probate Judge.

995-1

Application To Sell Real Estate at Private Sale -
 Probate Court, Union County, Ohio,
 No. 9951
 Bent Cahill, Executor of the Estate of Lorina J. Barber, Decd.
 Plaintiff
 Oscar Murphy, et al, 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: said property may be sold at the appraised value, said sale would dispense with the cost of advertisement and sale at public auction, said purchase price is all the property is reasonably worth, and he therefore asks for an order authorizing him to sell said real estate at private sale.
 Bent Cahill, Executor of the Estate of Lorina J. Barber, Decd.

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The State of Ohio, Union County ss.
Bent Cahill, being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.

Known to before me, and signed in my presence, this 4th day of November, 1922.

[Signature] B. E. Fackler, Notary Public
Affidavit of Disinterested Person

The State of Ohio, Union County ss.
Ralph W. Fackler and B. F. Beem 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 what ever 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. Ralph W. Fackler, B. F. Beem.

Known to before me, and signed in my presence, this 4th day of November, 1922.

[Signature] B. E. Fackler, Notary Public.

9951

Bent Cahill, Executor of the Estate of Lorna J. Barber, Dec'd. Plaintiff

Oscar Murphy et al. Defendants

Probate Court, Union County, Ohio, No. 9951

Answer of minor Defendants.

And now comes the said Reah Yarrington the minor defendant to the petition in said cause by LeRoy Allen, her Guardian ad litem, heretofore appointed in said cause by said Court, and for answer to said petition, deny all the material allegations herein contained, prejudicial to said minor defendant. She further says that she is of tender years and not acquainted with the law in such cases, and therefore prays the Court to protect her rights in this case, and for such relief as may be just.

Dated this 4th day of November, A.D. 1922, Reah Yarrington by LeRoy Allen, Guardian ad litem.

9951

Journal entry: Bent Cahill, Executor of the Estate of Lorna J. Barber, Dec'd. Plaintiff

Oscar Murphy et al. Defendants.

Probate Court, Union County, Ohio, November 4th 1922

Order for Private Sale

This day this cause came on to be heard upon the petition, evidence and testimony of the plaintiff 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

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9951 said petition are true. That said Lovina J. Barber 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 sell the real estate of said Lovina J. Barber, described in the petition, to pay her debts. And it being made to appear to the Court upon satisfactory evidence, that it would be wrong 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 Bent Cabell, as such executor proceed to sell said real estate at private sale, for not less than the appraised value on the following terms: Four hundred dollars cash, and four hundred ^{dollars} by note for six months secured by valid security. And said petitioner is ordered to make return to this Court immediately after such sale is made - and this cause is continued.

W. H. Husted, Probate Judge.

9951

Order of Sale Free of Dower

The State of Ohio, Union County, ss. Probate Court.
To Bent Cabell, Executor of the Estate of Lovina J. Barber, decess.
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 Lovina J. Barber, deceased, are Plaintiff, and Bear Murphy 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: Property belonging to the decedent at the time of her death, situated on West Ottawa Street, in Richmond, Ohio Lot # 246 in the Berry Marriott Addition to the village of Richmond Ohio. Said sale to be free of dower, and to be upon the following terms: Four hundred dollars cash, and four hundred dollars by note for six months secured by valid security. 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. day of November, 1922.

~~Seal~~ W. H. Husted Probate Judge

9951

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 15th day of Nov. 1922.

995-1

Bent Cahill, Executor.

Report of Sale.

In obedience to the within order, I sold said premises, on the 15th day of November 1922 to C. D. Sidle Jr. on the terms of four hundred dollars cash, and four hundred dollars by note signed by purchaser, and secured by C. D. Sidle, Sr. for the sum of Eight Hundred (\$800-) Dollars, said sum being the appraised value of the same.

Bent Cahill,

Dated the 15th day of November, 1922.

the State of Ohio, Union County ss.

The above named Bent Cahill, Executor, of the estate of Louisa J. Barber, 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.

Bent Cahill,

Sworn to before me, and signed in my presence, this 15th day of November, 1922, ^{at} B. E. Fackler, Notary Public

9957

Journal Entry: Probate Court, Union County, Ohio

Bent Cahill, Executor of. November, 16th 1922

The Estate of Louisa J. Barber, Dec'd. Plaintiff vs. Oscar Murphy, et al. Defendants. Petition to Sell Real Estate.

Order Approving and Confirming Sale.

This day this cause coming on to be heard on the report of Bent Cahill, Executor of the estate of Louisa J. Barber, deceased, of his proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Louisa J. Barber, in said real estate to the purchaser C. D. Sidle Jr. upon his paying four hundred dollars cash, and giving a note of four hundred dollars due in six months from date and secured by acceptable security.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$ -- within ten days.

H. H. Husted

Probate Judge.

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

Ida A. Wynn Administratrix
of the Estate of
Joseph Wynn, deceased,
v.
Plaintiff

No. 9954
Civil action

Ida W. Wynn, Marion Wynn,
and Ida Bollenz
Defendants.

Petition To Sell Real Estate
Petition.

The Plaintiff represents that she is the duly appointed and qualified Administratrix of the estate of Joseph Wynn, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Twenty five Hundred Dollars, as near as they 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 - nothing - - being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Joseph Wynn, died seized in fee simple of the following described real estate, situated in the County of Union, State of Ohio and in the Township of York, to wit: Beginning East of U. M. Surry, No 3238, ^{2nd} bounded and described as follows: Beginning at a stone in the north line of John D. Keusemer's land, and south-east corner of a lot of land conveyed by Harlow Toly and others to Emaline Leibel; thence North 73/4° East 144 poles to a stone in the center of the road and the north-east corner of said lot; thence South 82 3/4° East 41 poles with the center of said road to a stone, the north-west corner of Virgil Harris's land; thence South 73/4° West 146 poles with said Harris west line to a stone in the north line of Jacob Harris's land; thence North 80 1/2° West 41 poles to the place of beginning, containing (37) thirty-seven acres being the same more or less, being the same premises conveyed by Horace Bolmer to John A. Potts, and Hattie E. Potts December 26 - 1906.

Plaintiff 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 and that the amount of his appraisement is \$1750.

The said decedent died leaving the defendant Ida A. Wynn, his widow, who is entitled to dower in said premises; that the defendants are the only next of kin of said decedent having the next estate of inheritance from said Joseph Wynn, deceased, in said premises, that the defendant's

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The Plaintiff, therefore prays that the dower of said Ida A. Wynn in said premises may be assigned and set off to her, that the rights, interests and liens of the said Ida A. Wynn 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 from said dower, according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

The State of Ohio, Union County.

Ida A. Wynn, 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.

Ida A. Wynn, administratrix.

Shown to before me, and signed in my presence, this 12th day of October A. D. 1922.

Edward W. Porter, Notary Public, Union Co. O.

995-4

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

October 12th, 1922.

Ida A. Wynn, administratrix of the estate of Joseph Wynn, deceased, Plaintiff.

Case no.

Ida A. Wynn, Marion Wynn, Ida Botling, and the North Western Mutual Life Insurance Company, of Milwaukee, Wisconsin Defendants.

Journal Entry.

Filing Petition to Sell Real Estate.

This day came the Plaintiff Ida A. Wynn, administratrix of the estate of Joseph Wynn, deceased, and presented to this court her petition, duly verified, praying an order for the sale of real estate of the said Joseph Wynn deceased, to pay the debts, and the cost 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.

W. H. Husted, Probate Judge.

Answer of Widow.

995-4

Ida A. Wynn, Administratrix of the estate of Joseph Wynn, deceased, Plaintiff.

Probate Court, Union County, Ohio, No. 995-4

Proceeding to Sell Real Estate.

Ida A. Wynn, et al. Defendants.

Answer of Widow.

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And now comes Ida A. Wynum, one of the defendants in the above entitled cause and voluntarily enters her appearance herein, and, for answer to the petition in this case filed, says, that she is the widow of said Joseph Wynum, deceased, and, as such is entitled to dower in the premises described in said petition, that her age is 61 years, and, she freely 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 her dower estate therein, and, that the value of such dower estate may be allowed and paid her, in lieu thereof out of the proceeds of the sale, such sum of money, as the Court deems the just and reasonable value of her dower interest in said real estate. Ida A. Wynum.

The State of Ohio, Union County.

Ida A. Wynum being duly sworn, says that the statements in the foregoing answer are true, as she verily believes. Ida A. Wynum.

Subscribed before me, and signed in my presence, this 12-day of October A. D. 1922, Edward W. Porter, Notary Public

995-4

Probate Court, Union County, Ohio,

Ida A. Wynum, Adm. of the estate of Joseph Wynum, deceased. Plaintiff.

No. 995-4

Ida A. Wynum, Marion Wynum, Wainor of Summons, and Ida Bobling, Defendants

Consent to Sell.

We, the undersigned parties Defendant, to the Petition in the above entitled action, do each of us hereby waive the issuing and service of Summons, and, voluntarily enter our appearance, as such Defendants, and hereby Consent to sale of Real Estate described in the petition in said action according to the prayer of the same. Ida A. Wynum.

995-4

Wainor

Probate Court, Union County, Ohio,

Ida A. Wynum, Adm. of the Estate of Joseph Wynum, deceased. Plaintiff

No. 995-4

Ida A. Wynum, Marion Wynum, Wainor of Summons and Ida Bobling, et al. Defendants

Consent to Sell.

The undersigned party defendant, to the Petition in the above entitled action, do each of us hereby waive the issuing and service of Summons, and,

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voluntarily enter appearance as such Defendant. and do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

December 11- 1922.

Marion Wynn.

Wainor

Probate Court, Union County, Ohio,

no. 9954

Ida A. Wynn, Adm'x. of the estate of

Joseph Wynn, deceased Plaintiff

Ida A. Wynn, Marion Wynn, and Ida Bottery, et. al.

Wainor of Summons.

and Consent To Sell.

Defendants.

The undersigned party defendant to the Petition in the above entitled action. do hereby wainor the issuing and service of summons, and voluntarily enter appearance as such Defendant. and hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

December 15th A.D. 1922.

Ida Bottery.

9954

Journal Entry; Probate Court, Union County, Ohio, Dec. 18th 1923.

Ida A. Wynn, Adm'x.

no. 9954

of the estate of Joseph Wynn, deceased Plaintiff

Journal entry

Ida Wynn, et. al. Defs.

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 Joseph Wynn, deceased. And Ida A. Wynn, the widow of the said Joseph Wynn 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 oath of Venton McCreary, Frank Hawley, and James Farley, 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.

H. H. Busted, Probate Judge.

Order of appraisement.

The State of Ohio, Union County ss.

Probate Court.

To Ida A. Wynn, adm'x. of the estate of Joseph Wynn, Dec'd Meeting;

In obedience to an order and decree of the Probate

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Court, within and for said County, made this day in a certain cause, wherein you as administratrix of the estate of Joseph Wynn, deceased, are Plaintiff and, Ida A. Wynn et al. are Defendants, you are commanded that by the oaths of Vinton McCrary, Frank Fawley and James Fawley, 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 Ida A. Wynn, widow of Joseph Wynn, deceased, therein, to wit: Situated in the County of Union, State of Ohio, and in the Township of York, being part of U. M. Survey no. 3238, and bounded and described as follows: Beginning at a stone in the north line of John D. Henson's land, and south-east corner of a lot of land, conveyed by Balow Toby, et al. to Emaline Cabell; thence north, 7 3/4 East 144 poles to a stone in the center of the road and the north-east corner of said lot; thence south 82 3/4 East 41 poles with the center of said road to a stone, the north-west corner of Virgil Harris's land; thence south 7 3/4 West 146 poles with said Harris west line to a stone in the north line of Jacob Harris's land; thence north 50 1/4 West 41 poles to the place of beginning, containing (37) thirty seven acres being the same more or less, being the same premises conveyed by Horace Colver to John A. Potts, and Mattie E. Potts, December, 26th 1906. 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 18th day of December, 1922.

W. H. Busted, Probate Judge.

9954

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 16th day of January, 1923.
Ida A. Wynn, administratrix.

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.

9954 Frank Hawley, Vinton D. McCrary, James Hawley, appraisers,
 sworn to before me, and signed in my presence. This 1st day
 of January, 1923. Ida A. Wynum, Adm'r.

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, consisting of the undivided one-half
 of said above described tract of land, at 75, per
 acre, dollars, free of said court estate of said Ida A.
 Wynum, widow of said Joseph Wynum, deceased.

Given under our hand, this 1st day of January, 1923,
 Frank Hawley, Vinton D. McCrary, James Hawley, appraisers.

Fees of appraisers \$2- per day each.

9954

Application to Sell Real Estate at Private Sale,

Probate Court, Union County, Ohio,

No. 9954

Ida A. Wynum, Adm'r. of the
 Estate of Joseph Wynum, Deceased.
 Plaintiff

Petition to Sell Real Estate

Ida A. Wynum, et al. Defendants application.

The 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. It will save the
 expense of advertising 2. If sold at public sale it
 might bring only two-thirds of the appraisement, but if
 sold at private sale, it must bring as much, or
 more, than the appraisement 3. Because a purchaser
 at private sale has already been obtained, and she
 therefore asks for an order authorizing her to sell said
 real estate at private sale.

The State of Ohio, Union County, ss.

Ida A. Wynum, being duly sworn, says, that the
 various matters set forth in the foregoing application
 are true as she verily believes

Sworn to before me and signed in my presence.
 This 16th day of January, 1923. ^{Just} Edward H. Potter, Notary Public,

9954

Affidavit of Disinterested Persons

The State of Ohio, Union County, ss.

Vinton McCrary, Frank Hawley and James Hawley 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 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, and for the
 reasons named herein, as they verily believe.

Frank Hawley, Vinton McCrary, James Hawley.

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Order of Sale

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known to before me, and signed in my presence, this
 16-day of January, 1923, Edward W. Porter, Notary Public
 journal entry: In the Probate Court of Union County, Ohio,
 January, 16th 1923

Ida A. Wynn, admr. of the
 estate of Joseph Wynn, deceased,
 Plaintiff.

January, 16th 1923

no. 995-4

Journal entry.

Ida A. Wynn, 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 administratrix
 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 Ida A. Wynn, admr.,
 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. And it is
 further ordered by the Court, that said plaintiff make
 due return of his proceedings herein forthwith upon
 complaint with the terms thereof. W. H. Husted, Probate Judge.

995-4

Order of Sale - Free of Down.

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

order of
 Sale

To Ida A. Wynn, admr., of the estate of Joseph Wynn, Decd.
 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

Administratrix of the estate of Joseph Wynn, deceased,
 now Plaintiff and, Ida A. Wynn, 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 of Ida A. Wynn.

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widow of Joseph Wynn, deceased. the following described premises to wit: Situated in the County of Union, State of Ohio, and in the Township of York, and being part of V. M. Survey No. 3232, and bounded and described as follows: Beginning at a stone in the north line of John D. Kerns' land and south-east corner of a lot of land conveyed by Barlow Toby and others to Emaline Bahier; thence north 7³/₄° east 144 poles to a stone in the center of the road and the north east corner of said lot; thence south 82³/₄° east 41 poles with the center of said road to a stone the north-west corner of Virgil Harris's land; thence south 7³/₄° west 146 poles with said Harris west line to a stone in the north line of Jacob Harris's land; thence north 80³/₄° west 41 poles to the place of beginning, containing (37) thirty-seven acres, being the same more or less, being the same premises conveyed by Horace Colver to John A. Potts and Mattie C. Potts, December 26th 1906, said sale to be for the favor of the dowry of said Ida A. Wynn, widow of said, and to be upon the following terms: lease on day of sale you will make return of your proceedings to this Court forthwith upon execution of this order. ^{and} Witness my signature and the seal of said Probate Court at Marysville, Ohio this 16th day of January A. D. 1923. W. B. Husted, Probate Judge

9954

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 22nd day of January 1923.
Ida A. Wynn, administratrix

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Report of Sale
In obedience to the within order, I sold said premises on the 22nd day of January 1923 to C. F. Newman, for the sum of fifteen hundred and eighty seven and ⁵⁰/₁₀₀ Dollars, said sum being the appraised value of the same.
Ida A. Wynn, administratrix,
Dated the 22nd day of January 1923.
The State of Ohio, Union County,
The above named Ida A. Wynn, administratrix of the estate of Joseph Wynn, 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 she could get for said property.
Ida A. Wynn, Administratrix,
Sworn to before me and signed in my presence this 22nd day of January, 1923. Edward H. Potter
Notary Public, Union County, Ohio

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Final Record, Union County Probate Court

996-4 Journal entry: Probate Court, Union County, January 22 - 1923.
 Ida A. Wynne as Administratrix Proceeding to Sell Real Estate
 of the Estate of Joseph Wynne, Deceased. Confirming Sale -
 This day this cause coming on to be heard on the return of Ida A. Wynne, admx., of the estate of Joseph Wynne, deceased, of her proceedings and sale under the former order of this Court; the Court having carefully examined said return, and being satisfied that such sale was in all respects ~~irregularly~~ and legally made. It is ordered that the same be and hereby is approved and confirmed; and it is further ordered that said Ida A. Wynne, as such Administratrix make to the purchaser C. F. Newman a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded and that said Administratrix pay the costs herein taxed at \$ --- within ten days.
 W. H. Husted Probate Judge -

9963 Petition for Sale of Real Estate to Pay Debts.
 Nov. 1 - 1922. Agnes B. Forbes, Adminis; Probate Court, Union County, Ohio,
 of the Estate of. vs. 9963.
 Richard Charles M. Forbes, Deceased. Civil action
 L. Thrall, Plaintiff.
 atty. Martin P. Forbes, The Citizens Home and Savings Company, and A. C. Harny, adults, and Clifford C. Forbes, and Chester J. Forbes, minors. Defendants.
 Petition to Sell Real Estate.
 Petition

Petition The Plaintiff represents that she is the duly appointed and qualified Administratrix of the estate of Charles M. Forbes, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Twenty hundred and fifty 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 Six hundred dollars, being wholly insufficient to pay the debts and costs aforesaid.
 The Plaintiff further represents that said Charles M. Forbes, died seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and in the Township of Liberty town: In Survey No. 4404: Being part of Findley's subdivision of Peoria, Ohio, and described as follows: Beginning at a stake at the northwesterly corner of division No. 22, and in the South line of the

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of the Peoria Grand Road: thence with the west line of said division No. 21 S. 44° E. 165 feet to a stake in the north line of an alley: thence with the north line of said alley S. 46° W. 66 feet to a stake in the east line of an alley: thence with the east named alley N. 44° W. 165 feet to a stake in the south line of said Grand Road: thence with the east named line N. 46° E. 66 feet to the beginning: Containing $\frac{1}{4}$ of an acre more or less.

Also, the following in the same Township and Survey: Beginning at a stake in the north west corner of division No. 22, and in the south line of the Peoria Grand Road: thence with the said line S. 46° W. 66 feet to a stake in the north east corner of division No. 20: thence with the east line of said division No. 20 S. 44° E. 165 feet to a stake in the north line of an alley: thence with the said line N. 46° E. 66 feet to a stake in the southeast corner of division No. 22: thence with the west line of said division N. 44° W. 165 feet to the place of beginning: Containing twenty four one hundredths of an acre more or less.

That the said Charles M. Forbes died survived by a widow, Ellen Forbes, who has since died. Plaintiff represents that said real estate was appraised in accordance with the order of the Probate Court, Union County, Ohio, by the appraisers of the personal estate of said decedent and that the amount of said appraisement is --.

The said decedent died leaving the defendant his widow, who is entitled to dower in said premises: that the defendants; Martin P. Forbes, adult, and Clifford C. Forbes and Chester J. Forbes minors, are the only heirs at law and next of kin of said decedent, having the next estate of inheritance from said Charles M. Forbes, deceased, in said premises, that the defendants The Citizens Home and Saving Company claim to have a mortgage lien on the said premises: and that the defendant A. E. Harvey, claims to have a mechanic's lien on the said premises. The Plaintiff therefore pray that the rights, interests, and liens of the said Martin P. Forbes, A. E. Harvey, and The Citizens Home and Saving Company, adults and Clifford C. Forbes, and Chester J. Forbes, minors, may be fully determined, adjusted and protected according to equity, and that your petitioner may be authorized and ordered to sell said real estate said dower, according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

Agnes D. Forbes, Administratrix

The State of Ohio, Union County.

Agnes D. Forbes, the within named Plaintiff, being duly sworn, says that the various matters and things

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set forth in said petition are true, to the best of his knowledge and belief.

Agnes B. Forbes, Administratrix
 known to before me and signed in my presence, this 26th day of October A. D. 1922.

Journal Entry: In the Probate Court of Union County, Ohio,
 Agnes B. Forbes, admx. of
 The Estate of Charles M. Forbes,
 deceased. Plaintiff
 vs.
 Martin B. Forbes, The Citizens
 Home, and Savings Company,
 ans. A. F. Barry, adults, ans.
 Clifford L. Forbes, ans.
 Chester J. Forbes minors.

November 1 - 1922
 Case No. 9963

Journal entry
 Filing Petition To
 Sell Real Estate.

Defendants

This day came the Plaintiff Agnes B. Forbes, admx., of the estate of Charles M. Forbes, deceased, and presented to this Court her petition, duly verified praying an order for the sale of real estate of the said Charles M. Forbes, 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.

W. H. Husted, Probate Judge.

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Notice

To Chester Forbes, ans James L. Phillips,
 you are hereby notified that on the 1st day of November, 1922, Agnes B. Forbes, as Administratrix of the estate of Charles M. Forbes, deceased, 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 sale of the real estate of the said Charles M. Forbes, deceased, situated in the Co. of Union, Ohio, and described as follows: Situated in the Township of Liberty, County of Union, and State of Ohio, and bounded and described as follows: In Survey No. 4404; Being part of Findley's subdivision of Peoria, Ohio, and described as follows: Beginning at a stake in the Northwesterly corner of Division No. 21 and in the South line of the Peoria Grant Road; thence with the West line of said division No. 21, S. 44° E. 165 feet to a stake in the North line of an alley; thence with the North line of said alley, S. 46° W. 66 feet to a stake in the East line of an alley; thence with the East named alley, N. 44° W. 163 feet to a stake in the South line of said Grant Road; thence with the East named line,

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N. 46° E. 66 feet to the beginning; containing $\frac{1}{4}$ of an acre more or less. Also the following in the same Township and Survey: Beginning at a stake in the northwest corner of division No. 20, and in the south line of the Peoria Grant Road; thence with the said line S. 46° W. 66 feet to a stake in the northeast corner of division No. 20; thence with the east line of said division No. 20 S. 44° E. 165 feet to a stake in the north line of an alley; thence with the said line N. 46° E. 66 feet to a stake in the southwest corner of division No. 24; thence with the west line of said division N. 44° W. 165 feet to the place of beginning, containing twenty-four one hundredths of an acre, more or less.

The application, therefore, will be for a hearing by said Court on the 13th day of November, 1922, at one o'clock P.M. at which time, unless you show cause to the contrary, an order will be asked as prayed in said petition.

(Signed) Agnes B. Fobbs

Dated this 1st day of November, 1922.

Affidavit

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State of Ohio, Union County.

Personally appeared before me, a Notary Public, in and for said County, Agnes B. Fobbs, Adm'r. of the estate of Charles M. Fobbs, deceased, and, being duly sworn, deposes and says, that she personally served true copies of the above notice upon the parties therein named upon the date set forth above and further deponent says she not

Agnes B. Fobbs

swore to before me and signed in my presence, this 3rd day of November, 1922.

Richard C. Strall, Notary Public

9963

Notice

To Clifford B. Fobbs and Anthony W. Keller.

You are hereby notified that on the 1st day of November, 1922, Agnes B. Fobbs, as Adm'r. of the estate of Charles M. Fobbs, deceased, 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 sale of the real estate of the said Charles M. Fobbs, deceased, situated in the County of Union, Ohio, and, described, as follows: Situated in the Township of Liberty

County of Union and State of Ohio, and bounded and described as follows: In Survey No. 4404, being part of Findley's subdivision of Peoria, Ohio, and described as follows:

Beginning at a stake in the north westerly corner of Division No. 21, and in the south line of the Peoria Grant Road; thence with the West line of said division No. 21, S. 44° E. 165 feet to a stake in the north line of an alley; thence with the north line of said alley, S. 46° W. 66 feet to a stake in the East line of an alley; thence

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with the last named alley, N. 44° W. 165 feet to the stake in the south line of said Grand Road; thence with the last named line N. 46° E. 66 feet to the beginning; containing 1/4 of an acre, more or less. Also, the following in the same Township and survey: Beginning at a stake in the Northwest corner of division no. 22, and in the south line of the Peoria, Grand Road; thence with the said line S. 46° W. 66 feet to a stake in the North East corner of division no. 20; thence with the east line of said division no. 20, S. 44° E. 165 feet to a stake in the north line of an alley; thence with the said line N. 46° E. 66 feet to a stake in the Southwest corner of division no. 22; thence with the West line of said division N. 44° W. 165 feet to the place of beginning; containing thirty-four one hundredths of an acre, more or less.

The application, therefore, will be for a hearing by said Court on the 13th day of November, 1922, at one o'clock P.M., at which time, unless you show cause to the contrary, an order will be asked as prayed in said petition.

(signed) Agnes B. Forbes.

Dated this 1st day of November, 1922.

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Affidavit

State of Ohio, Union County. Personally appeared before me, a Notary Public, in and for said County, Agnes B. Forbes, Adm^r. of the estate of Charles M. Forbes, deceased, and, being duly sworn, deposes and says, that she personally served ~~a~~ true copies of the above notice upon the parties therein named, upon the date set forth above and further deponent saith not.

Agnes B. Forbes.

Sworn to before me, and signed in my presence, this 3rd day of November, 1922. ^{sent} Richard D. Howell, Notary Public, Union Co. Ohio

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Waiver

Agnes B. Forbes, adm^r.
of the estate of
Charles M. Forbes, deceased.
Plaintiff

Probate Court, Union County, Ohio,
No. 9963.

Martin P. Forbes, et al.
Defendants.

waiver of Summons, and
Consent to Sell.

The undersigned party defendant to the Petition in the above entitled action, do, hereby waive the issuing and service of Summons, and, voluntarily enter our appearance as such Defendant, and do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

Oct. 31-2nd. 1922.

Martin P. Forbes

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Wainor

In the Probate Court of Union County, Ohio

no. 9963

Petition to Sell Real Estate,

Agnes B. Forbes, administratrix
of the estate of
Charles W. Forbes, deceased,
Plaintiff

Martin P. Forbes, et al.
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 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. Chester Forbes, James L. Phillips

Wainor

In the Probate Court of Union County, Ohio

Petition to Sell Real Estate

Agnes B. Forbes, administratrix
of the estate of
Charles W. Forbes, dec'd.
Plaintiff

Martin P. Forbes, et al.
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 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. Clifford B. Forbes, Anthony W. Fuller

Wainor

Probate Court, Union County, Ohio.

no. 9963.

Agnes B. Forbes, administratrix
of the estate of
Charles W. Forbes, dec'd.
Plaintiff

Martin P. Forbes, et al.
Defendants.

Wainor of Summons, and Consent to Sell.

We, the undersigned, parties Defendant to the Petition in the above entitled action, do each of us hereby waive the issuing of service of Summons, and, voluntarily enter our appearance, as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same. November - 1922.

Citizens Home and Savings Co. A. C. Harry.

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Journal Entry: Probate Court, Union County, Ohio, November, 9 - 1923.

Agnes B. Forbes, Administrator
of the estate of
Charles M. Forbes, deceased.
Plaintiff

no. 9963.

Journal Entry.

Martin P. Forbes, 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 debts of the said Charles M. Forbes, deceased. It is therefore ordered and adjudged by the Court, that the said premises be appraised free of duty, by the oaths of, H. P. Jewell, S. A. Jewell, and, J. L. Hamilton, 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. W. H. Busted, Probate Judge

9963

Answer - Cross Petition of The Citizens Home and Savings Company

In the Probate Court, Union County, Ohio.

Agnes B. Forbes, Adm^r of
the estate of Charles M. Forbes,
deceased. Plaintiff

Case no. 9963.

Clifford J. Forbes, Chester J. Forbes,
both minors, Martin P. Forbes, The
Citizens Home and Savings Company,
and A. E. Barry, Defendants.

Cross-Petition of The Citizens
Home and Savings Company.

This defendant says that on the 10th day of July, 1915,
Charles M. Forbes and Ellen Forbes executed and delivered
to this defendant their note for Five Hundred Dollars (\$500)
bearing date July 10th 1915, with interest at seven per
per cent from date, a copy of which note is hereto
attached, marked "Exhibit A" and made a part hereof.
That on said date, in order to secure said note the
said Charles M. Forbes and Ellen Forbes executed to this
defendant their mortgage deed upon the premises
described in the petition herein. That said mortgage
deed was conditioned in substance; that if said note
above described should be paid, then same to be void
otherwise to be and remain in full force and effect.
That on the 10th day of July 1915, at 2:40 P.M., o'clock
said mortgage was duly filed for record in the
Recorder's office, of Union County, Ohio, and was by him
duly recorded in Book 60, pages 475- of the mortgage
records of said County; and is the first and best
lien upon said premises. That there is due and

9963 unpaid on said note \$ 301.⁵⁴ with from November 9th 1922, wherefor this defendant prays, that upon the sale of said premises it be paid the sum of \$ 301.⁵⁴ out of the proceeds of said sale. Citizen's Home and Savings Co., C. A. Hoopes.

State of Ohio, Union County ss.

C. A. Hoopes, being first duly sworn, says that he is the Attorney for the defendant The Citizen's Home and Savings Company, a corporation; that the facts stated and allegations made in the foregoing cross-petition are true as he verily believes. C. A. Hoopes.

Sworn to before me and subscribed in my presence, this 9th day of November, 1922. J. S. Southwick, Notary Public.

9963 Cross-Petition of A. E. Barry.

In the Probate Court, Union County, Ohio

Case No. 9963.

Agnes B. Forbes, Adm'x of the Estate of Charles M. Forbes, deceased. Plaintiff

vs. Clifford J. Forbes; Chester J. Forbes, both minors; Martin P. Forbes, The Citizen's Home and Savings Company, and A. E. Barry, Defts. Cross Petition of A. E. Barry.

This defendant says that on or about the 6th day of October 1919, he sold C. M. Forbes, an electric light plant and installed same in the dwelling house on the property described in the petition. That on said date said C. M. Forbes, in payment for said light system, executed and delivered to this defendant his promissory note, the original of which is hereto attached, marked "Exhibit A" and made a part hereof.

That on the 8th day of December, this defendant executed an affidavit for a Mechanic's Lien, the original of which is hereto attached marked "Exhibit B" and made a part hereof. That said lien was duly filed for record with the Recorder of Union County, Ohio, and was by him duly recorded in volume of Mechanic's Lien No. 5, page 323, Mechanic's Lien Records of said County, that there is due, and unpaid on said note the sum of \$ 336.³⁰.

Defendants pray that on the sale of said premises said amount be paid him out of the proceeds thereof. C. A. Hoopes, for A. E. Barry.

State of Ohio, Union County ss.

C. A. Hoopes, being first duly sworn, says that he is the Attorney of the defendant A. E. Barry; that this action is based upon a written instrument for the payment of money only; and that the facts stated and allegations made in the foregoing cross-petition are true as he verily believes. C. A. Hoopes.

Sworn to before me, and subscribed in my presence,

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This 10th day of November, 1922. ^{Seal} Jessie V. Southwick, Notary Public
Order of appraisement

The State of Ohio, Union County ss. Probate Court.
To Agnes B. Forbes, Adm^r of the estate of Charles W. Forbes, 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 Charles W. Forbes, deceased, are Plaintiff and Martin P. Forbes et al. are Defendants, you are Commanded that by the oaths of H. P. Jewell, S. A. Jewell, and J. R. Hamilton 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 to wit:
Situating in the Township of Liberty, County of Union, and State of Ohio, and bounded and described as follows:
In Survey No. 4404: Being part of Findley's subdivision of Peoria, Ohio, and described as follows: Beginning at a stake at the northwesterly corner of division No. 21 and in the south line of the Peoria Grant Road; thence with the west line of said division No. 21, S. 44° E. 165 feet to a stake in the north line of an alley; thence with the north line of said alley, S. 46° W. 66 feet to a stake in the east line of an alley; thence with the east named alley N. 44° W. 165 feet to a stake in the south line of said Grant Road; thence with the east named line, N. 46° E. 66 feet to the beginning; Containing $\frac{1}{4}$ of an acre more or less, also the following in the same Township and Survey: Beginning at a stake in the north west corner of division No. 22, and in the south line of the Peoria Grant Road; thence with the said line S. 46° W. 66 feet to a stake in the north east corner of Division No. 20; thence with the East line of said division No. 20, S. 44° E. 165 feet to a stake in the North line of an alley; thence with the said line N. 46° E. 66 feet to a stake in the South west corner of division No. 22; thence with the West line of said division N. 44° W. 165 feet to the place of beginning, Containing twenty-four one hundredths of an acre, more or less. 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 8th day of November, A. D. 1922.

^{Seal} H. R. Husted
Probate Judge

9963

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 day of November, 1922.

Agnes B. Forbes, Administratrix

Oath of appraisers.

The State of Ohio, Union County. 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. S. A. Jewell, Geo. P. Jewell, J. L. Hamilton & appraisers.

Sworn to before me and signed in my presence, this 9 day of November, 1922. Richard C. Thrall, Notary Public

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 thousand Dollars. Given under our hands, this 9 day of November, 1922.

S. A. Jewell, Geo. P. Jewell, J. L. Hamilton & appraisers.

9963

Journal Entry: Orders approving appraisement Private Sale - Probate Court, Union County, Ohio.

Agnes B. Forbes, Admin. of the Estate of

Charles M. Forbes, deceased. Plaintiff

vs Martin P. Forbes, et al. Defendants.

This day came the said Plaintiff, by her attorney, and produced to the Court, the report of an appraisement herein made by G. P. Jewell, S. A. Jewell, and J. L. Hamilton 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 Agnes B. Forbes, as such Administratrix proceed to sell said real estate, free from debt, 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.

W. H. Husted, Probate Judge.

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Application to Sell Real Estate at Private Sale,
Probate Court, Union County, Ohio.

Agnes B. Forbes, Adm'x,
of the estate of Charles M.
Forbes, deceased, Plaintiff
Martin P. Forbes, et al,
Defendants.

No. 9963

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:

1. Because it must go for the full amount of the
appraisement, whereas, if sold at public sale it
might be sold for two-thirds of the appraised value.
 2. Because it will save the costs of advertising.
 3. Because a purchaser at the appraised value
has already been secured.
- and she therefore
asks for an order authorizing her to sell said
real estate at private sale.

Agnes B. Forbes, Adm'x,
of estate of Charles M. Forbes, deceased,
The State of Ohio, Union County, ss.

Agnes B. Forbes, being duly sworn, says that the
various matters set forth in the foregoing application
are true as she verily believes.

Agnes B. Forbes,
known to before me and signed in my presence, this
26-day of October 1922.

Richard C. Small, Notary Public
in and for Union County, Ohio.

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Affidavit of Disinterested Person.

The State of Ohio, Union County, ss.

M. P. Jewell, S. A. Jewell, and J. L. Hamilton 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 than
for the interest of the said estate to sell at
private sale, than at public sale and for the
reasons given, as they verily believe.

S. A. Jewell, M. P. Jewell, J. L. Hamilton Appraisers.
Sworn to before me, and signed in my presence, this
9-day of November, 1922.

Richard C. Small, Notary Public, in and for Union County, Ohio.

9963

Order of Sale - Free of Doubt.

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

1. Agnes B. Forbes, Adm'x of the estate of
Charles M. Forbes, deceased, Petitioner;

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,

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as Administratrix and Plaintiff and Martin P. Forbes et al. as 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: Situated in the Township of Liberty, County of Union and State of Ohio and bounded and described as follows: In Survey No. 4404: Beginning at a stake in the northwesterly corner of division No. 21, and in the south line of the Peoria Grant Road: thence with the west line of said division No. 21, S. 44° E. 165 feet to a stake in the north line of an alley: thence with the north line of said alley S. 46° by N. 66 feet to a stake in the east line of an alley: thence with the east named alley N. 44° W. 165 feet to a stake in the south line of said Grant Road: thence with the east named line N. 46° E. 66 feet to the beginning: containing 1/4 of an acre, more or less. Also the following in the same Township and Survey: Beginning at a stake in the northwest corner of division No. 22, and in the south line of the Peoria Grant Road: thence with the said line S. 46° W. 66 feet to a stake in the northeast corner of division No. 20: thence with the east line of said division No. 20, S. 44° E. 165 feet to a stake in the north line of an alley: thence with the said line N. 46° E. 66 feet to a stake in the southeast corner of division No. 22: thence with the west line of said division N. 44° W. 165 feet to the place of beginning: containing twenty four one hundredths of an acre, more or less. Sold and to be upon the following terms: Cash on 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 Mansville, Ohio this 14 day of November, 1922.

W. H. Husted, Probate Judge.

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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 15th day of November 1922.
Agnes B. Forbes, Adm. as aforesaid.

9963

Report of Sale

In obedience to the within order, I sold said premises on the 15th day of November, 1922, to Arthur Shaw, for the sum of eleven hundred dollars, said sum being the appraised value of the same.
Agnes B. Forbes, Administratrix
of the estate of Charles W. Forbes, deceased.

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Dated the 15th day of November, 1922.

The State of Ohio, Union County ss.

The above named Agnes B. Forbes, Adm^x. of the estate of Charles M. Forbes, deceased, being duly sworn say, 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 she could yet get for said property.

Agnes B. Forbes, adm^x,
brought to before me and signed in my presence, this 15th day of November, 1922, Richard C. Howell, Notary Public.

9963

Journal Entry:	Probate Court, Union County, Ohio.
Agnes B. Forbes, adm ^x . of the estate of Charles M. Forbes, deceased.	Petition to Sell Real Estate, Orders confirming sale, and, distributing proceeds.
vs Plaintiff Martin P. Forbes, et. al., Defendants	

This day this cause came on to be heard upon the report of a private sale of the property described in the petition herein: and there appearing to me no objection to the sale it was submitted to the Court upon such return of sale, whereupon the Court finds, after careful and due examination of the same that said sale has been duly and legally made in conformity to law, and the former orders of the Court, wherefore it is ordered that the same be and is approved and confirmed, and it is further ordered that said Agnes B. Forbes as such Administratrix make to the purchaser, Arthur Shaw, a good and sufficient deed for the premises so sold, and the said Arthur Shaw, desiring to pay all of the said purchase money in cash, said administratrix is ordered to accept the same. And the said Ella L. Forbes, being now deceased, said property shall be sold free of debt.

And it is further ordered, that upon satisfaction of the mortgage of the Citizens Home and Savings Company herein set forth in the cross petition of said Citizens Home and Savings Company, said mortgage being recorded in volume 60 page 475 of the Mortgage Records of Union County, Ohio, cancellation be entered on the record thereof in the office of the Recorder of said County, where it is recorded.

And it is further ordered, that upon satisfaction of the mechanic's lien, of A. E. Harvey, herein set forth in the cross petition of said A. E. Harvey, said mechanic's lien being recorded in volume 5 page 323 of the Mechanic's Lien Records of Union County, Ohio, cancellation be entered on the record thereof in the office of the Recorder of said County where it is

9463

recorded and the Court coming now to the distribution of the proceeds of said sale amounting to eleven hundred dollars, the said Arthur Shaw, purchaser having elected to pay in cash, it is ordered, that said administrator of the money in his hands, pay first to the treasurer of this county, taxes, penalties, and interests thereon against said property, to wit, the sum of forty-one dollars and fifteen cents. Secondly, costs and expenses, incurred in the sale of said land to the sum of seventy one dollars and forty cents, as follows: 1. Probate Court costs, amounting to thirty-three dollars and forty cents. (*33⁰⁰). 2. M.M. Haines, securing purchaser, for property, ten dollars. 3. Griffith Brothers, hauling batteries for Lally Light, three dollars and fifty cents. 4. Benderson and Son, storage and charging said batteries. 5. L.P. Henry, repairing said batteries six dollars and fifty cents.

Third to the Citizens Home and Savings Company on the note and mortgage set forth in their cross petition herein, the sum of three hundred and fifty dollars and six cents, which the Court finds to be due them, and to A.E. Casper on the note and mechanics lien, set forth in his cross petition herein, the sum of three hundred and forty dollars, and twenty cents, which the Court finds to be due him. and it is ordered, that the balance of said sum, amounting to three hundred and forty-two dollars, and twenty-seven cents, be distributed by said Administrator, as provided by law. Witness my signature and the seal of said Court, this 16th day of November, 1925.
 W.H. Busted, Probate Judge ^{Seal}

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Filed
Jan. 3-1923

Petition to Sell Personal Property at Private Sale.
Probate Court, Union County, Ohio.
no. 9417
Private Sale of Personal Property
Petition

In the matter of
The Estate of
Cordou M^c Allister, dec'd.

To the Judge of said Court: The undersigned Jennie E. M^c Allister and Fred A. M^c Allister administrators of the estate of Cordou M^c Allister late of said County, deceased, respectfully, makes application for authority to sell at private sale, and at less than the appraised value thereof, as hereinafter set forth, the part of the personal property of said estate which is hereinafter enumerated, and which is also enumerated in the inventory of said estate filed in said Court. and the petitioner alleges that said sale would be for the advantage of said estate, for the following reasons:

That they have been unable to sell the said personal property at the appraised value; that it will

9417

9417

be necessary in the settlement of said estate, and for its best interest to sell said property at the best price your administrators are able to procure, and that the price hereinafter set out is, in their opinion, a fair price for said property, to wit: Twenty (20) shares of preferred stock of the Cleveland Discount Company, at \$56- per share or in all \$1120.00; and eight (8) shares of preferred stock of the Cleveland Discount Company, at \$26- per share or \$208.00 in all, and, same is probably the best price said administrators will be able to procure for said personal property; that all of the said stock, preferred and Common, was appraised for the sum of \$2000.00

Dated Sept. 1922 Fred A. McAllister, admin.

The State of Ohio, Union County,

Fred A. McAllister, being duly sworn, says that the various matters and things contained in the foregoing application, are true, as he verily believes.

Fred A. McAllister.

Sworn to before me and signed in my presence, this 30- day of December, 1922, Arthur Fletcher, Notary Public

9417

affidant on application to sell at less than

The appraised value,

The State of Ohio, Union County,

The undersigned being first duly sworn, say that they are disinterested in the estate of Gordon McAllister, deceased, that they have examined the property mentioned in the foregoing application 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 less price, as they verily believe.

Milo Strosmider, R.C. Peet, J.F. Rapp.

Sworn to before me, and signed in my presence, this -- day of December, 1922, Arthur Fletcher, Notary Public

9417

Journal Entry

Probate Court, Union County, Ohio,

In the matter of

Sale of Personal Property,

The Estate of

Order.

Gordon McAllister, Dec'd

This day Jervis E. McAllister and Fred A. McAllister administrators of the estate of Gordon McAllister, deceased, appeared in open court and made application for an order authorizing them to sell the personal property therein described for less than its appraised value, and at the same time filed in this Court the affidavits of Milo Strosmider, R.C. Peet and J.F. Rapp, three disinterested persons, that such property cannot be sold at its appraised value, and that it will be for the best interests of the estate

9417

to sell the same at a less price; and, was submitted to the Court upon said application and affidavits, whereupon, the Court being satisfied, by said affidavits, that said property can not be sold at its appraised value, and that it will be for the best interests of the estate of said decedent to sell the said property at less than its appraised value, hereby authorizes said Administrator to sell the same for a less amount, but not less than the sums hereinafter fixed, to wit: Twenty (20) shares of the preferred stock of the Cleveland Discount Company for not less than \$1120.00 and eight (8) shares of the Common stock of the Cleveland Discount Company, for not less than the sum of \$200.00 and it further ordered that said admin. return within one month from this date their proceedings herein

W. H. Busted, Probate Judge

9417

Order of Private Sale, Personal Property,

Probate Court, Union County, Ohio, No. 9417

In the matter of the Estate of Gordon M. Allister, Deceased

Order of Sale of Personal Property.

To Jennie E. and Fred A. M. Allister, Admins.

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 thirteen hundred and sixty eight dollars, being less than the appraised value, thereof, the following goods and chattels belonging to said estate, to wit:

27 Twenty shares of preferred and eight shares of Common stock of the Cleveland Discount Co., \$2000.00

Said sale to be on the following terms: Purchases: 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 30 day of December, 1922

W. H. Busted, Probate Judge

9417

Return

In the matter of the Estate of Gordon M. Allister, Deceased.

Probate Court, Union County, Ohio, Report of Sale of Personal Property.

The undersigned administrator of said estate, says that in obedience to the order of said Court, hereto attached, they sold, said personal property commencing on the 30 day of December 1922, and closing on the 30-day of December 1922, for the sum of thirteen hundred

9417

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9992 Filed Dec. 30-1922

9417

eighty nine dollars and fifty six cents. a detailed Bill of said sales is hereto attached, Dated this 3-day of Jan, 1923.
James E. and Fred A. McAllister, Admins

Bill of Sale -

27

20 shares Cleveland Discount preferred and eight Common, 2000- sold to - Frederick W. Freeman. 1389.44.

The State of Ohio, Union County.

Fred A. McAllister, one of the administrators of the estate of Coridon McAllister, Decd. being duly sworn, say, that the foregoing Report is in all respects true and correct, that such sale has been made after a 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.

Fred A. McAllister

Known to before me and signed in my presence, this 3 day of January 1923. W. H. Husted, Probate Judge.

9417

Journal entry: Probate Court, Union County, Ohio, Jan. 3-1923.

In the matter of the estate of Coridon McAllister, Decd. | Sale of Personal Property confirmed.

The administrators of the above named decedent, having filed his return of the order heretofore issued for private sale of the personal property of said decedent, and the court, having carefully examined the same, find said proceedings in all respects regular and in accordance with law, and therefore approve and confirm the same.

W. H. Husted, Probate Judge

9992

Filed

Dec. 30-1922

In the matter of the Estate of Edmund B. Brnerd, Decd
Petition to Sell Personal Property at Private Sale -
Probate Court, Union County, Ohio.

In the matter of, No. 9992.
The Estate of, Private Sale of Personal Property,
Edmund B. Brnerd, Decd. | Petition.

To the Judge of said Court:
The undersigned L. E. Brnerd, admin. of the estate of Edmund B. Brnerd, late of said County, deceased, respectfully makes application for authority to sell at private sale and at its appraised value, the part of the personal property of said estate which is enumerated in the schedule attached hereto, and which is also enumerated in the inventory of said estate filed in said Court. And the petitioner alleges that said sale would be for the advantage of said estate, for the following reasons:
That there are very few people that could not said

9992

property, that I have a chance to sell at private sale for its full value, that a public sale would be more expensive.

Dated December 30th 1922 L.E. Buerd, Admin.

The State of Ohio, Union County, L.E. Buerd, being duly sworn, says that the various matters and things contained in the foregoing application, are true, as he truly believes.
L.E. Buerd, Admin.

Done to before me, and signed in my presence, this 30th day of December, 1922. ^{Seal} W. H. Husted, Probate Judge.

one automobile, 60th Steel House moving tractor 300.⁰⁰.

Affidavit on application to sell at less than the appraised value.

The State of Ohio, Union County,

The undersigned being first duly sworn say that they are disinterested in the

Journal Entry: Order for Private Sale.

Probate Court, Union County, Ohio,

December 30th 1922.

order of Sale.

In the matter of

The Estate of

Edward B. Buerd, Deceased.

In the matter of the Estate: This day this cause came on to be heard upon the petition herein filed, 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 L.E. Buerd, as Admin. of said Edward B. Buerd, 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 L.E. Buerd, make return of proceeding herein, within 60 days from this date, and, forthwith, after such sale is made, and this cause is continued. H. H. Husted, Probate Judge.

Order of Private Sale - Personal Property.
Probate Court, Union County, Ohio
In the matter of the Estate of Edward B. Buerd, Deceased.
To L.E. Buerd, administrator, Du obedience to an order and decree of the Probate Court, within and for said County, made this day, in the matter of said estate, I am 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

Order of Private Sale - Personal Property.
Probate Court, Union County, Ohio

In the matter of the Estate of

Edward B. Buerd, Deceased.

To L.E. Buerd, administrator, Du obedience to an order and decree of the Probate Court, within and for said County, made this day, in the matter of said estate, I am 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

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said estate. Item: one automobile 600; 4 Steel House moving trucks 3000
said sale to be on 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 30-
day of December, A.D. 1922. W. H. Husted Probate Judge

Return

Probate Court, Union County, Ohio

In the matter of the Estate of Edward B. Bnerd, Dec'd
Report of Sale of Personal Property

The undersigned administrator of said estate, says that
in obedience to the order of said Court, hereto attached, he
sold said personal property, the sum of three hundred
and sixty dollars, said sum being not less than the
appraised value of the same. A detailed Bill of said
sales is hereto attached. Dated this 3-day of February, 1923,
L. E. Bnerd, Administrator

9992

Bill of Sales

one automobile 600 B. A. Middleton.
4 Steel house moving trucks 3000 B. A. Middleton.

The State of Ohio Union County,
L. E. Bnerd, Adm. of estate of Edward B. Bnerd, dec'd,
being duly sworn, says that the foregoing Report is in
all respects true and correct, that such sale has been
made after a 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.
L. E. Bnerd, adm.

known to before me and signed in my presence, this
3 day of February, 1923, W. H. Husted Probate Judge.

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Journal Entry Probate Court, Union County, O., February, 3 - 1923.
In the matter of | Sale of Personal Property Confirmed.
The Estate of |
Edward B. Bnerd, Dec'd.

The administrator of the above named decedent
having filed his return of the sale of the personal property
of said decedent, and the Court having carefully
examined the same, find said proceedings in all
respects regular and in accordance with law, and
therefore approves and confirms the same.
W. H. Husted, Probate Judge

9876
Filed
Feb. 3-1923

In the matter of the Estate of Reuben H. Sneider, Deceased.
Petition for Distribution of assets in kind.
Probate Court, Union County, Ohio.

In the matter of the Estate of Reuben H. Sneider, Deceased. Petition

To the Honorable Judge of said Court:

Your petitioner respectfully represents that she is the duly appointed and qualified executrix of the estate of said Reuben H. Sneider, deceased; that as such executrix she has paid all the debts of said estate, that she has in her possession certain stocks belonging to said estate described as follows:

- Five shares of The Canton Steel Foundry Co.
- Five shares of the Garford Motor Truck Co.
- Liberty Bonds to the amount of \$2,100.00
- Five shares stock Commercial Savings Bank.

that the persons entitled to the proceeds of such assets as distributees, assent and agree to have the same distributed and paid over in kind, as indicated by their assent and agreement in writing, hereto attached. Your petitioner therefore asks for the approval and order of the Court in making the distribution and paying over of said assets, in kind, to those of such distributees as will receive the same.

Dorothy J. Sneider.

The State of Ohio, Union County.

Dorothy J. Sneider, being duly sworn says that the facts stated in the foregoing petition are true, as she verily believes.

Dorothy J. Sneider.

Sworn to before me, and signed in my presence, this 3-day of February, 1923.

Assent and agreement of distributees, to

Distribution of assets in kind

Probate Court, Union County, Ohio.

In the matter of the Estate of Reuben H. Sneider, Deceased.

Reuben H. Sneider, Deceased. Petition for Distribution of assets in kind. Probate Court, Union County, Ohio. Dorothy J. Sneider, Executrix, of the estate of Reuben H. Sneider, deceased, having represented to us, that all the debts of said decedent, are paid, that she still holds certain stocks to-wit:

- Five shares of The Canton Steel Foundry Co.
- Five shares of the Garford Motor Truck Co.
- Liberty Bonds to the amount of \$2,100.00

in her hands undisposed of, and to the proceeds of which we are entitled as distributees; we hereby assent and agree to have said assets distributed and paid over, in kind,

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To such of us as are willing to take the same.

Dated this 3rd day of February 1923.

Wm Grace Irvoda Harry,
Opal Marion Elliott,

Journal Entry: Probate Court, Union County, Ohio.
 In the matter of the Estate of Ruben H. Snedeker, Dec'd. Kind, orders. July, 3 - 1923.
 This day, Samantha J. Snedeker, Executrix, of the estate of Ruben H. Snedeker, deceased, appeared in open court, and filed her petition praying for an order approving the distribution and paying over of certain assets of said estate, as described and set forth in said petition and it appearing to the Court, that the statements in said petition are true and that the persons entitled to the proceeds of such assets as distributees, assent and agree to have the same distributed and paid over, in kind, as indicated by their assent and agreement in writing, attached to said petition. It is therefore ordered that said Samantha J. Snedeker, distribute and pay over said assets, in kind, to those of such distributees, as will receive the same. It is further ordered, that said Executrix report her proceedings herein immediately after the making of such distribution, and this cause is continued.

Wm Husted, Probate Judge.

Report of Distribution,

Probate Court, Union Co., Ohio.

In the matter of the Estate of Ruben H. Snedeker, Dec'd. Report.

The undersigned Samantha J. Snedeker, Exec. of the Estate of Ruben H. Snedeker, dec'd. respectfully reports that in obedience to the order heretofore made she has made distribution of the assets of said estate remaining in her hands as such Exec., after payment of the debts of said estate, in kind, to those of the distributees as were willing to receive the same, as follows:

Wm Irvoda Harry	3 Shares Canton Steel Foundry Co.,	300. ⁰⁰
Opal Marion Elliott	2 " " " " " "	200. ⁰⁰
Irvoda Harry	2 " The Garford Motor Truck "	200. ⁰⁰
Opal Marion Elliott	3 " " " " "	300. ⁰⁰
" "	Gov't Bonds	2100. ⁰⁰
Samantha J. Snedeker	5 shares Bank stock	500. ⁰⁰

Respy submitted, this 1st day of June 1923.

Samantha J. Snedeker Exec.
 of est. of Ruben H. Snedeker, Dec'd

The State of Ohio, Union Co., Ohio

Damarantha J. Sneiderer, being duly sworn says, that the foregoing Report is in all respects true and correct, as he truly believes.

Damarantha J. Sneiderer,
known to inform me, and signed in my presence.
This 1st day of June, 1923. ^{seal} W. H. Husted, Probate Judge,
Journal Entry: Probate Court, Union Co., Ohio.
In the matter of the Estate of June 1-1923
Rubeus H. Sneiderer, Deed Orders.

This day came Damarantha J. Sneiderer, Ex'or. of the estate of Rubeus H. Sneiderer, Deed, and made and filed herein her report of distribution and paying over of the assets of said estate, in kind, to such of the distributees as were willing to receive the same, and it appearing to the Court, that said Report is in all respects correct, and that such distribution has been made according to law and the former order of the Court: it is ordered that the proceedings of said Damarantha J. Sneiderer, be and the same are hereby approved. And it is further ordered, that this proceeding be recorded, and that said Damarantha J. Sneiderer, pay the costs herein taxed. W. H. Husted Probate Judge.

9601
Filed
Feb 25th 1923

In the matter of the Estate of William B. Sherman, Deed,
Petition, re: All Personal Property.

In the matter of the
Estate of
William B. Sherman, Deed

Probate Court, Union County, Ohio
Petition re: All Personal Property.
Petition

To the Judge of said Court:

The undersigned respectfully represents that they are the duly appointed and qualified executors of the estate of William B. Sherman, 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	27 gal.	Drum of Oil	\$ 16.20
2	1	Chevrolet Automobile	300.00
3	1	Combination book case and desk	15.00
4	1	Oak stand	1.00
5	5	Kitchen Chairs	3.50
6	3	Shares preferred stock 100.00 each in Springfield Oil Product Co.	300.00
7	4	Shares of Common stock \$25.00 each in Springfield Oil Product Co.	113.36
8	6	Shares at \$100.00 each in O. M. Scott & Sons Co.	600.00
9	5	Shares at the Crane Ohio Ice Cream Co., 100.00 each.	475.00

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10	6	Shares of Ohio National Life	\$1.00 per share	60.00
11	100	shares Monte Cristo gold and copper mining Co. at		no value.
12	50	shares Wamsutter oil products Co. at \$1.00 each.		" "

1.	\$ 50.00	Bond, Third Issue.	45.50.
3	50.00	" Fourth "	133.50

Said authority is asked for the following reason, that it can be sold to a better advantage by selling at Private Sale.

Wm. A. Faxon, one of the exrs.

The State of Ohio Union County, ss.

William Faxon, one of the Exrs., being duly sworn, says that the facts stated in the foregoing petition are true as he verily believes.

Wm. A. Faxon, one of the Exrs.

Sworn to before me and signed in my presence, this 13-day of July, 1921. W. H. Husted, Probate Judge. Journal Entry: Order for Private Sale -

Probate Court, Union County, Ohio.

In the matter of the Estate of William B. Shenneman, Dec'd Personal Property, July 13 - 1921. Petition to sell Order of Sale -

This day this cause came on to be heard upon the petition herein filed and the testimony of William Faxon and Harry W. Deeper, being heard 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 Wm. A. Faxon and Harry W. Deeper, as Executors 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: purchases to be cash in hand at time of sale. It is further ordered that said Wm. A. Faxon and Harry W. Deeper make return of proceedings herein within 60 days from this date, and forthwith after such sale is made and this cause is continued. W. H. Husted Probate Judge.

Order of Sale -

Probate Court, Union County, Ohio.

In the matter of the Estate of Wm. B. Shenneman, Dec'd Order of Sale - To Wm. A. Faxon and Harry W. Deeper, Executors, In obedience to an order and decree of the Probate Court within and for said County, made this

That the... as he... presence... the Judge... Co., Ohio... of the... and filed... over of the... the dis... and it... in all... has been... order of... of said... hereby... that... d. Parman... Husted Probate Judge... Dec'd... County, Ohio... al Property... they... the estate... ty: that... duly... to Henry... makes... as... out may... tate, as... to wit: \$ 16.20 300.00 15.00 1.50 3.50 300.00 113.36 600.00 475.00

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9601

The State of Ohio, Union County, ss.
William A. Fawn and Harry W. Seper, Ex^{ors}, of the estate of
William H. Shemenan, deceased, being duly sworn, say
that the foregoing report is in all respects true and correct,
that such sale has been made after diligent in-
deavor to obtain the best price for the property, and
that the sale reported is for the highest price he
could get for the property. Wm A. Fawn, Harry W. Seper,
Known to before me and signed in my presence this
28 day of February, 1923. W. H. Husted Probate Judge
Journal Entry: Probate Court, Union County, Ohio
Feb. 28-1923

Order aff. and Confirming Sale-
This day this cause came on to be heard on the
report of William A. Fawn and Harry W. Seper, Executors
of the estate of William H. Shemenan, deceased.
Of their 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 Executors pay the costs herein taxed
at \$--- within ten days. W. H. Husted Probate Judge

15000
Fees
March 3-
1923

In the matter of the Estate of Lucinda Bushong, Dec'd
Petition to sell Personal Property at Private Sale
Probate Court, Union County, Ohio.
Petition
To the Judge of
said Court
The undersigned E. J. Bushong, admin.
of the estate of Lucinda Bushong, late of said County, dec'd,
respectfully makes application for authority to sell at
private sale, and at not less than its appraised
value, the part of the personal property of said estate
which is enumerated in the schedule attached hereto,
and which is also enumerated in the inventory
of said estate filed in said Court. and the
petitioner alleges that said sale would be for the ad-
vantage of said estate, for the following reasons:
that there is not enough to have a public sale.
Dated March 3-1923. E. J. Bushong, admin.
The State of Ohio Union County.
E. J. Bushong, being duly sworn, says, that the various
matters and things contained in the foregoing appli-
cation, are true, as he verily believes. E. J. Bushong,
Known to before me and signed in my presence, this
3 day of March-1923. W. H. Husted Probate Judge.

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H. Seper Ex^{ors}

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One Cow \$65.00
 Journal Entry: Probate Court, Union County, O. March 3rd 1923.
 The Estate of Lucinda Bushong dec'd. Authorizing 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 E.J. Bushong, as admr. 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 admr. make return of proceeds herein within 30 days from this date and forthwith after such sale is made, and this cause is continued.

W.H. Husted Probate Judge
 Order of Private Sale, Personal Property.

Probate Court, Union County, Ohio
 In the matter of the Estate of Lucinda Bushong, deceased, of Personal Property.
 To E.J. Bushong, admr.
 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:
 One Cow \$65.00
 Said sale to be cash in hand on day 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 3-day of March, 1923.
 W.H. Husted, Probate Judge

Return

In the matter of the Estate of Lucinda Bushong, deceased
 Report of Sale of Personal Property
 The undersigned admr. of said estate, says that in obedience to the order of said Court, hereto attached, he sold said property on 3-day of Mar. 1923 for sum of sixty-five dollars (\$65.00) said sum not less than appraised value of the same. A Bill of Sale is hereto attached.
 E.J. Bushong

One Cow - appraised value \$65.00 Sold to Fay Pearson \$65.00
 The State of Ohio, Union County.

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E.J. Bushong, admr. of estate of Lucinda Bushong being duly sworn, says that the foregoing Report is in all respects true and correct, that such sale has been made after a 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. E.J. Bushong.

Sworn to before me, and signed in my presence, this 3rd day of March 1923. *W.H. Husted* Probate Judge.

Journal Entry: Probate Court Union County O. March 3 - 1923
 In the matter of the Estate of *Lucinda Bushong, Deceased.* Sale of Personal Property confirmed.

The admr. of the above named decedent having filed his return of the order heretofore issued for private sale of the personal property of said decedent, and the Court having carefully examined the same, find said proceeding in all respects regular and in accordance with law, and therefore approve and confirm the same. *W.H. Husted* Probate Judge.

9745
 Filed
 Jan. 15 -
 1922.

In the matter of the estate of *Jacob Scheiderer, deceased.*
 Petition To Sell Personal Property
 No. 9745.
 The Estate of *Jacob Scheiderer, Deceased.*
 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 *Jacob Scheiderer* dead 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	Leath mowers spreader	50.00	1	stand	1.00
1	Double shovel plow - corn	1.00	3	chairs	1.50
1	Corn jabber	.25	1	sewing machine	5.00
1	Spring hayrack	8.00	1	stand	5.00
1	Piece rope	.20	2	Pible Distors	1.00
1	set single work harness	3.00	1	set stone yard	1.00
1	Top buggy	15.00	1	stove zinc	5.00
3	pair runners	6.00	1	cross cut saw	1.00
2	wagon Tongues	1.00	1	meat saw	5.00
	Sled Benches	1.00	1	Iron Kettle	1.00
12	2x4 10 ft long	2.00			
5	tinnyer barrels	1.00			
1	Bed Stead	1.00			
				Total	102.00

9745

Said Archinto is asked for the following reasons: that said Chattels will sell to a better advantage and at less expense than to sell at Public Sale

Wm Zimmerman

The State of Ohio, Union County, ss.

Wm Zimmerman being duly sworn, says that the facts stated in the foregoing petition are true, as he verily believes

Wm Zimmerman

Sworn to before me, and signed in my presence this 18 day of January, 1922

W. H. Hustled, Probate Judge

Probate Court Union County, Ohio.

In the matter of the Estate of Jacob Scheidter, Deceased. Order of Sale.

This day this cause came on to be heard, upon the petition herein filed and the testimony of Wm Zimmerman one of the Executors 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 Wm Zimmerman, Cora Zimmerman and Niva Scheidter as Executors, of said Jacob Scheidter's 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: cash in hand at time of sale.

It is further ordered that said Executors make return of proceedings herein, within 60 days from this date, and forthwith after such sale is made, and this cause is continued

W. H. Hustled Probate Judge.

Order of Private Sale, Personal Property.

Probate Court Union County Ohio.

In the matter of the Estate of Jacob Scheidter, Deceased. Order of Sale, Personal Property of Wm Zimmerman, Cora Zimmerman, and Niva Scheidter Exors.

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 mowed spreader	50.00	2 Pieces of rope	50
1 Double Shovel corn plow	1.00	1 set single harness	3.00
1 Corn gather	.25	1 Top buggy	15.00
1 Spring wagon	8.00	2 Pair rumen	6.00

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2	wagon tongues	1.00	1	stand	1.00
2	sled benches	1.00	3	chairs	1.50
12	2x4 10ft long	2.00	1	sewing machine	5.00
5	vinegar btl.	1.00	1	stand	.50
1	Bed stand	1.00	2	Bible Pictures	1.00
1	set stone gas	1.00	1	stove zinc	.50
1	cross cut saw	1.00	1	meat saw	.50
1	Iron Kettle	1.00		Total	\$102.75

Said sale to be on the following terms: Cash in hand at time of sale. you will return this order within 2 months from this date and forth with upon the execution of the same, together with your report, thereon endorsed. Witness my hand and the seal of said Court this 18-day of January 1923.

W.H. Husted Probate Judge

Return Probate Court Union County, Ohio

In the Matter of the Estate of Jacob Scheider, Deceased, Report of Sale of Personal Property.

The undersigned Executors of said Est. say that in obedience to the order of said Court, hereto attached, they sold said personal property, commencing on the 18-day of Jan., 1923. and closing on the 6-day of March, 1923, for the sum of ninety-one dollars, and fifty cents, said sum being not less than the appraised value of the same. A detailed Bill of said Sales is hereto attached, Dated this 6-day of March, 1923.

Cora Zimmerman, Wm Zimmerman, Vera Scheider, Bill of Sales-

1	manure spreader	5.00	Wm String	5.00
1	spring wagon	8.00	Wm String	8.00
1	Pc. rope	.50	" String	.50
1	set single harness	3.00	" "	3.00
1	top buggy	15.00	" "	15.00
3	prs. runners	6.00	Wm Zimmerman	6.00
2	wagon tongues	1.00	" "	1.00
2	sled runners	1.00	" "	1.00
12	2x4 - 10 -	2.00	" "	2.00
5	Vinegar btl.	1.00	" String	1.00
	stand	1.00	Cora Zimmerman	1.00
	"	.50	" "	.50
2	Bible Pictures	1.00	Wm String	1.00
1	Iron Kettle	1.00	Wm String	1.00
1	meat saw	.50	Wm Zimmerman	.50
				91.50

The State of Ohio, Union County:
Vera Scheider, Cora Zimmerman, and

9745- Mrs Zimmerman, Executor of Jacob Scheidert, deceased, being duly sworn, says that the foregoing Report is in all respects true and correct, that such sale has been made after a 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.

Nora Scheidert, Mrs. Zimmerman, Nora Zimmerman, Sworn to before me, and signed in my presence, this 6-day of March, 1923. *W.H. Husted, Probate Judge*

Journal Entry: Probate Court, Union County, O. March 6-1923.

In the matter of the Estate Sale of Personal Property confirmed of Jacob Scheidert, deceased.

The Executors of the above named decedent, having filed their return of the order heretofore issued for private sale of the personal property of said decedent, and the Court having carefully examined the same, find said proceedings in all respects regular and in accordance with law and therefor approves, and confirms the same. *W.H. Husted, Probate Judge*

9953
Filed
Oct. 17-1922
Petition for Sale of Real Estate To Pay Debts,
Probate Court, Union County, Ohio.
John J. Lockwood and Otis J. Lockwood,
Executors.
of the estate of Warren S. Lockwood, decd.
Plaintiff.

no. 9953.
Civil Action

Blara S. Willits, John J. Lockwood,
Abner Lockwood, Ettie L. Patrick,
Otto Lockwood, Otis Lockwood,
Robert Lockwood, Austin Lockwood,
Dana M. Lockwood, Jennie Wickins
Keady Lockwood, Mary S. Ross,
Hazel Kiedrich, Harry Buehinger,
Hector Buehinger, adults, and
Kiedrich Lockwood, Eugene Lockwood,
and Harry Lockwood, minors.
Defendants.

Petition to
Sell Real Estate,

Petition.

The Plaintiffs represent that they are the duly appointed and qualified executors of the estate of Warren S. Lockwood, late of Union County, Ohio, decd. that the amount of debts due from the deceased is eight hundred (\$800.00) Dollars, as near as they can be ascertained "Exhibit A" funeral expenses, \$255.00; Legacy due Etta L. Patrick \$300.00; taxes for December, 1922, \$60.00; and Insurance \$6.00 that the charges of administration of said estate will amount to about four hundred, (\$400.00)

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Dollars; and, that the total value of the personal estate and effects of said deceased is but

Five Hundred and Twenty-seven Dollars, being wholly insufficient to pay the debts and costs aforesaid

The Plaintiff further represents that said Warren D. Lockwood, died seized in fee simple, of the following described real estate situated in the County of Union State of Ohio, and in the Township of Liberty

to wit: Being part of Survey No. 12283; Beginning at a stone in the road thence N. 33 1/4° W. 96 poles to a stone; thence North 57° E. 82 7/100 poles to a stone; thence S. 33 1/2° E. 96 poles to the place of beginning, containing 5 or more acres more or less, excepting therefrom

on the West side thereof, a part, described as follows to wit: Situated in the Township of Liberty, in said County and state, part of Survey No. 12283, and bounded and described as follows: Beginning at a stone at the south-east corner of Margaret A. Mannis land; thence S. 33 1/2° E. 96 poles to a stone and Lyman in the center of the road; thence with the center of the road, S. 57° W. 28 feet to a stake thence N. 33 1/2° W. 96 poles to a stake in the south line of said Margaret A. Mannis land; thence with the same line N. 57° E. 28 feet to the beginning containing 1 3/100 of an acre more or less.

Also one other tract of land, situated, in said Township County and state, and in Survey No. 12283, and bounded and described as follows: to wit: Beginning at a stone at the N.W. corner of Warren D. Lockwood's land; thence N. 33 1/4° W. 34 2/3 feet to a stake or stone; thence N. 57° E. 81 poles to a stake or stone; thence S. 33 1/2° E. 34 2/3 feet to a stake or stone in the north line of said Lockwood's land; thence with the same line S. 57° W. 81 poles to the place of beginning, containing 1 1/100 of an acre more or less.

Plaintiff 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, and that the amount of said appraisement is Five Thousand and Dollars, that no widow survives said deceased, that the defendants, Clara S. Wellits, John J. Lockwood, Abner Lockwood, Etta L. Patrick, Otto Lockwood Otis Lockwood, Robert Lockwood, Austin Lockwood Dania M. Lockwood, Jennie Wilkins, Gladys Lockwood Mary L. Rice, Hazel Hilduck, Harry Ballinger, Walter Ballinger, adults; and, Hilduck Lockwood, Eugene Lockwood and Harry Lockwood, minors,

are the only heirs at law and next of kin

deceased, is in all under for the highest ... confirmed ... find ... confirms ... Real Estate ... estate ... taxes ... estate (\$4000)

9953

of said decedent. having the next estate of inheritance from said Warren S. Lockwood, deceased. The Plaintiff therefore prays that your petitioner may be authorized and ordered to sell said real estate free of doubt according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

John J. Lockwood, one of the Executors herein.

The State of Ohio, Union County.

John J. Lockwood, one of the within named Plaintiffs 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 J. Lockwood, one of the Exors.

known to before me, and signed in my presence, this 17th day of October, A.D. 1922. Edward S. Porter, Notary Public

Journal Entry In the Probate Court of Union County, Ohio
John J. Lockwood, and Otis B. Lockwood

Executors of the Estate of Warren S. Lockwood, deceased.

Tuesday, Oct. 17th 1922, Case No. 9953.

Plaintiff

- Clara S. Willis, John J. Lockwood,
- Abner Lockwood, Ethel L. Patrick,
- Alta Lockwood, Otis Lockwood,
- Robert Lockwood, Austin Lockwood,
- Dana M. Lockwood, Jennie Hopkins,
- Gladys Lockwood, Mary L. Ross,
- Hazel Biedrich, Henry Ballinger,
- Walter Ballinger and Biedrich Lockwood,
- Eugene Lockwood, and Harry Lockwood, minors.

Defendants.

This day came the Plaintiff John J. Lockwood, Otis B. Lockwood, Executors of the estate of Warren S. Lockwood, dec'd, and presented to this Court, their petition, duly verified praying an order for the sale of real estate of the said Warren S. Lockwood, 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. W. H. Husted, Probate Judge.

Waiver

In the Probate Court of Union County Ohio
John J. Lockwood, and
Otis B. Lockwood, Executors
of the Estate of Warren S. Lockwood, dec'd.
Plaintiff.

no. 9953

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Clara B. Willis, John J. Lockwood,
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 Otto Lockwood, Otis Lockwood,
 Robert Lockwood, Austin Lockwood,
 Dan Wm. Lockwood, Jennie Wickins,
 Gladys Lockwood, Mary L. Ross, Hazel Kilduck,
 Harry Ballinger, Walter Ballinger, adults,
 and Kilduck Lockwood, Eugene Lockwood,
 and Harry Lockwood, minors. Defendants.

Petition to Sell
 Real Estate

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
 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,
 Walter Ballinger Harry W. Ballinger.

Summons On Petition to Sell Real Estate

The State of Ohio, Union County, To John J. Lockwood,
 you are hereby commanded to notify the following
 named who are minors, to wit:
 Kilduck Lockwood, Eugene Lockwood, and Harry Lockwood,
 making service of this summons upon said minors
 and also upon the guardian, or father, or if
 neither guardian or father can be found, then
 upon the mother, or the person having the care
 of said minors, or with whom they live; that on
 the 17-day of October 1922, John J. Lockwood, and Otis
 B. Lockwood, Executors of the estate of Warren B.
 Lockwood, 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 legacies, and that unless they answer by
 the 18-day of November 1922, said petition will be
 taken as true, and an order granted accordingly.

The server will make due return of this writ
 on the 30-day of October 1922. This writ to be
 served on each of said defendants, by copy
 personally.

Witness my hand and the seal of
 said Court this 17th day of October 1922.
 Wm. H. Austed Probate Judge

Return of Service.
 Received this writ on the 17-day of October 1922,
 at one o'clock P.M. and on the day, and in the

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Marion Hildred named. I served the same on Hildred Lockwood, Eugene Lockwood, and Harry Lockwood, the within named defendants who are minors. October 17th 1922, on Rosa J. Lockwood, the mother of the said Hildred Lockwood, Eugene Lockwood, and Harry Lockwood, minors as aforesaid, there being no guardian, and no father, their father being dead.

John J. Lockwood, R. 1. East Liberty, Ohio.

The above named John J. Lockwood, who has signed the same, being duly sworn, says the foregoing Return of Service is true as he really knows.

Sworn to before me and signed in my presence, this 23rd day of October 1922. Edward H. Porter Notary Public

Wainor. In the Probate Court of Union Co., Ohio.

John J. Lockwood and Otis B. Lockwood, Executors of the Estate of Warren J. Lockwood deceased.

no 995-3

Plaintiff

vs. Clara S. Willits, John J. Lockwood, Abner Lockwood, Ettie J. Patrick, Otto Lockwood, Otis Lockwood, Robert Lockwood, Austin Lockwood, Dora M. Lockwood, Jennie Wilkins, Gladys Lockwood, Mary L. Ross, Hazel Hildred, Harry Ballinger, Walter Ballinger, Hildred Lockwood, Eugene Lockwood, Harry Lockwood, minors.

Wainor of Process and Consent to Sell.

Defendants.

W. 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 permit 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.

John J. Lockwood, Austin Lockwood, Abner Lockwood, Otto L. Lockwood, Otis B. Lockwood, Robert Lockwood, Ettie L. Patrick, Jennie Wilkins, Clara S. Willits, Hazel M. Hildred, Dora Lockwood, Mary L. Ross, Gladys Lockwood.

Order For appraisement.

Probate Court, Union County, Ohio.

John J. Lockwood, and Otis B. Lockwood, Executors of the Estate of Warren J. Lockwood, deceased, Plaintiff.

no. 9953 Journal Entry.

Clara S. Willits, et al. Defendants

Order for Appraisement.

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This day this cause came on to be heard on 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 Warren B. Lockwood deceased. It is therefore ordered and adjudged by the Court that the said premises be appraised free of duty, by the oaths of U. B. Holtzberry, George Rose, and John N. Meddles, judicious and disinterested freeholders of the vicinity, whom the Court hereby appoints for that purpose, and that they return their proceedings to this Court for confirmation.

W. H. Husted, Probate Judge.

Order of appraisement.

The State of Ohio, Union County, ss. Probate Court.
 To John J. Lockwood, and Otis B. Lockwood, Executors of the Estate of Warren B. Lockwood, 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 Executors of the estate of Warren B. Lockwood, deceased, are Plaintiff and Clara B. Willis, et al. are Defendants, you are commanded that by the oaths of U. B. Holtzberry, George Rose, and John N. Meddles, 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 duty, therein to wit: Situated in the County of Union, State of Ohio, and in the Township of Liberty, and being part of Survey no. 12283: Beginning at a stone in the road thence S. 57° N. 84 poles to a stone in road; thence N. 33 1/4° W. 96 poles to a stone; thence North 57° E. 82 7/100 poles to a stone; thence S. 33 1/2° E. 96 poles to the place of beginning, containing 50 acres more or less, excepting therefrom on the east side thereof, a lane described as follows: to wit: Situated in the Township of Liberty, in the County of Union State of Ohio, and being part of Survey no. 12283, and bounded as follows: Beginning at a stone at the south-east corner of Margaret A. Mann's land; thence S. 33 1/2° E. 96 poles to a stone and sign in the center of the road; thence with the center of the center of the road, S. 57° N. 28 feet to a stone

995-3

Thence N. $33\frac{1}{2}^{\circ}$ W. 96 poles to a stake in the south line of said Margaret A. Warren's land; Thence with the same line N. 57° E. 28 feet to the beginning, containing $\frac{1}{160}$ of an acre, more or less. Also one other tract of land, situated in said Township, County, and State, and in Survey No. 12283, and bounded and described as follows: to-wit: Beginning at a stone at the N.W. corner of Warren S. Lockwood's land; Thence N. $33\frac{1}{2}^{\circ}$ W. $34\frac{1}{2}$ feet to a stake or stone; Thence N. 57° E. 81 poles to a stake or stone; Thence S. $33\frac{1}{2}^{\circ}$ E. $34\frac{1}{2}$ feet to a stake or stone in the north line of said Lockwood's land; Thence with the said Lockwood's land; Thence with the same line S. 57° W. 81 poles to the place of beginning, containing $\frac{1}{160}$ 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 Marysville, Ohio, this 18th day of November, 1922.

W. H. Husted, Probate Judge.

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 Nov. 24, 1922.

John J. Lockwood, one of the Executors.

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.

N. B. Holtberry, G. W. Row, J. N. Meddles, appraisers.

Done to before me, and signed, in my presence, this 20th day of November, 1922. John J. Lockwood, one of the Executors.

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 Fifty five hundred dollars, free of debt.

50 acre located in the County of Union and State of Ohio. Given under our hands this 20th day of Nov. 1922. N. B. Holtberry, G. W. Row, J. N. Meddles.

Journal Entry: Order approving appraisement Probate Court, Union County, Ohio.

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John J. Lockwood, and Otis B. Lockwood,
Executors of the Estate of
Warren B. Lockwood, Deceased. Plaintiff
Blava S. Willits, et al. Defendants.

November 20th 1922.
Pet. to Sell
Real Estate.

This day came the said Plaintiffs by their attorney
and produced to the Court the report of an app-
raisalment herein made by W. B. Holtberry, Geo. Rose,
and John N. Meddler 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 is ordered
that John J. Lockwood, and Otis B. Lockwood, Executors,
as aforesaid advertise and sell the real estate
aforesaid free of down, at public vendue, at the
north door of the Court House, on the following
terms, to wit: cash in hand on day of sale,
and, this cause is continued. W. H. Husted, Probate Judge.
Journal Entry: Order for Private Sale,
Probate Court, Union County, Ohio,

John J. Lockwood, and
Otis B. Lockwood, Executors
of the Estate of Warren B. Lockwood,
deceased. Plaintiff
Blava S. Willits, et al. Defendants.

December 29 - 1922

This day came the said Plaintiff, by their
attorney, 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 J. Lockwood, and Otis B. Lockwood
as such Executors, proceed to sell said real
estate free of down, at private sale for not
less than \$30,000⁰⁰ 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. W. H. Husted Probate Judge.

Motion to Substitute Private for Public Sale,
in the Probate Court, Union Co., Ohio.

John J. Lockwood, and
Otis B. Lockwood, Exrs. of
the Estate of Warren B. Lockwood, dec'd.
Plaintiffs
vs.
Blava S. Willits et al. Defendants

Motion
no.

Now comes John B. Lockwood and Otis B. Lockwood,

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Executors of the estate of Warren S. Lockwood, dec'd, by E.W. Porter their attorney, and move the Court for an order changing the order for a public vendue herein, heretofore made on the 20 day of November 1922, and substituting therefor an order to sell the same at private sale.

Dec. 29-1922.

Entry

John J. Lockwood and Otis B. Lockwood, Executors of the Estate of Warren S. Lockwood, deceased.

Plaintiff

vs. Clara S. Willits et al. Defendants.

This day came John J. Lockwood, and Otis B. Lockwood, Executors of the estate of Warren S. Lockwood, deceased, by E.W. Porter, their attorney, and move the Court to annul and direct the executor herein, to withdraw all their proceedings herein for a public sale, and to substitute therefor a private sale, and the Court being fully advised in the premises, sustains the same.

December, 29 - 1922.

Attest, Probate Judge.

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

John J. Lockwood and Otis B. Lockwood, Executors of Warren S. Lockwood, dec'd.

Plaintiff

vs. Clara S. Willits, et al. Defendants.

The said Plaintiffs represent 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 at private sale, it must sell for as much as the appraisement or more, while if sold at public sale it might bring two-thirds of the appraisement only.
2. Because a purchaser, has already been secured who will pay as much, or more, than the appraised value thereof.

And they therefore ask for an order authorizing them to sell, said real estate at private sale. John J. Lockwood, Otis B. Lockwood, Exrs. of Estate of Warren S. Lockwood, dec'd.

The State of Ohio, Union County, ss.

John J. Lockwood, and Otis B. Lockwood, being duly sworn, says that the various matters set forth in the foregoing application are true, as they truly believe.

John J. Lockwood, Otis B. Lockwood, known to before me, and signed in my presence, this 27 day of December, 1922.

Edward H. Porter, Notary Public.

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Final Record, Union County Probate Court

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affidavit of Disinterested Persons,
 The State of Ohio, Union County, ss.
 John B. Robb, C. M. Robb, and D. B. Bushong 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 to sell said real estate at private sale than at public sale, and for the reasons hereinafter given herein, as they truly believe.
 John B. Robb, C. M. Robb, D. B. Bushong.

Sworn to before me, and signed in my presence, this 29th day of December, 1927. ^{Wm} A. E. Knox, Notary Public
 Order of Sale - Free of Dower.

The State of Ohio, Union County, ss. Probate Court.
 To John J. Lockwood, and Otis B. Lockwood, execs. 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 executors of the estate of Warren B. Lockwood, decd., are Plaintiffs and Clara S. Willis et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$3500.⁰⁰ the appraised value thereof free of dower, the following described premises, to wit: Situated in the County of Union State of Ohio, and in the Township of Liberty, and being part of Survey No. 12283; Beginning at a stone in the road; thence S. 57° W. 84 poles to a stone in road; thence N. 33 1/4° W. 96 poles to a stone; thence north 57° E. 82 7/100 poles to a stone; thence S. 33 1/2° E. 96 poles to the place of beginning; containing 50 acres more or less, excepting therefrom and the east side thereof, a lane, described as follows, to wit: Situated in the Township of Liberty, in said County and State, part of Survey No. 12283, and bounded and described as follows: Beginning at a stone at the south-east corner of Margaret A. Mann's land; thence S. 33 1/2° E. 96 poles to a stone and Lyman in the center of the road; thence with the center of the road S. 57° W. 28 feet to a stake thence N. 33 1/2° W. 96 poles to a stake in the south line of said Margaret A. Mann's land; thence with the same line N. 57° E. 28 feet to the beginning, containing 1 3/160 of an acre, more or less. Also one other tract of land, situated in said Township, County and State, and in Survey No. 12283, and bounded and described as follows, to wit: Beginning at a stone at the

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be and hereby is approved and confirmed: and it is further ordered that said John J. Lockwood and Otis B. Lockwood as such exors. make to the purchaser Emma May Levaw, a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said Executors pay the costs herein taxed at \$... within ten days.
 W.H. Husled Probate Judge.

9637

Filed

Oct. 24 - 1921.

In the matter of the estate of Elizabeth Kyle, deceased,
 Petition to Sell Personal Property.

Probate Court, Union County, Ohio.

No. 9637

Petition

In the matter of
 The Estate of
 Elizabeth Kyle, deceased.

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified executor of the estate of Elizabeth Kyle, 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 petition makes application for an 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:

20	shares	Sherman & Williams, Preferred stock	\$ 1,800.00
10	"	Canton Beant Board " "	730.00
10	"	DeFrance Machine Works " "	800.00
5-	"	Griger Jones, Canton, O. " "	400.00
20	"	Dalling Co Columbus, O. " "	800.00
10	"	Boston-Townsend Brist Co., O. " "	800.00
6	"	Metat Product Co. Massillon, Ohio, " "	580.00
3	"	Richwood Telephone Co. Common stock	225.00

Said authority is asked for the following reasons
 1. Because said personal property consists of securities only, and are such a nature that their character and that they could not be sold at public sale, because of their fluctuating values.
 2. Because negotiations will be required to get their full value, and that can only be done, in case they are offered at private sale.

Thomas Price, Executor as aforesaid.

The State of Ohio, Union County, ss.

Thomas Price Executor, being duly sworn, says that the facts stated in the foregoing petition are true as he verily believes.
 Thomas Price, Exor.

9637

known to before me, and signed in my presence, This 24 day of October 1921. ^{and} Edward W. Porter, Notary Public

Journal Entry: Order for Private Sale -
In the matter of
The estate of
Elizabeth Kyle, deceased. Probate Court, Union County, Ohio
Monday, Oct. 24 - 1921
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 Thomas Price, as executor of said estate of Elizabeth Kyle, 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 executor make return of his proceedings herein, within 150 days from this date, and, forthwith after such sale is made, and, his cause is continued. W. Husted Probate Judge.

Order of Sale.
Probate Court, Union County, Ohio.
In the matter of the estate of, no. 9637
Elizabeth Kyle, deceased. Order of Sale

To Thomas Price, Executor, of the estate of Elizabeth Kyle, dec'd.
In obedience to an order and decree of the Probate Court, within and for said county, made this day, in the matter of said Elizabeth Kyle, 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 Elizabeth Kyle, deceased, to-wit:

20	shares	Shenman Williams	Preferred Stock	1800. ⁰⁰
10	"	"	"	730. ⁰⁰
10	"	"	"	500.
5	"	"	"	400.
20	"	"	"	800.
10	"	"	"	800.
6	"	"	"	580.
3	"	"	"	225.

Said sale to be upon the following terms: Cash in hand at time of sale. you will return this order within 12 months from this date, and forthwith

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upon the execution of the same, together with your report thereon endorsed. Witness my hand and the seal of said Court, this 24. day of Oct. 1921,

Witnessed, Probate Judge

Return

Probate Court, Union County, Ohio

In the matter of the Estate of Elizabeth Kyle, deceased.

Report of Sale.

The undersigned Thomas Price, Ex. of the Est. of Elizabeth Kyle, deceased, says, that in obedience to the order of said Court hereto attached, he, sold said personal property, commencing on the 24. day of Oct. 1921, and closing on the 24. day of October 1922, for the sum of Forty-five hundred and forty-one dollars and ten cents, said sum being less than the appraised value of the same.

A detailed Bill of Sales is hereto attached.

Dated this 28 day of November, 1922. Thomas Price, Ex. as aforesaid.

Bill of Sales.

20	Shaw's Sherman Williams Preferred Stock	\$1,800. ⁰⁰	Cleveland Firm	\$ 1916. ¹⁰
10	" Canton Beard Board Preferred stock	730. ⁰⁰	Mary A Price, and Margaret Dildine	230. ⁰⁰
10	" Defiance Machine Works Preferred stock	800. ⁰⁰	Mary A Price, and Margaret Durgner	150. ⁰⁰
5	" Kriger Jones Pref. stock	400.-	Mary A. Price	30. ⁰⁰
20	" DOLLING Co. Preferred stock	800.	Columbus DOLLING Co.	950. ⁰⁰
10	" Boston - Townsend Brick Co-	800.	Columbus DOLLING Co	950. ⁰⁰
6	" Metal Product Co	500.	Mary Alice Price	90.
3	" Richmond Telephone Co Common stock	225. ⁰⁰	J. E. Langstaff	225.

To the Court: The Executor herein respectfully represents to the Court, that after several months of diligent effort to sell said above list of stock at their appraised value, he has been unable so to do, owing to conditions throughout the country, stocks in the open market have greatly depreciated in value, and it has been found impossible to sell the stocks listed herein at a figure greater than shown herein accordingly, by leave and order of the Court first had, he has sold a portion of said stocks at less than the appraised value thereof while another portion has been sold for more

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than the appraised value, as shown herein.

The State of Ohio, Union County, ss.

Thomas Price Ex. of the estate of Elizabeth Kyle, dec'd, 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.

Thomas Price, Executor.

Known to before me and signed in my presence, this 28-day of Nov. 1922

Journal Entry

Probate Court, Union County, Ohio,

in the matter of the estate of Elizabeth Kyle, deceased. November 28-1922

Order approving and confirming sale.

This day, this cause came on to be heard on the report of Thomas Price, Ex. of the Est. of Elizabeth Kyle, dec'd, 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 Executor pay the costs herein taxed at \$ within ten days.

W.H. Husted, Probate Judge.

10010

Filed

Jan. 15 1923

John L. Longway
Atty.

Guardians Petition to Sell Real Estate

Probate Court, Union County, Ohio.

No. 10010

John Carmean, Guardian of
George W. Carmean, minor.

Plaintiff,

vs. His said Ward.

George W. Carmean,

Alfred Carmean,

P. S. Carmean,

John Carmean and

William Carmean,

Defendants.

Petition to Sell Real Estate.

Petition.

The Plaintiff represents that he is the duly appointed and qualified Guardian of George W. Carmean of the age of 15 years, on the 7th day of June, 1922, and residing with Alfred Carmean and John Carmean, at Jerome Township, Union County, Ohio.

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 Jerome to-wit: Being the undivided 1/8 of the following described real estate subject to the dower of Alfred Carmean, to-wit: U. M. Survey, No. 2991.

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Beginning at a sugar tree, beech, and white oak, S.W. corner to said original Survey; thence N. 10° W. 82 3/4 poles to a white oak, sugar, and beech; thence N. 80° E. 177 poles to three beech; thence S. 10° E. 83 3/4 poles to a sugar, beech, and hickory in the South line of the original Survey; thence S. 80° W. 177 poles to the beginning containing 91 acres of land, more or less, and being all of Lot No. 1, in said Survey, also, another lot of land and being part of lot No. 2, in said Survey 2941; Beginning at a stake in the center of the road corner to Peter Brotenger deceased, and S.W. corner to said lot; thence with said road, N. 10° W. 83 1/4 poles to a stone in center of said road corner to Wm. Williams farm; thence N. 80° E. 39 poles to a stone nine feet from a beech; thence S. 10° E. 83 1/4 poles to a stone in the line of John Brotenger's land; thence with the survey line 39 poles to the beginning, containing 20 4/100 acres. The above premises being the same conveyed to Edward C. Bourne by J. B. Dorrman and wife by deed, dated October 1-1883. Excepting from the above tracts of lands, a strip of land, through the above farm 66 feet wide, which was granted to the Columbus and north Western Rail Road Co., as a right of way by William J. Salter on July 1-1887. Said real estate is worth annuallly (\$50-) fifty dollars. That said Plaintiff has received no rents from the real estate of his ward. That the sale of said Real estate is necessary for the maintenance and education of said ward. That the petitioner believes it will be for the best interest of said ward, to sell said real estate and convert said money if there be any arising therefrom. That the sale of said real estate be made for cash, or time as the Court may direct, and subject to the mortgage on said premises, the first mortgage being for \$4500.00, and the second being for \$700.00 - said mortgages are liens on the whole 111.42 of the within described real estate, they being signed by Amy A. Carmean, deceased. The Plaintiff therefor prays that said J. W. Wadsworth and Jos. W. Wadsworth Jr., and Wm. L. S. Olmsted Trustee, and P. S. Carmean, and William Carmean, the first named holding first mortgage, and the last two named holding second mortgage, and the lien holders be excused from making answer, or be made party defendants herein for the reason said undivided interest be sold subject to said mortgages, and that Plaintiff may be ordered to sell said real estate for the reasons and purposes

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heretofore proposed, and for other proper relief
 John Carmean, Guardian.
 To the Court: Issue summons to the Sheriff of Union Co. O., for
 George W. Carmean, a minor and serve together on
 his guardian, John Carmean, "action to sell real estate
 pay debts and reinvest." John L. Longbray, atty

The State of Ohio, Union County, ss
 John Carmean, being duly sworn, says, that he is
 the Plaintiff mentioned in the foregoing petition, and that
 the facts stated therein are true, so he truly believes.
 John Carmean.

Sworn to before me, and signed in my presence, this
 15th day of January, 1923. John L. Longbray, Notary Public

Journal entry: Orders fixing time of hearing and for notice
 Probate Court, Union County, Ohio
 Jan'y 15th 1923.
 John Carmean, Guardian of
 Geo. W. Carmean, Minor
 Plaintiff

His Wards, et al, Defendant. Order for notice.

This day John Carmean, Guardian of Geo. W. Carmean appeared in
 open Court and filed his petition duly verified, asking
 for the sale of real estate therein described, belonging
 to his said Ward, George W. Carmean. It is ordered
 that the time of hearing said petition be and hereby is
 fixed for the 17th day of February 1923, 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 George W. Carmean, 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 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.

W.H. Husted Probate Judge.

Wainor.

Probate Court, Union County, Ohio.
 Wainor.
 John Carmean, Plaintiff
 George W. Carmean,
 Defendants.

We, the undersigned, parties Defendant to the Petition in
 the above entitled action, do each of us, hereby waive
 the issuing and service of Summons, and voluntarily
 enter our appearance, as such Defendants, and we
 do hereby consent to the sale of the Real Estate described
 in the petition in said action according to the
 prayer of the same. January, 15th 1923. Alfred Carmean,
 John Carmean, P.S. Carmean, William A. Carmean, Mrs John Carmean.

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Summons on Petition for Real Estate,
 The State of Ohio, Union County, Probate Court.
 To the Sheriff of said County: you are hereby commanded
 to notify John Carmean, Guardian of George H. Carmean, and the
 following named who are minors, to wit: George Carmean,
 making service of this summons upon said minor and
 also upon the Guardian, or father, or if neither guardian
 or father can be found, then upon the mother, or the person
 having the care of said minor, or with whom he
 lives; that on the 15 day of January, 1923, John Car-
 mean, Guardian of the estate of George H. Carmean, decd.,
 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 pur-
 pose of paying debts and that unless they answer
 by the 17 day of February, 1923, said petition will be
 taken as true, and an order granted accordingly.
 Said Sheriff will make due return of this writ
 on the 29 day of January, 1923.

Witness my hand and the seal of said Court this
 15 day of January, 1923. W. Husted Probate Judge.

Sheriff's Return

The State of Ohio, Union County.
 Received this writ Jan. 20th 1923, at 10:30 o'clock P.M.
 and on the days and in the manner hereinafter
 named, I served the same on the within named
 defendants, viz: Jan. 20 - 1923, on John Carmean as
 Guardian of said minor, George H. Carmean,
 and also as to the within named defendant who is
 a minor, Jan. 20th 1923, on George H. Carmean.

Frank Collier Sheriff, D. L. W.,
 Union County, Ohio.

Sheriff Fees, 75^{cts} and 25^{cts} Total \$1.00

Affidavit of Widower

Probate Court, Union County, Ohio.

John Carmean, Edu. of
 George H. Carmean, minor.
 Plaintiff

No. 10010

Alfred Carmean, et al.
 Defendants

Affidavit of Widower

And now comes Alfred Carmean, one of the defendants
 in the above entitled cause and voluntarily enters his
 appearance, herein, and for answers to the
 petition in this case filed, says that he is the
 widower of said Amy A. Carmean, deceased, and
 as such is entitled to his dower in the premises.

10010 described in said petition that his age is sixty-five years, and he is the owner in fee simple of the one-half of said premises, and he is entitled to dower to the other one-half of said premises. he freely consents to said sale as frayed 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 his dower estate may be allowed and paid in lieu thereof out of the proceeds of the sale, such sum of money as the Court deems the just and reasonable value of his dower interest in said real estate. Alfred Carmean.

The State of Ohio, Union County.

Alfred Carmean, being duly sworn, says, that the statements in the foregoing answer are true, as he verily believes. (Alfred Carmean.

Sworn to before me, and signed in my presence, this 15th day of January, 1923. John L. Longney, Notary Public in and for the County of Union, Ohio. Probate Court, Union County, Ohio. February 21-1923. Journal Entry.

John Carmean, Exor. of
George W. Carmean, Deceased
vs. Plaintiff

Alfred Carmean, et al. Defendants Order for appraisement.

This day this cause came on to be heard upon the petition, proofs, and exhibits, of the plaintiff. The Court find that all the defendants have been duly served with process, or have voluntarily entered their appearance, in this 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 W. Carmean, Deceased, and, Alfred Carmean, the widow of the said Army A. Carmean, 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 L. W. McKittrick, Will Hagenlocher, and John Thormaker, judicious and disinterested freeholders, of this vicinity whom the Court, hereby, appoint for that purpose, and, that they return their proceedings to this Court for confirmation.

W. H. Husted, Probate Judge

Order of appraisement.

The State of Ohio, Union County, ss. Probate Court, To John Carmean, Exor. of George W. Carmean, Deceased; For 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 Exor., of George W. Carmean, are Plaintiff and Alfred Carmean et al. are Defendants, you are commanded

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that by the sales of, and L. W. McKittrick, Will Hegenlocker, John Brownaker, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of this 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 downer state of Alfred Carneau, therein tomb: Being the undivided one-eighth interest. Situated in the County of Union and in the State of Ohio, and in the township of Jerome and V. M. Surry, No. 2991, and bounded and described as follows: Beginning at a sugar tree, beech, and white oak, S.W. Corner to said original Surry; Thence N. 10° W. 82 3/4 poles to a white oak, sugar, and beech; Thence N. 80° E. 177 poles to three beeches; Thence S. 10° E. 82 3/4 poles to a sugar, beech, and hickory in the south line of the original Surry; Thence S. 88° W. 177 poles to the beginning, containing 91 acres of land, more or less, and being all of lot No. 1, in said Surry, also another lot of land and being part of lot No. 2, in said Surry, 2991: Beginning at a stake in the center of the road corner to Peter Crotingers, deceased, and S.W. Corner of said lot; Thence with said road N. 10° W. 83 1/4 poles to a stone in center of said road corner to Mrs. Woodman's farm; Thence N. 80° E. 39 poles to a stone nine feet from a beech; Thence S. 10° E. 83 1/4 poles to a stone in the line of John Crotingers land; Thence with the Surry line 39 poles to the beginning, containing 20 4/5 acres. The above premises being the same conveyed to Edward C. Brown by Dordna and wife by deed dated October 1-1853, Excepting, from the above tracts of lands a strip of land through the above farm of 66 feet wide, which was granted to the Columbus Lima and North Western Rail Road Co., as a right of way by William J. Salter, on July 1-1857. 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 21 day of February, 1923. ^{Seal} W. H. Husted Probate Judge

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 this 23-day of February, 1923.
 John Carneau, Secy. of George W. Carneau.

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Oath of appraisers.

The State of Ohio, Union County. 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: S. W. McKittrick, Will Bagunlocher, J. F. Shormaker
 Brought before me and signed in my presence, this 23-day of February, 1923. John L. Longbery, Notary Public, Union Co., O.

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 Fifty (\$750.00) Dollars, subject to said donor estate, Alfred Carmean, given under our hands, this 23-day of Feb., 1923.
 S. W. McKittrick, Will Bagunlocher, J. F. Shormaker.

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio

John Carmean, Adm. of
 George W. Carmean, Minor
 v. Plaintiff

Alfred Carmean et al. Defendants. Application.

The said Plaintiff represents that it would be for the best interest of the said George W. Carmean, to sell the real estate described in the petition in this case at private sale, for the following reasons: First, It would save court costs and be much better for the sale of said property to be made at private sale.
 Second, Alfred Carmean, is one who owns an undivided interest in said estate is willing to purchase said estate from all the co-tenants in the petition herein named. If the said sale could be made at once.
 Third, If sold at private sale it would save expensive costs of publication, and he therefore asks for an order authorizing him to sell said real estate at private sale.
 John Carmean, Adm. of Geo. W. Carmean, Minor

The State of Ohio, Union County, ss.

John Carmean, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.
 John Carmean.

Sworn to before me, and signed in my presence, this 21-day of February, 1923.
 John L. Longbery, Notary Public, Union Co., O.

Affidavit of Disinterested Person.

The State of Ohio, Union County, ss.

John L. Sellers, Geo. H. Lumsy, and J. S. Applegate being duly sworn, say that they know the facts

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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 George W. Carmean, to sell said real estate at private sale than at public sale, as they truly believe. John R. Sellers, Geo. L. Long, J. S. Oppheimer.

Sworn to before me, and signed in my presence, this 21-day of February, 1923. ^{seal} John D. Longley, Notary Public, Journal Entry: Order approving appraisement for Private Sale, Probate Court, Union County, Ohio, February 21-1923.

John Carmean, Adm. of George W. Carmean, Minor. Plaintiff

Alfred Carmean, et al. Def. 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 L. W. McKittrick, Will Hagelbaker, and John Shoraker, 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 George W. Carmean to sell the real estate described in the petition at private sale.

It is therefore further ordered that said John Carmean, as such Adm., proceed to sell said real estate, free from debt of Alfred Carmean at private sale for not less than \$750.00 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, W. H. Husted Probate Judge.

Order of Sale Free from Debt.

The State of Ohio, Union Co., Probate Court. To John Carmean, Adm. of Geo. W. Carmean, 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 and Plaintiff and Alfred Carmean et al. are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than \$750.00 the appraised value thereof free from the debt of Alfred Carmean; The following described premises, to wit: Being the undivided one-eighth interest, Situated in the County of Union and in the State of Ohio, and, in the township of Jerome and U. M.

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Survey No. 2991, and bounded and described as follows:
 Beginning at a sugar tree, beech, and white oak, S.W. corner to said original survey; thence N. 10° 82³/₁₀ poles to white oak, sugar, and beech; thence N. 80° E. 177 poles to three beeches; thence S. 10° E. 82³/₁₀ poles to a sugar, beech, and hickory in the south line of the original survey; thence S. 80° W. 177 poles to the beginning, containing 91 acres of land, more or less, said, being all of lot no. 1, in said Survey, also another lot of land, and being part of lot no. 2, in said survey, no. 2991; beginning at a stake in the center of the road corner to Peter Krotzgers deceased, and S.W. corner of said lot; thence with said road N. 10° W. 83¹/₄ poles to a stone in center of said road corner to Wm. Woollams farm; thence N. 80° E. 39 poles to a stone nine feet from a beech; thence S. 10° E. 83¹/₄ poles to a stone in the line of John Krotzgers land; thence with the survey line 39 poles to the beginning, containing 20⁴/₁₀₀ acres.

The above premises being the same conveyed to Edward C. Brown by J. B. Dondan, and wife by deed dated Oct. 1-1883, excepting from the above tracts of lands a strip of land, through the above farm 66 feet wide, which was granted to the Columbus Lima and North Western Rail Road Co., as a right of way by William J. Salter on July 1-1889.

The Court further finds that the within defendant Alfred Carmean, widow, has a dower interest in the said Real Estate, to the amount of \$50.00 he being sixty-five years of age. Said sale to be probate, and to be upon the following terms, cash, and subject to mortgages described in the petition, total amount being fifty-two hundred (\$5200.00) Dollars, and the Court finds the undivided share of the Wards one-eighth interest, George W. Carmean, being six hundred and fifty (\$650.00) Dollars, 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 23-day of February, A.D. 1923. Wm. H. Husted, Probate Judge.

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 day of February, 1923.
 John C. Carman

Report of Sale -
 In obedience to the within order, I sold said premises on the 23-day of Feb'y. 1923, to Alfred Carmean, for the sum of seven hundred and fifty (\$750.00) Dollars, said sum being the

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appraised value of the same, less the down of Alfred Carmean, \$30.00 less mortgage interest \$65.00

Total appraisement including down seven hundred and fifty (\$750.00) Dollars.

Dated the 23rd day of February, 1923.

The State of Ohio, Union County.

The above named John Carmean, 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 Carmean, sworn to before me and signed in my presence.

This 23rd day of February, 1923.

Journal Entry: Orders approving and confirming sale -

Probate Court, Union County, Ohio.

John Carmean, Adm. of
George W. Carmean, minor.
Plaintiff

February 21-1923.

Orders approving and

confirming sale.

This day this cause coming on to be heard on the report of John Carmean, adm. of George W. Carmean, of his proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 George W. Carmean, in said real estate, to the purchaser, Alfred Carmean, and the Court further finds upon the answer of Alfred Carmean, that he is sixty-five years of age, and his down interest being one hundred and eight (\$108.00) Dollars.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$ - - within ten days.

W. H. Kusted, Probate Judge

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Filed
Feb. 27-1923
Geo. C. Snyder
Delaware, O.
att'y.

Guardian's Petition to Sell Real Estate.
Helen Mayer Williams, Edin.
Plaintiff

Probate Court, Union County, Ohio.
no. 10035-

Hew Ward.
Elizabeth L. Mayer, a minor.
Chf. Christopher Mayer Jr.
Norman H. Mayer.
Julia H. Mayer.
Helen Mayer Williams
Margaret Mayer Knight
Christopher Mayer 3rd.
Defendants.

Petition to Sell Real Estate

Petition.

The Plaintiff represents that she is the duly appointed and qualified Guardian of Elizabeth L. Mayer, a minor, of the age of seventeen years on the 1st day of June A.D. 1923, and residing with Christopher Mayer Jr. at Magnetic Springs, Union County, Ohio. That the defendant Christopher Mayer Jr. is the widower of Julia H. Mayer deceased, who died seized in fee simple of the premises hereinafter described, and leaving the said ward and defendant Elizabeth L. Mayer, Norman H. Mayer, Julia H. Mayer, Helen Mayer Williams, Margaret Mayer Knight and Christopher Mayer 3rd, her children and only heirs at law, and who are the next of kin of said Elizabeth L. Mayer. 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 village of Magnetic Springs town:

The undivided one sixth (1/6) of the following Real Estate, and described as follows: Being part of Lot No. 3, of the subdivision of Virginia Military Survey No. 3696, and described as follows: First tract: Beginning in the center of Boker Creek, and in the center of the Wil Johns Road; thence southerly with the center of said road 228 feet to the north east corner of John W. Brown's lot; thence westerly with the north line of said lot 132 feet to the northwest corner of the same; thence southerly 280 feet to the southwest corner of lot owned by Johnson, and lined in the north line of Magnetic Street; thence running westerly on the line of said Magnetic Street; thence running westerly on the line of said Magnetic Street, and continuing with the south line of the Park Hotel property to the center of Boker Creek; thence down the center of said creek with the meanders thereof to the beginning. Excepting therefrom a lot or parcel of land, off the south east part thereof.

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described as follows: Beginning at a point on Magnetic Street on the west line of a lot or parcel of land owned (formerly by Johnson and Lind); thence northerly 70 feet to a stake; thence westerly 40 feet to a stake; thence southerly 70 feet to a stake in Magnetic Street; thence easterly along the north line of Magnetic Street to the place of beginning. Being premises heretofore conveyed by grantors Christopher Magr, Jr. and wife to the H. of P. Lodge, Magnetic Springs, Ohio, and for as more definite description of said premises, reference is made to the deed on record in such transfer, at Marietta, Union County, Ohio.

Second Tract: - also the following premises, situate and being in the Village of Magnetic Springs, County of Union and State of Ohio, and described as follows: beginning at a point in the center of the Will Johnson's Travel Road, at the north east corner of a piece of land, deeded to Caroline and Lizzie Mc Cormick; thence northerly eight two and one-half (82½) feet along the center of said road to a stake; thence westerly one hundred and thirty two (132) feet to a stake; thence southerly eighty two and one-half (82½) feet to the northeast corner of said Caroline and Lizzie Mc Cormick's lot or land; thence easterly along said Mc Cormick's line, one hundred and thirty two (132) feet to the place of beginning and also, the undivided 1/2 of the following Real Estate, situated in the County of Union, in the State of Ohio, and, in the Village of Magnetic Springs, Ohio, bounded and described as follows: Beginning at an iron rod at the intersection of the north line of Magnetic Street with the west line of May Street in said Village; thence with the north line of Magnetic Street prolonged, N. 77° W. 300 feet to the center of the old channel of Baker Creek (centered on iron rod S. 77° E. 30 feet on the bank); thence up stream with the center current thereof about 100 feet to a stake (with an iron rod East 30° on the bank); thence with the north line of a tract of land sold to P. H. Lind for taxes in 1903, and, the north line of the Ora Cunningham Lot East 230 feet to an iron rod in the west line of said May Street; thence with said line N. 130° E. 7 feet and 6 inches to the beginning, containing one-third acre, more or less. Said real estate is worth annually five hundred dollars. That said plaintiff has received as rents from the real estate of his ward, said sum. That the buildings thereon have (on or about October 1922) been destroyed by fire, and, the said real estate will not

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said Ward no further profit or income until improvements thereon are made, and the said Ward is in no position financially to bear her proportionate portion of such expense.

That it is proposed by the other parties interested in this real estate aforesaid to improve the same by constructing a hotel thereon, replacing the hotel and sanitarium that stood thereon and which was lost by fire, and it is further proposed to sell said real estate to a corporation, duly organized and existing under the laws of the State of Ohio, known as the Park Place Hotel and Bath Company, and, as a consideration for such transfer, receive from said corporation common and preferred stock therein, which stock investment plaintiff says, will net plaintiff's said Ward a greater income than heretofore derived from said real estate.

Plaintiff says that her said Ward's interest in said real estate is worth about Four Thousand Dollars.

That the sale of said real estate, is to the best interest of said Ward's estate, the income from the proceeds thereof will amount to more than the income from said land, and, further that there is at this time a better market for said real estate.

The plaintiff therefore prays that said Elizabeth L. Mayer, Christopher Mayer Jr., Norman B. Mayer, Helen Mayer Williams, Julia B. Mayer, Margaret Mayer Knight, and, Christopher Mayer 3rd, 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.

Helen Mayer Williams, Edm. of Elizabeth L. Mayer, Minor
The State of Ohio, Delaware County.

Helen Mayer Williams, Edm. of Elizabeth L. Mayer, being duly sworn, says that she is the plaintiff mentioned in the foregoing petition, and, that the facts stated therein are true, as she truly believes. Helen Mayer Williams Edm. of Elizabeth L. Mayer, Minor.

Sworn to before me, and signed in my presence, this 23-day of February, 1923. Geo. C. Snyder, Notary Public Delaware Co., O.

Journal Entry: Probate Court, Union County, O. Feb. 27, 1923.
Helen Mayer Williams, as Edm. of Elizabeth L. Mayer, Minor, Plaintiff.
vs.
The said Ward, Elizabeth L. Mayer, et al. Defendant.

This day came Helen Mayer Williams, Guardian of the Estate of Elizabeth L. Mayer, Minor, and, filed a Petition for the sale of real estate interests of said Ward, and, for authority to reinvest the proceeds of such sale in more remunerable property, duly subscribed and verified according to law, and, the same appearing

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in due form and true: It is therefore ordered by the Court that the said Helen Mayer Williams, Guardian Plaintiff, give notice, in writing to each and one of the defendants, namely, Elizabeth Mayer, Christopher Mayer Jr., Margaret Mayer Knight, Christopher Mayer 3rd, Julia K. Mayer, of the pendency and prayer of said Petition, and of the time when the same will be heard by the Court, and the hearing of this cause is now set for 9 o'clock, a. m., the 9th day of March, a. d. 1923. And, this cause is now continued for further proceedings in accordance with law.

H. H. Gustaf, Probate Judge

Wainor

Probate Court, Union County, Ohio.

Helen Mayer Williams, Guardian of Elizabeth L. Mayer, minor. Plaintiff.

No. 10035

Elizabeth L. Mayer her ward, et al. Defendants. Wainor.

We the undersigned parties Defendant to the Petition in the above entitled action, do each of us, hereby waive the issuing and service of Summons, and voluntarily enter our appearance as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same. Norman H. Mayer, Julia K. Mayer, Margaret Mayer Knight, Christopher Mayer, Helen Mayer Williams, By Christopher Mayer Jr., their attorney.

Separate answer of Christopher Mayer Jr.

In the Probate Court of Union County, Ohio.

Helen Mayer Williams, Guardian of Elizabeth L. Mayer, Plaintiff.

Elizabeth L. Mayer her ward.

Christopher Mayer, et al. Defendants.

No. 10035

Separate answer of Christopher Mayer Jr.

Now comes Christopher Mayer Jr. and for his separate answer herein says that he admits that the plaintiff is the duly qualified and acting guardian of Elizabeth L. Mayer, a minor, and that the said ward is seized of the interests in the land set forth and described in the Plaintiff's petition herein filed. This defendant consents to the prayer of the petition and waives down in the interests of the plaintiff's ward in and to the real estate in said petition described, and consents that the sale be made free and clear of his down interest therein.

Christopher Mayer Jr.

State of Ohio, Delaware County, ss.

Christopher Mayer Jr. being first duly sworn, say that the facts stated in the foregoing answer, are true.

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as the verily believe

Christopher Mayne Jr.

known to before me, and subscribed, in my presence, this 26-day of Feb. 1923.

Geo. C. Snyder, Notary Public, Delaware Co., O.

Request for Idem. ad Litem and Recommendation,

In the Probate Court of Union County, Ohio,

no. 10035-

Helen Mayne Williams Idem. of Elizabeth L. Mayne, minor.

Plaintiff.

Request of minor for Idem. ad Litem Recommendation.

Elizabeth L. Mayne, et al. Defendants.

Comes now Elizabeth L. Mayne, and asks the Court to appoint Clarence Hoopes of Mansville, Ohio Idem. ad Litem, in this action to represent her herein and guard her interests.

Elizabeth L. Mayne, Mansville, Ohio,

answering of Idem. ad Litem.

Probate Court Union County, Ohio,

no. 10035-

Helen Mayne Williams Idem. of Elizabeth L. Mayne, a minor.

Plaintiff

Her said Ward, Elizabeth L. Mayne, answer of minor Defendants.

And now comes the said Elizabeth L. Mayne, the minor defendant, to the petition in said cause by Clarence Hoopes, their Idem. ad. litem, heretofore appointed in said cause by said Court, and for answer to said petition deny all the material allegations herein 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 pray the Court to protect their rights in this cause, and for such relief as may be just.

Dated this 27. day of July, 1923. Elizabeth L. Mayne, By Clarence Hoopes, Idem. ad litem

application for appointment of Guardian ad litem

Probate Court, Union County, Ohio,

February, 28th 1923.

Helen Mayne Williams, Idem. of Elizabeth L. Mayne, a minor.

Plaintiff.

application for appointment of

Her said Ward, Elizabeth L. Mayne, et. al. Defendants.

Guard- ad. litem.

To the Hon. W. H. Husted, Judge of said Court: The undersigned Geo. C. Snyder, friend of the minor, makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case. The defendant Elizabeth L. Mayne, is 17 years of age, and has been duly served with summons herein by Helen Mayne Williams. The undersigned suggests that Clarence Hoopes, attorney at Law, Mansville, Ohio, who is a suitable person to be

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appointed as such Edm. ad. litem. Respy.

Gro. C. Snyder

Journal Entry: on appointment of Edm. ad. litem.
(Probate Court, Union County, O., February, 28-1923.

Helen Mayer Williams, Edm. of
Elizabeth L. Mayer, minor.

No. 10035-

appointment of

vs. Plaintiffs.

Her said ward, Elizabeth L. Mayer, Deft. Edm. ad litem.

This day Defendant

Grover C. Snyder, atty. for the plaintiff and friend of
the said Elizabeth L. Mayer a minor, aged 17 years,
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, Elizabeth L. Mayer, is 17
years of age, and has been duly and legally served
with summons herein, by the said Helen Mayer Williams
and it further appearing that the said Elizabeth
L. Mayer has appeared and suggested the appoint-
ment of Clarence Hoopes, as Guardian ad litem in
this action, it is ordered that Clarence Hoopes be
and he hereby is appointed Guardian for the suit,
for said minor defendant and now comes the
said Clarence Hoopes, and in open Court accepts
said appointment. W. H. Husted, Judge.

Report of Services.

In the Probate Court of Union Co., O.

No. 10035-

Helen Mayer Williams, Edm. of
Elizabeth L. Mayer, minor.
vs. Plaintiff

Report of Services.

Elizabeth L. Mayer, last ward, et al. Deft's.
State of Ohio, Delaware County, ss.

Helen Mayer Williams, being first duly sworn, says
that she did on the 26-day of February, 1923, deliver
unto Elizabeth L. Mayer, minor herein, written notice of the
application to see the real estate set forth and described
in the petition herein filed, and that written notice
was also served upon Christopher Mayer, Jr., the
father of said Elizabeth Mayer, and, with whom, said
Elizabeth Mayer resides at Magnetic Springs, Ohio, said
notice covering all matters set forth and contained
in the petition filed by this affiant as Guardian
of Elizabeth L. Mayer, in this Court, on the 25-day of
February, 1923.

Helen Mayer Williams
sworn to before me, and subscribed in my presence,
this 26-day of Feb. 1923. Gro. C. Snyder, Notary Public, Delaware Co.,

Journal Entry: Probate Court, Union Co., O., Feb. 28-1923.

10035-

Helen Mayer Williams, Adm. of
Elizabeth L. Mayer. Plaintiff
vs.

70, 10035-
Journal Entry.

Elizabeth L. Mayer et al. Defendants

Order for appraisement.

This day the cause came on to be heard upon the petition
proofs and exhibits of Helen Mayer Williams, 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
appearing to be to the best interest of said ward to see
real estate therein described.

Christopher Mayer
Jr. the widower of Julia M. Mayer 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 by
the oaths of W. O. Brown, Morrow E. Shick, and Belle Snyder,
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

W. H. Husted, Probate Judge.

Order of appraisement.

The State of Ohio, Union County, ss.

Probate Court

To Helen Mayer Williams, Guardian of Elizabeth L. Mayer, minor.

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
Elizabeth L. Mayer, your next et al, are Defendants, you are
commanded by the oaths of W. O. Brown, M. E. Shick and
Belle Snyder, judicious disinterested persons 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
Christopher Mayer Jr. therein, to-wit: The undivided one
sixth (1/6) of the following Real Estate, situated in the
County of Union and in the State of Ohio, and in the
Village of Magnetic Springs, and bounded and described
as follows: Being part of Lot No. 3, of the sub-division of
Virginia Military Survey No. 3696, and described as follows:
First tract: Beginning in the center of Pokes Court and in
the center of the Mill of the Hillside Road; thence southerly
with the center of said road 228 feet to the northeast
corner of John M. Brown's lot; thence westerly with the
north line of said lot 132 feet to the northwest corner
of the same; thence southerly 256 feet to the south
west corner of lot owned by Johnson and land in the
North line of Magnetic Street; thence running

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westerly on the line of said magnetic street; thence
 running westerly on the line of said magnetic street
 and continuing with the south line of the Park Hotel
 Property to the center of Bokes Creek; thence down the
 center of said creek with the meanders thereof to
 to the beginning. Excepting therefrom a lot or parcel of
 land off the southeast part thereof, described as follows:
 Beginning at a point on magnetic street on the
 west line of a lot or parcel of land owned (formerly
 by Johnson and Lind); thence northerly 70 feet to a
 stake; thence westerly 40 feet to a stake; thence
 southerly 70 feet to a stake in magnetic street;
 thence easterly along the north line of magnetic street
 to the place of beginning. Being premises heretofore
 conveyed by grantor Christopher Magar, Jr. and wife to the
 P. of P. Lodge, Magnetic Springs Ohio, and for a more
 definite description of said premises, reference is made
 to the deed on records in such transfer, at Marysville,
 Union County, Ohio. Second tract: also, the following
 premises, situate and being in the village of magnetic
 springs, county of Union and State of Ohio, and,
 described as follows to wit: Beginning at a point
 in the center of the Willjohns Travel Road, at the
 northeast corner of a piece of land deeded to
 Barofine and Piggie Mc Cormick; thence northerly
 eighty-two and one half (82½) feet along the center
 of said road to a stake; thence westerly one
 hundred and thirty-two (132) feet to a stake; thence
 southerly eighty-two and one half (82½) feet to the
 northeast corner of said Mc Cormick's line, one
 hundred and thirty-two (132) feet to the place of
 beginning. The undivided 1/2 of the following Real
 Estate situated in the county of Union in the State
 of Ohio, and, in the village of magnetic springs, and,
 bounded and described as follows: Beginning at and
 from road at the intersection of the north line of
 magnetic street with the west line of May street in
 said Village; thence with the north line of
 magnetic street prolonged N. 77° W. 30. feet to the
 center of the old channel of Bokes Creek (witness
 an iron rod S 77° E. 30 feet on the bank) thence
 up stream with the center current thereof about
 100 feet to a stake (witness an iron rod East 30' on
 the bank); thence with the north line of a tract of
 land sold to P. H. Lind for taxes in 1903, and the
 north line of the Mrs Cunningham Lot East 230 feet
 to an iron rod in the west line of said May
 street; thence with said line N. 13° E. 7 feet and thence

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4: the beginning. Containing one third acres more or less. 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 day of February, A.D., 1923.

State W. H. Husted, Probate Judge

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 this 5 day of March, 1923.

Helen Mayes Williams, Adm. of Elizabeth H. Mayes.

Oath of Appraisers

The State of Ohio, Delaware County.
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.

N. O. Brown, Morrow E. Shirk, Belle Snyder & appraisers.

Known to before me, and signed in my presence, this 3 day of March, 1923. Mrs. C. Snyder, Notary Public Delaware Co.

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 thousand Dollars, free of said decedent estate Christopher Mayes Jr., given under our hands, this 3 day of March, 1923.

N. O. Brown, Morrow E. Shirk, Belle Snyder & appraisers.

Confirming appraisement and ordering Private Sale.

Probate Court, Union County, Ohio.

Helen Mayes Williams, as Adm. of Elizabeth H. Mayes, minor. vs. Elizabeth H. Mayes, et al.

No. 10035-
Confirming appraisement and Ordering Private Sale.

This day this cause, came on further to be heard, and appearing to the Court that the appraisement heretofore ordered has been duly made, the same is hereby confirmed; said appraisement being four thousand dollars free the decedent estate therein of Christopher Mayes, widower of Julia W. H. Mayes, deceased. And the plaintiff above named having given bond, dated March, 5th 1923, in the sum of Two thousand Dollars, with Christopher Mayes Jr. and Frank R. Williams and, sureties, conditioned according to law and approved by the Court; and it 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

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that said plaintiff proceed to sell said real estate free of said down estate, at private sale at not less than the appraised value thereof, and upon the following terms, to wit: Cash or equivalent. W. H. Trustad, Probate Judge.

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

Helen Mayra Williams, Edu. of

us. 10035-

Elizabeth L. Mayra, minor Plaintiff.

Application

Elizabeth L. Mayra, et. al.

Defendants.

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

The Park Place Hotel and Park Company is ready and will to pay as a consideration for the interest of the plaintiff in the premises described, in the petition approximately One Thousand Dollars more than appraised value thereof, and in view of the fact, that the land cannot be divided without manifest loss and injury thereto, and especially to the interest of said Elizabeth L. Mayra, and in view of the fact, that the offer thus made is better than any person, or other firm would offer at private sale, the plaintiff could not obtain more at public sale.

and, she therefore asks for an order authorizing her to sell said real estate at private sale.

Helen Mayra Williams, Edu. of Elizabeth L. Mayra, minor.

The State of Ohio, Delaware County,

Helen Mayra Williams, Edu. of Elizabeth L. Mayra, minor, being duly sworn, says, that the various matters set forth in the foregoing application are true as she verily believes.

Helen Mayra Williams,

Known to before me and signed in my presence this 27th day of February A. D. 1923.

Geo. C. Snyder, Notary Public Delaware County, Ohio.

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Affidavit of Disinterested Persons

The State of Ohio, Delaware County,

N. O. Brown, W. E. Shirk and Belle Snyder, 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 Elizabeth L. Mayra, minor aforesaid, to sell said real estate at private sale, than at public sale, that the consideration offered is fair and just and amply compensation for said premises, and a public sale would cause, only additional expense

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and, possibly not less proceeds, as they may believe.

Helen Snyder, U. O. Brown, Norman C. Shirk.

Brought to before me and signed in my presence, this 5th day of March, 1923. *Geo. C. Snyder, Notary Public, Delaware Co., Ohio*

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Bond.

Know all men by these Presents:

That Mrs. Helen Mayer Williams, Guardian of Elizabeth L. Mayer, Frank L. Williams, and Christopher Mayer Jr. 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 assigns, signed by us, and dated at Delaware, Ohio, this 28th day of February, A.D. 1923.

Bond

The condition of the above obligation is such, that whereas the above bound Helen Mayer Williams has been appointed by the Probate Court of Union County, Ohio, Guardian of the person and estate of Elizabeth L. Mayer, minor child of Julia V. H. Mayer deceased, late of Leeburg Twp. Union County, O. which appointment the said Helen Mayer Williams has accepted. Now if the said Helen Mayer Williams shall faithfully discharge all her duties as such guardian, as is required by law, then this obligation to be void, otherwise to remain in full force.

Helen Mayer Williams, Frank L. Williams, Christopher Mayer Jr. Executed in presence of Geo. C. Snyder, H. E. Reed.

This bond approved in open Court, this 6th day of March, 1923.

W. W. Husted, Probate Judge.

The State of Ohio, Delaware County

I, Helen Mayer Williams, Guardian of Elizabeth L. Mayer, Minor do solemnly swear and affirm that I will faithfully and honestly discharge the duties devolving upon me as such guardian, as I will answer to God. Helen Mayer Williams.

Brought to before me, and signed in my presence, this 5th day of March, 1923. *Geo. C. Snyder, Notary Public, Delaware Co., Ohio*

Report of Sale By Guardian In Proceeding In the Probate Court of Union Co., Ohio.

No. 10035-

Helen Mayer Williams, as Guardian of Elizabeth L. Mayer, Minor Plaintiff. Her said Ward, Elizabeth L. Mayer. Christopher Mayer Jr. Norman H. Mayer Helen Mayer Williams Julia H. Mayer Christopher Mayer 3rd. Margaret - Mayer Knight - et al. Defendants

Report of Sale By Guardian Private Sale -

To the Honorable W. W. Husted, Judge of the Probate Court of Union Co., O. In obedience to the order of this Court, heretofore entered and made, I sold the premises in the petition described to The Park Place Hotel and Bath Company, for the sum of \$6000.⁰⁰ Six thousand Dollars, which sum is more than the appraisement of said premises.

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Filed
March 28
1923
E. W. Porter
attorney

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

Warrick A. Gray, Administrator,
of the estate of
Clarinda A. Alexander, dec'd.
vs.
Warrick A. Gray, Clara M. Drighley,
Charles Alexander, Derrill A. Alexander,
and Robert Alexander, Defendants.

No. 10060
Civil Action

Petition.

The Plaintiff represents that she is the duly appointed and qualified Adm^r of the estate of Clarinda A. Alexander late of Union County, Ohio, deceased, that the amount of debts due from the deceased is One Thousand (\$1000.00) Dollars, as near as they can be ascertained, that the charges of administration of said estate will amount to about Five Hundred Dollars; and that the total value of the personal estate and effects of said deceased is but Five Hundred Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Clarinda A. Alexander, died seized in fee simple of the following described real estate, situated in the County of Union, State of Ohio, and in the village of Mansfield, to-wit: and being part of In lot No. (77) situate, situate in said village with the appurtenances thereto: The eastern lot thereof described as follows: Commencing at the North-East corner of said Lot # 77, at the intersection of West Sixth Street in said village with an alley; thence south along the West margin of said alley 84 feet; thence west 41 feet; thence north 84 feet to the south margin of said Sixth Street; thence east along said margin, to the place of beginning, it being a strip 41 feet wide off the east side of said Lot No. 77. Also one other lot or tract of land situated between said above described lot, and the one owned and occupied by Dr. Harry W. Southard as his residence - it also being part of Lot 77.

Exhibit A

Claim of the Plaintiff herein, as Adm^r of said Estate, against said estate, for services performed for the deceased, heard, and allowed by the Court, \$1000.00 that the defendants Warrick A. Gray, Clara M. Drighley, Charles Alexander, Derrill Alexander, and Robert Alexander, are the only heirs at law, and next of kin of said decedent, having the next estate of inheritance from said Clarinda A. Alexander, deceased, in said premises, that the defendant

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Warrior A. Gray, who is also the plaintiff herein, is asserting a claim against said estate by reason of the judgment and decree of this Court, which can not be paid unless said real estate is sold to pay said indebtedness.

The Plaintiff therefore prays that the rights, interests, and liens of the said Warrior A. Gray, Clara M. Lighley, Charles Alexander, Drummel Alexander, and Robert Alexander, 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 of debt, according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

E. W. Porter, Attorney for Plaintiff.

The State of Ohio, Union County.

Warrior A. 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.

Warrior A. Gray, adux.

Known to before me, and signed, in my presence, this 24. day of March, A. D. 1923. Edward W. Porter, Notary Public

Journal entry: In the Probate Court of Union County, Ohio, Warrior A. Gray, adux. of The Estate of Clarinda A. Alexander, dec'd. Plaintiff.

March, 28-1923. No. 10060.

Warrior A. Gray, Clara M. Lighley, Charles Alexander, Drummel Alexander, and Robert Alexander, Minor.

Journal entry: Filing Petition to Sell Real Estate.

Defendants.

This day came the Plaintiff Warrior A. Gray, adux., of the estate of Clarinda A. Alexander, deceased, and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said Clarinda A. Alexander, deceased, to pay the debts, and the cost 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.

W. H. Husted, Probate Judge.

Affidavit for Publication

Warrior A. Gray, adux., of the estate of Clarinda A. Alexander, dec'd. Plaintiff.

No. 10060

affidavit for Publication.

Warrior A. Gray, et al. Defendants

Warriss A. Gray, the above named plaintiff, being duly sworn, says that Charles M. Alexander, Drusilla Alexander, and Robert Alexander, as minor's defendants, in this action, are now residents of the State of Ohio, and service of summons can not be made upon them in this State, and that the case is one of those mentioned in Section 11292 of the General Code of Ohio.

Warriss A. Gray, being sworn, makes oath, and says that the facts stated herein are true as she verily believes.

Eduard W. Porter, Notary Public, Union Co., Ohio

Probate Court, Union County, Ohio.

Warriss A. Gray, Adm^r of the Estate of Clarinda A. Alexander, deceased, Plaintiff,

no. 10060 Proceeding to Sell Real Estate

vs. Warriss A. Gray et al. Defendants.

Warriss of Summons and Consent, To Sell.

We the undersigned, parties Defendant to the Petition in the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance as such Defendants. And we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

May 11- A.D. 1923.

Order for appraisement.

Probate Court, Union County, Ohio,

Warriss A. Gray, Adm^r of the Estate of Clarinda A. Alexander, deceased, Plaintiff

May 14- 1923. no. 10060. Journal entry.

vs. Warriss A. Gray 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 Clarinda A. Alexander, deceased.

It is therefore ordered and adjudged by the Court that the said premises be appraised free of debt, by the oaths of Rollis M. Bonart, W. E. Conright, and Burk M. Laughlin, judicious and disinterested freeholders of this vicinity, whom the Court hereby appoint for that purpose, and that they return their proceedings to this Court for confirmation.

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W.H. Husted, Probate Judge
Order of appraisement.

The State of Ohio Union County, ss. Probate Court.
To Hiram A. Gray, as adm^r of the estate of
Clarinda A. Alexander, 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 adm^r of the estate of Clarinda A. Alexander, deceased, are Plaintiff and Hiram A. Gray et al. are Defendants, you are commanded that by the oaths of Rollis M. Howard, W. E. Conkright, and Burl McLaughlin, judicious disinterested men of the vicinity next 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 doubt, situated in the County of Union, State of Ohio, and in the village of Mansville and being part of In lot no. (77) Security-Seven in said village with the appurtenances thereto, the eastern lot thereof described as follows: Commencing at the north-east corner of said Lot no. 77, at the intersection of West Sixth Street in said village with an alley; thence south along the west margin of said alley 84 feet; thence west 41 feet; thence north 84 feet to the south margin of said street; thence east along said margin to the place of beginning; it being a strip 41 feet wide, off the east side of said Lot, no. 77. One other lot, or tract of land, situated between said above described lot, it being a part of said Lot no. 77, and, the lot now owned by Dr. Harry H. Boulevard and occupied by him, as his residence.

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 14th day of May, A.D. 1923. W.H. Husted, Probate Judge.

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 14th day of May 1923.
Hiram A. Gray, adm^r as aforesaid.

Oath of appraisers

The State of Ohio, Union County.
We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and im-

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partially appraise the within described real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

Rolla M. Howard, H.E. Conkright, Carl M. Langhain, appraisers.

Sworn to before me and signed in my presence, this 14 day of May, 1923. Edward H. Porter, Notary Public, Union Co. Ohio

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 ---. Given under our hands, this 14 day of May, 1923. H.E. Conkright, Rolla M. Howard, Carl M. Langhain, appraisers.

Journal Entry: Order approving appraisement for Private Sale, etc. Probate Court, Union County, Ohio.

Nannin A. Gray, admr. of the estate of Clarinda A. Alexander, decd. Plaintiff

may 14th 1923.

Nannin A. Gray et al. Defendants. Order of Sale - This day came the said Plaintiff by her attorney, and produced to the court, the report of an appraisement herein made by H.E. Conkright, Rolla M. Howard, and Carl M. Langhain 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 Nannin A. Gray as such Admr. 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 petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued. W.H. Hasted Probate Judge.

Application To Sell Real Estate, at Private Sale.

Probate Court, Union County, Ohio,

No. 10060

Nannin A. Gray, as admr. of Clarinda A. Alexander, decd. Plaintiff

Nannin A. Gray 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:

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1. Because it will save the costs of advertising.
2. Because it can be sold for the appraised amount, whereas, it might sell for 75% of the appraised amount only, if offered at public sale.
3. Because time will be saved, inasmuch, as a purchaser at private sale, and, at the appraisement, has already been procured. and, she therefore asks for an order authorizing her to sell said real estate at private sale. Hannis A. Gray, admx. of the Estate of Clarinda A. Alexander, Dec'd.

The State of Ohio, Union County, ss.

Hannis A. Gray, being duly sworn, says, that the various matters set forth in the foregoing application are true, as she verily believes. Hannis A. Gray.

Known to before me, and, signed in my presence, this 15th day of May, 1923. Edward W. Porter, Notary Public Union Co., Ohio.

Affidavit of Disinterested Persons -

The State of Ohio, Union County, ss.

William M. Koff, W. M. Wolgast, and John H. Kirkadee 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, and, for the reasons hereof given herein, as they verily believe.

William M. Koff, W. M. Wolgast, John H. Kirkadee.

Known to before me, and, signed in my presence, this 15th day of May, 1923. Edward W. Porter, Notary Public Union Co., Ohio.

Order of Sale free of Debt.

The State of Ohio, Union County.

Probate Court.

To Hannis A. Gray, admx. of the estate of Clarinda A. Alexander, Dec'd. 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 admx. of the estate of Clarinda A. Alexander, deceased, are Plaintiff and, Hannis A. Gray, 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 debt, the following described premises, to wit:

Situated in the County of Union, State of Ohio, and, in the Village of Mansville, and, being part of Sec Lot No. (77) Townships seven in said Village with the appurtenances thereto, the eastern lot thereof described as follows: Commencing at the north-east corner of said Lot No. 77, at the intersection of West 6" St. in said village with an alley; thence south along the West margin of said alley 24 feet; thence

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for the real estate private sale,

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41 feet; thence north 84 feet to the south margin of said Sixth Street; thence east along said margin to the place of beginning, it being a strip 41 feet wide off the east side of said Lot No. 197. also one other lot, or tract of land, situated between said above described lot 77 and the lot now owned and occupied by Dr. Harry G. Southard as his residence. Said sale to be free of debts 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 15th day of May, A.D. 1923. ^{W.H. Husted} Probate Judge

Return
To the Probate Court of Union County, Ohio:
In the 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 16th day of May, 1923.
Nannin A. Gray, Adm'r.

Report of Sale
In obedience to the within order, I sold part of said premises, 41 x 84 above described, on the 16th day of May, 1923, to William Fann, thus leaving the middle lot above described unsold, for the sum of Two Thousand (\$2000-) Dollars, said sum being the appraised value of the same. Nannin A. Gray, Adm'r.
Dated the 16th day of May, 1923,
The State of Ohio, Union County.

The above named Nannin A. Gray, being duly sworn, says that the sale above reported was being 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.
Nannin A. Gray, Adm'r.

Sworn to before me, and signed in my presence, this 16th day of May, 1923. ^{W.H. Husted} Edward H. Potter, Notary Public, Union Co., O.
Journal Entry: Orders approving and Confirming Sale,
Probate Court, Union County, Ohio,
Nannin A. Gray, Adm'r., of the Estate of, Blairinda A. Alexander, Dec'd.
Plaintiff
May 16 - 1923.

Nannin A. Gray, et al. Defendants. Orders approving and Confirming Sale.
This day this cause coming on to be heard on the report of Nannin A. Gray Adm'r. of the estate of Blairinda A. Alexander, deceased, of her proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm

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the sale made in obedience to said order: 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 William A Gray as such admx. in said part of said Lot # 77 containing 84 feet x 41 feet on an alley in said real estate, to the purchaser William Brown. It is further ordered that this proceeding be continued as to the remaining tract of land.

W. H. Busted, Probate Judge.

7156

Edm. Laded Sale.

In the Probate Court, Union County, Ohio,

Frances P. Hotenpiller, Adm. of
Edwin R. Hotenpiller, Intestate

Case no. 7156

Plaintiff.

Edwin R. Hotenpiller et al, Defendants Entry

It appearing to the court, that pursuant to an order of this Court made May 21-1910, certain real estate set forth in the petition and being the real estate described as the fifth tract in said petition was on the twenty-seventh day of February, 1912, sold by said Frances E. Hotenpiller Adm. at private sale, to Ray L. Mc Intire, for the sum of \$3065.00 terms cash; and that said guardian did thereupon on February 27-1912, make due return of her proceedings under said order, and of such sale, to this Court and did file in this Court on said day her affidavit that said sale was made after diligent effort to obtain the best price for said real estate, and that said sale so reported was for the highest price that said guardian could obtain for said real estate; and that said cause coming on to be heard upon said report of sale and affidavit, it was on the 27th day of February 1912 submitted to this Court, (no objection appearing), and that this Court on said 27th day of February 1912 found, after due and careful examination of said report that said sale had been duly made in conformity to law and the former order of the Court, and this Court on February 27-1912, did thereupon approve and confirm said sale, and ordered that said guardian make and deliver to the purchaser, Ray L. Mc Intire, a good

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and sufficient deed for the premises so sold, and the said M^r Intere desiring to pay cash, said Court ordered that said guardian should accept the same; and it further appearing to the Court that said return of sale and affidavit and the above order of this Court in respect thereto were through inadvertence not entered upon the records of this Court. at that time, the Court now orders that this order be now entered upon the journal of said Court, as of the date of February 27th 1912, and the September term of said Court.

W. H. Trustees, Probate Judge,

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

John L. Hamilton, administrator
of the estate of
Christina Shirk, deceased.
Plaintiff
vs.
Ida May Shirk, and

Filed
June 12th
1923

Petition To Sell Personal Property at Private Sale.
Probate Court, Union County, Ohio.
no.
Petition

In the matter of the Estate of
Harlow L. Clark, deceased.
To the Judge of said Court:

The undersigned Pearl Pierce, adur. de bonis non with the will annexed, of the estate of Harlow L. Clark, late of said county, deceased, respectfully makes application for authority to sell at private sale and at its appraised value, the part of the personal property of said estate which is enumerated in the schedule attached hereto, and which is also, enumerated in the inventory of said estate filed in said Court. and the petitioner alleges, that said sale would be for the advantage of said estate, for the following reasons:

There is only a small amount of it and the expense of having it sold at public sale is hardly advisable. William Wallace Davids has signified his willingness to purchase it for its full appraisement. That the adur., believes that it is appraised for its real value.

Dated June 12th 1923. Pearl Pierce, adm., etc.

The State of Ohio, Union County,
Pearl Pierce being duly sworn, says that the various matters and things contained in the foregoing application are true, as he verily believes.

Pearl Pierce,

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Known to before me, and signed in my presence, this 12-day of June 1923. ^{seal} W. H. Husted, Probate Judge.

Household goods of the late Harlow L. Clark \$145.⁰⁰
Journal entry, Probate Court Union County, O. June 12th 1923.
The Estate of Harlow L. Clark, Dec'd.

authority 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 Pearl Pierce, as Adm., etc., of said Harlow L. Clark, 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 Adm., etc., make return of proceedings herein within -- days from this date, and forthwith after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge.

Order of Private Sale. Personal Property.

Probate Court, Union County, Ohio.

In the matter of
The Estate of
Harlow L. Clark, deceased.

No. 10040.

Order of Sale of Personal Property.

To Pearl Pierce adm., etc., of Harlow L. Clark, 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:

Household goods of the late Harlow L. Clark, deceased, left by his wife at the time of her death \$145.⁰⁰

Said sale to be on the following terms: Cash in hand. 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 12-day of June, A.D. 1923. ^{seal} W. H. Husted, Probate Judge

Return

In the matter of the Estate of Harlow L. Clark, Dec'd | Report.

10040

The undersigned Pearl Pierce, Adm., of said estate, says that in obedience to the order of said Court, hereto attached he sold to W^m Wallace Daniels said personal property on June 12th - 1923 the sum of \$145.⁰⁰ not less than appraised value.

Pearl Pierce.

Household goods - \$145.⁰⁰ sold to W^m Wallace Daniels \$ 145.⁰⁰

the State of Ohio, Union County.

Pearl Pierce, adm., etc., of the est. of Barlow L. Clark, Deceased, being duly sworn, says that the foregoing Report is in all respects true and correct, that such sale has been made after a 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.

Pearl Pierce.

Sworn to before me, and signed in my presence, this 12-day of June, 1923.

W. H. Husted, Probate Judge.

10041

Journal Entry: Probate Court, Union County, O., June 12th - 1923
In the matter of the Estate of } Sale - Confirmed.
H. L. Clark, Deceased.

The Adm., of the above named decedent, having filed his return of the order heretofore issued for private sale of the personal property of said decedent and the Court having carefully examined the same, find said proceedings in all respects regular and in accordance with law, and therefor approve and confirm the same.

W. H. Husted, Probate Judge.

9331

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

Files

Feb. 3 - 1920.

George C. Ream, Administrator
of the estate of J. Pearl Clark Dec'd no. 9331
Plaintiff

J. M. Bondick
attorney

v.

M. Etta Clark
Thelma M. Clark, Mrs.
The Peoples Loan Association of
Sidney, Ohio, and
The Buckeye State Building and
Loan Association of
Columbus, Ohio.

Civil action

Petition

vs.

Real Estate.

Petition.

Defendants.

completed by
E. W. Porter
atty.

Dec'd Feb. 20th 1922

The Plaintiff represents that he is the duly appointed and qualified administrator of the Estate of J. Pearl Clark, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is five thousand 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 thousand

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two hundred dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents, that said J. Pearl Clark, died seized in fee simple of the undivided one half of the following described real estate first Tract situate in the County of Logan Township of Jefferson, and State of Ohio, to wit: Part of Survey No. 2674 bounded and described as follows: Beginning at a stone S.W. Corner to Deuel's land, and in the line of Wm C. Lyles' land; thence N. 8 1/2° W. with Deuel's west line, 134 poles to a stone in a country road; thence West 1 pole to a stone; thence N. 8 1/2° N. 15 poles to a stone S.E. Corner to P. Naugst's land; thence 78 1/2° W. along said P. Naugst's line 157 poles to a stone in the East line of Wm C. Lyles' land; thence S. 8 1/2° E. with said line, 150 poles to a stone corner to Smith's land; thence N. 78 1/2° E. with Smith's line, 105 poles to the Beginning, containing 101.15 acres of land, more or less. Excepting from the above a piece of land containing 6.37 acres of land, sold and conveyed to Robert Figley. Excepting also the following described tract of land, Beginning in the center of the Jamesfield and North Greenfield Pike, and S.E. corner to the Lyles' land; thence with the East line of said Lyles' land, N. 7 1/2° W. 11.62 chains to a post, S.W. Corner to Naugst's land; thence with said Naugst's south line N. 82 1/2° E. 14.50 chains to a post; thence with the West line of a road way, S. 3 1/2° E. 7.94 chains to an iron stake in the Jamesfield and North Greenfield Pike; thence with the center of said pike S. 65° N. 13 chains to an angle of said pike; thence continuing with the center of said pike S. 78 1/2° W. 5.31 chains to the Beginning, containing 16.44 acres of land, more or less. Leaving in this conveyance 75 1/10 acres of land, lying south of the Jamesfield and North Greenfield pike, excepting 40 acres sold to F. H. Hodges, leaving in this conveyance 38 1/10 acres of land. Second Tract: Situate in the County of Union, State of Ohio, and in the Township of Liberty, Part of Survey No. 4404, Beginning at a stake in the westerly line of said Survey, in the center of a road, being also the corner to lands formerly owned by David Bourssmith; thence with Bourssmith's line (correcting the course to the meridian) N. 84 3/4° E. 110.30 poles to a stone in said Bourssmith line; thence N. 4 3/4° W. 62 poles to a stake and stone (with a history N. 43° W. 14 feet, an ash S. 70° E. 11 feet); thence S. 84 3/4° W. 110.30 poles to a stake and stone in said Survey line and center of a road; thence with the center of said road, S. 4 3/4° E. 62 poles to the place of beginning, containing forty-two acres and 127.29 poles, more or less. Third Tract: Situate in the County of Union, State of Ohio, and in the Township of Liberty, Part of Survey, # 3487, 12400.

Petition

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Beginning at a stone and tile in the West line of said Survey No. 3487, and at the South West corner of Lora M. Lockwood's lands: thence, with the South line of said land, N. 58° 15' S. 220. ⁸⁰/₁₀₀ poles to a stone in the East line of Survey No. 12400; thence, with said line S. 4° 30' E. 56 ⁷⁰/₁₀₀ poles to a stone at the north east corner of Abbie E. Demmisoid land; thence, with the North line of said land, S. 55° 15' W. 200 poles. To a stone in the West line of Survey No. 3487; thence, with said line N. 31° 30' W. 50 ⁵⁰/₁₀₀ poles to the beginning, containing 67 acres, more or less. 63 acres in Survey No. 3487 and 4 acres in Survey No. 12400.

The said decedent died leaving the defendant, M. Ettore black, his widow, who is entitled to dower in said premises; that the defendant Thelma M. black, a minor, under fifteen years of age, is the only child and next of kin of said decedent, having the next estate of inheritance from said J. Pearl black deceased, in said premises; that the defendants The Peoples Loan Association of Sidney, Ohio, holds a mortgage on the first above described tract of land, and, the Buckeye State Building and Loan Company of Columbus, Ohio, holds a mortgage on the second and third tracts above described.

The Plaintiff therefore prays that the dower of said M. Ettore black, in said premises may be assigned, and set off to her; that her rights, interests and claims of the said The Peoples Loan Association of Sidney, Ohio, may be fully determined, adjudicated and protected according to Equity; that the decedent, J. Pearl black, is named as grantee in the deed, to the first described tract of land as Pearl J. black, land, that said J. Pearl black, and Pearl J. black, are one and the same, person, 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.

John M. Brodnick, Atty. for Plaintiff

The State of Ohio, Union County, ss.

George B. Ream, 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.

Geo. B. Ream.

Done to before me, and signed in my presence, this 3rd day of February, 1920.

Edward H. Porter, Probate Judge.

Probate Court, Union County, Ohio.

No. 9331 Civil action

Principals.

To the Probate Judge:

Issue subpoenas for said

Executors

George B. Ream, admr. of the Estate of J. Pearl black, Decd.

M. Ettore black, et al.

defendants. Thelma M. black, a minor under 14 years

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of aq. defendant. directed to the Sheriff of said County, returnable according to law. John M. Bardrick, Plaintiff's attorney, Journal entry; In the Probate Court of Union County, Ohio, George B. Ream, admr. of the estate of J. Pearl Elask, decd. Plaintiff. February, 3rd 1922. Case no. 9331 Journal entry.

v.
M. Etora Elask.
Thelma M. Elask.
The Peoples Loan Association, Sidney, Ohio.
and The Buckeye State Building Loan Company of Columbus, Ohio.
Defendants.

Filing Petition
To
Sell Real Estate.

This day came the Plaintiff George B. Ream, admr. of the estate of J. Pearl Elask, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said J. Pearl Elask, decd. to pay the debts, and 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 W. Porter, Probate Judge.

Wainor and Consent To Sell.

In the Probate Court of Union Co., Ohio.
no. 9331

Wainor

George B. Ream, Admr. of the Estate of J. Pearl Elask, Decd. Plaintiff.

v.
M. Etora Elask.
Thelma M. Elask.
The Peoples Loan Association, Sidney, Ohio.
and The Buckeye State Building Loan Company of Columbus, Ohio.
Defendants.

Petition To Sell Real Estate.

Wainor of Process
and
Consent To Sell.

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 wainor service of process, and consent to the sale of 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.

M. Etora Elask, The Peoples Savings and Loan Association, Sidney, Ohio, by Andrew J. Hess, attorney, The Buckeye State B. Loan Co. by Olive Gibson, atty.

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Assent.

In the Probate Court of Union County, Ohio,
 Gungw. A. Ream, admr. of the Estate of J. Pearl Blank, Decd.
 Plaintiff
 vs.
 M. Etta Blank, et al. others.
 Defendants.

Now comes the Peoples Savings and Loan Association of Sidney, Ohio an for its assent herein says: that it is a corporation existing under the laws of Ohio, and doing business as a building and loan association; that, on October 19th 1916, Mary E. Elliott, Abner D. Elliott, and John A. Elliott duly executed and delivered to said Association their certain promissory note, of that date, for the sum of eight hundred and fifty dollars, due in one year from said date, with 6 per cent interest thereon, from said date, at the rate of 6 per cent per annum, payable semi-annually, and payable to said Association or order; that on said date and in order to secure the full and due payment of said note and the interest thereon, according to the aforesaid tenor and effect of the same, the said Mary E. Elliott she bring at said date the owner thereof together with her said husband Abner D. Elliott, by their certain deed of mortgage, of that date, duly conveyed to said Association, its successor, and assigns, the following described real estate, situate in Logan County, Ohio: to wit: In Military Survey No. 2674, Beginning at a stone in the pike leading from Zanesville to North Greenfield and north west corner to M. S. Figley's land; thence with the west line of said Figley's land S. 5 1/2° E. 134.45 poles to a stone in the north line of the land now owned by Crankilton and Dickinson; thence S. 84 1/4° W. 108.5 poles to a stone south-easterly corner to Horatio Blinseman's land; thence N. 5 1/2° W. 103.87 poles to a stone in the center of the road; thence with the line of said pike N. 80° E. 21.24 poles to a stake; thence N 66° E. 92.42 poles with the line of said pike to the place of beginning, containing 78.90 acres of land except 40 acres off of the east side thereof, sold by grantors herein to Frank G. Hodges, October 13th 1916. Said instrument of mortgage was by said Association duly filed with the recorder of said Logan County, Ohio, on the 26th day of October 1916 at 1:35 o'clock P.M. for record and as thereafter duly recorded in Book 50 page 400 of the mortgage records of said county, and the same thereby became and is the first and best lien on said real estate; that there remains unpaid on said note the sum of \$850⁰⁰ together with interest thereon from

assent.
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the 19-day of October, 1919, at the rate of 6 percent per annum payable semi-annually, wherefore said association prays that if said lands are sold by the order of this Court in the above proceeding that its said lien by virtue of said mortgage be protected by the Court; that an account may be taken of the amount due to said Association in the premises, and that the amount so to be ascertained be adjudged to be due, and that the same be ordered paid out of the proceeds of such sale, to said Association in its priority, for costs and all other and proper relief.

The People Savings and Loan Association

By Andrew J. Hess, attorney,

the State of Ohio - Shelby County, ss.

Andrew J. Hess being duly sworn, says he is the attorney for the above answering defendant, and is duly authorized by it in the premises, and that the facts set forth in the foregoing answer are true as he verily believes.

Andrew J. Hess,

sworn to and subscribed before me, by the said Andrew J. Hess, this February 7-1920.

J. E. Russell, Notary Public, Shelby Co., Ohio.

Application for appointment of Guardian ad litem, Probate Court, Union County, Ohio.

George C. Ream, Adm. of the estate of J. Pearl Clark, Deid.

No. 9331

Appl. for appt. of adm. ad litem

vs. Etta Clark et al.

Application

Defendants.

To the Hon. Edward W. Foster, Judge of said Court:

The undersigned, the plaintiff George C. Ream, adm. of the estate of J. Pearl Clark, deceased, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The Defendants Etta M. Clark is a minor under the age of fourteen years, and has been duly served with summons herein. The undersigned suggests that C. A. Hoopes who is a suitable person be appointed as such Guardian ad litem.

Respectfully, Geo. C. Ream.

Journal Entry: Probate Court Union County O. Feb. 12th 1920.

George C. Ream, Adm. of the estate of J. Pearl Clark, Deid.

No. 9331

Appointment of

Appt. of adm. ad litem

vs. Etta Clark et al. Depts

Guardian ad litem.

This day Geo. C. Ream, as Adm. of the estate of J. Pearl Clark, deceased, appeared in open Court, and made application for the appointment of a Guardian ad litem for the minor defendant in this case.

9331

And it appearing to the Court that the defendant Thelma M. Clark is a minor under the age of 14 yrs. and has been duly and legally served with summons herein and the said Thelma M. Clark has neglected for twenty days after the return of the summons served upon her to apply for a Guardian ad litem, it is ordered that C. A. Hoopes be and hereby is appointed Guardian for the suit for said minor defendant.

And now comes the said C. A. Hoopes and hereby is appointed Guardian for the suit for said minor defendant. Edward H. Porter, Probate Judge.

Answer of Guardian ad litem

The State of Ohio, Union County, ss. To the Probate Court of said Co., George C. Ream, adwr. of the Estate of J. Pearl Clark, Decd. Plf. v. Mr. Etta Clark, et al. Defs.

Answer of Guardian ad litem

Mr. Etta Clark, et al. Defs.

Answer of Minor Defendant

And now come the said Thelma M. Clark, the minor defendant, to the petition in said cause, by her 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 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. Thelma M. Clark.

By C. A. Hoopes Guardian ad litem

9331

Answer and Cross-Petition of The Buckeye Building and Loan Company, Probate Court, Union County, Ohio vs. 9331

Answer of Buckeye B. and L. Company

George C. Ream, adwr. of The estate of J. Pearl Clark, Plaintiff v. Mr. Etta Clark, et al. Defs.

Answer and Cross-Petition of The Building and Loan Company

The Buckeye State Building and Loan Company is a Corporation duly organized and existing under the laws of Ohio, with headquarters at Columbus, Franklin County, Ohio. First Cause of action. On May 16-1919, J. Pearl Clark and Mary Etta Clark, executed and delivered to this answering defendant their certain promissory notes, of which the following is a true copy: \$3000.00 Columbus Ohio, May sixteenth, 1919

On or before five (5) years after date for value received, I, we, or either of us, promise to pay to the Buckeye Building and Loan Company of Columbus, Ohio, the sum of

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Three of 5-2 before pay to the said It. note of in days of the of the then on a pay in of un that cord hire loan defa or a there comp Comp said and men all and sha an a note inter whic defe To e Cause Etta This also in of 7 an P. B. g

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Three thousand (\$3000-) Dollars, with interest at the rate of 5 1/2 per cent per annum, payable semi-annually on or before the 16-day 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 thereof, 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 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 note, and owing on this note shall thereupon become due and payable at the option of said company, or, the legal owner thereof; and, the 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. J. Pearl block. Mary Ettore block.

This defendant is now the owner and holder of said note on which there is payable, the sum of \$3039.88, with interest from February 13- 1920, as per the terms of said note; which said sum, with said interest and costs, this

defendant claims. Second cause of action:

To secure the payment of the note set up in the first cause of action herein, the said J. Pearl block, and Mary Ettore block, husband and wife, executed and delivered to this answering defendant, their certain mortgage deed,

relating to it, conveying the following real estate situated in the Township of Liberty County of Union in the State of Ohio, and, described as follows:

First Tract: Being part of Surveys, nos. 3487, and 12400, and is bounded and described as follows:

Beginning at a stone and tile in the west line

9331

line of said survey, No. 3487, and at the southeast corner of
 Lora M. Lockwood's lands: Thence with the south line of said
 land, north 55° and 15' east 225.8° poles to a stone in the
 east line of survey No. 12400: Thence with the said line south
 4° and 30 minutes east 56.70° poles to a stone at the north-
 east corner of Abbie E. Dermison's land: Thence with the
 north line of said land south 58° and 15' west 200 poles
 to a stone in the west line of survey No. 3487: Thence with
 said line north 31° and 30 minutes west 50.50 poles to the
 beginning, containing sixty-seven (67) acres, more or less,
 sixty three (63) acres being in survey No. 3487 and four (4)
 acres being in survey No. 12400. Second Tract: Being part
 of survey, No. 4404, land, bounded, and, described as follows:

Beginning at a stake in the westerly line of said survey
 in the center of a road: being also, the corner to lands
 formerly owned by David Boursinich: Thence with Boursinich's
 line (correcting the course to the meridian) north 84³/₄
 east 110.30 poles to a stone in said Boursinich's line; thence
 north 4³/₄ west 62 poles to a stake and stone (witness history
 north 43° west 114 feet an ash south 70° east 11 feet:
 Thence north 84³/₄ west, 110.30 poles, to a stake and stone
 in said survey line, and center of a road: thence
 with the center of said road, south 4³/₄ east 62 poles
 to the place of beginning, containing forty-two acres (42.2)
 and one hundred and twenty-seven and twenty-nine
 hundredths (127.29) poles more or less.

Said mortgage is conditioned as follows:-

"Provided, nevertheless, and, these presents are upon these
 conditions, that the said mortgages have executed, and
 delivered to the said mortgager their certain promissory
 note of even date herewith due, as hereinafter mentioned
 and in amounts as follows:

\$3000.00 due on or before five years from the date hereof:
 together with the interest thereon at the rate of 5¹/₂ per cent
 per annum, payable semi-annually on or before the 16-
 days of November and May of each year. That if
 either of said note be not paid when due: or, if any
 installment of interest thereon be not paid when due, or,
 within thirty days thereafter, than 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 mortgages
 further agree as follows: 1. to pay all taxes, assessments and
 other charges that may be assessed against the property
 herein conveyed promptly as they become due, and payable;
 2. 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

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satisfactory to said mortgager in a sum of not less than \$1000.00 with the loss, if any, payable to said mortgager as its mortgage interest may appear, and to leave the said policy of insurance in the possession of said mortgager 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 the said mortgagors, 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 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, May 22- 1919, at 8:45- 6'clock, a. m., and, was thereafter by him recorded in Book 78, page, 230 of the mortgage Records of said County, and is now the first and best lien on the said real estate. This defendant prays, that upon a sale of said real estate, its rights herein may be protected; its said mortgage declared to be the first and best lien on said real estate; its said claim first paid out of the proceeds of any sale of said real estate; and, that it may have all other relief to which it is entitled either in law or in equity.

Wilson and Rector.

Attorneys for State Building and Loan Company,
State of Ohio, Franklin County ss.

J.E. Kinney, being first duly sworn, says, he is President of The Buckeye State Building and Loan Company, the undersigned defendant herein, and, that the facts stated and allegations made 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 12-day of February, 1920. Ray W. Poppleton, Notary Public

Application to Sell Real Estate at Private Sale

George C. Ream, adur.

Probate Court, Union County, Ohio,

of the estate of J. Pearl Clark, deceased, vs. Refl.

No. 9331

vs. Etta Clark, et al. Defts

application.

Private Sale

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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: Plaintiff already has a purchaser for the Logan County farm, at a greatly advanced price over the purchase price, paid by said decedent.

The farm is so located that it can be sold at private sale, to much better advantage than at public sale. Said decedent only owned an undivided one-half interest in all of the real estate, the other undivided one-half being owned by the widow, M. Etta Black, and the undivided one-half would sell better at private sale, for this reason, that the purchaser, could also arrange to buy the other undivided one-half from the widow and thereby obtain title to all of said real estate.

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

Geo. C. Ream, Adm. of the Est. of J. Pearl Black, Decd.

The State of Ohio, Union County, ss.

George C. Ream, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.

Geo. C. Ream.

Sworn to before me, and signed in my presence, this 9-day of March, 1920.

Edward W. Porter, Probate Judge.

Affidavit of Disinterested Persons.

The State of Ohio, Union County, ss.

George W. Ream and Mark Elliott, 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 J. Pearl Black, deceased, to sell said real estate at private sale than at public sale, as they verily believe.

George W. Ream, Mark Elliott.

Sworn to before me, and signed in my presence, this 9-day of March, 1920.

Journal entry: Orders On Hearing, for Private Sale, etc.

Probate Court, March, 9th 1920.

Order of Sale.

George C. Ream, Adm. of the estate of J. Pearl Black, Decd.

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 J. Pearl Black, deceased, did leave a widow, entitled

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75 down in the estate, to be sold, who has filed her answer herein raising assignment of such, 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 sell the real estate of said J. Pearl Clark, 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 George B. Reau, as such adwr., 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 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.

Journal entry: Order approving appraisement and for Bond.

Probate Court, Union County, Ohio

March, 9-1920.

approving appraisement for Bond.

George B. Reau, adwr., of the Estate of J. Pearl Clark, Dec'd. Plaintiff

Order for Bond.

M. Etta Clark 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 C. C. Bonneau, C. L. Miller, and W. A. Burroughs 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 George B. Reau to secure the further assets arising from the sale of said real estate. It is further ordered, that said George B. Reau, 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 Eleven Thousand, and Five Hundred Dollars, conditioned according to law, and this cause is continued.

Edward W. Porter, Probate Judge

Bond.

Bond.

Know all men by these Presents: That we, George B. Reau as principal and, Mark Elliott, Thomas Elliott, and George Reau, as sureties, are held and firmly bound unto the State of Ohio, in the sum of Eleven Thousand and Five Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs,

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executors, and administrators. Signed by us, and dated at Marysville, Ohio, this 11th day of February 1920. The condition of the above obligation is such, that whereas the above bound, George B. Ream, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Adm. of the estate of J. Pearl Clark, deceased. And whereas, the said George B. Ream, as such Adm., has filed a petition in said Probate Court, asking for an order, for the sale of certain Real Estate of said decedent, described in said petition; And, whereas, said Court, on the 3rd day of February, 1920 made an order requiring said Adm., to execute a bond according to the statute in such cases made and provided. Now, if the said George B. Ream, Adm., as aforesaid, shall account for all the further assets arising from the sale of said Real Estate and that shall remain after the 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.

Executed in the presence of, Mrs. Ethel Elliott, Mrs. Thomas Elliott, this Bond approved in open Court, this 9th day of March, 1920.
 Edward W. Potter Probate Judge

Journal Entry: Orders Approving Bond for Private Sale -
 Probate Court, Union County, Ohio.
 March, 9th 1920

approving Bond

George B. Ream, adm. of the estate of J. Pearl Clark, Decd.
 Plaintiff
 M. Ottora Clark, 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 George B. Ream, the Plaintiff above named has given bond as heretofore ordered, in the sum of Eleven thousand, and five hundred Dollars, with George B. Ream, Thomas Elliott and Marker Elliott 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 George B. Ream, as such Adm., proceed to sell said real estate, free from debt, 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. Potter,
 Probate Judge

Filed Feb. 5th 1920

Returnable March 6-1920

Return

Filed March 9-1920

Answer of Widow

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Filed
Feb. 5th 1920

Summons.

The State of Ohio, Union County, ss
 To the Plaintiff of Union County, Greeting:
 you are commanded to notify Thelma M. Clark, minor,
 making service of this summons upon her and sales, 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 George B. Ream as
 adm. of the estate of J. Pearl Clark, deceased, for the
 purpose of paying debts, in the Probate Court of Union
 County, and, that unless she answer by the 6th day
 of March, 1920, the petition will be taken as true, and
 judgment rendered accordingly. You will make due
 return of this summons on the 16th day of February, 1920.
 Witness my hand, and the seal of said Court, this
 5th day of February, 1920. ^{Seal} Edward H. Porter Probate Judge

Return,

Returnable
March 6-1920

Return

The State of Ohio, Union County, ss.
 I, George B. Ream, being duly sworn, say that I served
 this writ, by delivering a copy thereof with the en-
 dorsements thereon personally to the within named
 defendants, on the day hereafter named Feb. 5th 1920,
 To Thelma M. Clark, the within named minor
 defendant Feb. 5th 1920. To M. Etta Clark, the mother
 of such infant, and with whom she resides; the
 father being dead and said infant having no
 guardian.
 George B. Ream
 Known to before me, and signed in my presence, this 5th
 day of Feb., 1920. ^{Seal} Edward H. Porter, Probate Judge.

Answer of Widow

Filed
March 9-1920

George B. Ream, In the Probate Court of Union Co., Ohio
 Adm. of the Estate of No. 9331 Answer of Widow
 J. Pearl Clark, Decd - Plff.
 M. Etta Clark, et al. Defs., Proceeding to Sell Real Estate.

Answer
of
Widow

And now comes M. Etta Clark, one of the def-
 endants, 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 J. Pearl Clark, deceased, and as such
 is entitled to dower in the premises described in
 said petition: that her age, is twenty-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 virtue of
 bonds, or in rents and profits; and asks the Court
 that said premises may be sold free from her dower

9331

estate therein and that the value of such down estate may be allowed and paid her. in money, out of the proceeds of. Such sale, as, the Court may deem reasonable.

M. Ettore Clark.

The State of Ohio, Union County, ss.

oath

M. Ettore Clark being duly sworn, makes oath that the facts stated in the foregoing answer are as she believes, true.

M. Ettore Clark.

Sworn to by said M. Ettore Clark before me, and signed by her in my presence, this 9-day of March, A.D. 1920.

Edward W. Potter, Probate Judge.

Order of Sale - Trust of Down.

Order of Sale.

The State of Ohio, Union County,

Probate Court.

To George B. Ream, admr. of the estate of J. Pearl Clark, dec'd; Executors;

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 admr. of the estate of J. Pearl Clark, deceased, are Plaintiff and M. Ettore Clark, 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 of M. Ettore Clark, widow of J. Pearl Clark, deceased, the following described premises

to-wit: Part of Survey No. 2674, bounded and described as follows: Beginning at a stone S.W. corner to Deuel's land, and in the line of W.C. Lyle's land; thence S 1/2° N. with Deuel's west line 134 poles to a stone in a County road; thence West 1 pole to a stone; thence N. 8 1/2° W. 16 poles to a stone S.E. corner to P. Naugst's land; thence S. 78 1/2° W. along said P. Naugst's line 107 poles to a stone in the east line of Wm. C. Lyle's land; thence S. 8 1/2° E. with said line 150 poles to a stone corner to Smith's land; thence N. 87 1/2° E. with Smith's line 108 poles to the Beginning, containing 106.15 acres of land more or less.

Excepting from the above a piece of land containing 6.37 acres of land, sold and conveyed to Robert Figley. Excepting also the following described tract of land, Beginning in the center of the Zanesfield and North Greenfield Pike, and S. E. corner to the Lyle land; thence with the East line of said Lyle land, N. 7 1/2° W. 11.62 chains to a post S. W. corner to Naugst's land; thence with said Naugst's south line N 8 1/2° E. 14.51 chains to a post; thence with the west line of a roadway S. 3 1/2° E. 7.94 chains to an iron stake in the Zanesfield Pike; thence with the center of said Pike S. 65° W. 23 chains to an angle of said pike; thence, continuing with the center of said pike S. 78 1/2° W. 5.31 chains to the beginning containing 16.44 acres of land, more or less, leaving in this conveyance 78 9/10 acres of land, lying south of the Zanesfield and North

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Unimproved pike excepting 40 acres sold to F. H. Boyges. Leaving in this conveyance - 38 7/10 acres of land.

Second tract: Situate in the County of Union, and State of Ohio, and in the Township of Liberty, Part of Survey no. 4404. Beginning at a stake in the westerly line of said Survey, in the center of a road, bring also the corner to lands formerly owned by David Boursuitch: thence with Boursuitch's line (correcting course to the meridian) N. 84 3/4° E. 110.30 poles to a stone in said Boursuitch's line: thence N. 4 3/4° W. 62 poles to a stake and stone (witness a history N. 43° W. 14 feet to an oak S. 70° E. 11 feet) thence S. 84 3/4° W. 110.30 poles to a stake and stone in said survey line, in said survey line and center of a road: thence with the center of said road S. 4 3/4° E. 62 poles, to the place of beginning, containing forty two acres and 127.29 poles, more or less.

Third tract: Situate in the County of Union, State of Ohio, and in the Township of Liberty, Part of Survey no. 3487, and 12400. Beginning at a stone and tile in the west line of said Survey no. 3487, and at the south-west corner of Lora M. Lock woods lands: thence with the south line of said land, N. 58° 15' S. 225 8/10 poles to a stone in the east line of Survey no. 12400; thence with said line S. 4° 30' E. 56 7/10 poles to a stone at the north-east corner of Abbie E. Derrison's land: thence with the north line of said land S. 58° 15' W. 200 poles to a stone in the west line of Survey no. 3487; thence with said line N. 31° 30' W. 50 5/10 poles to the beginning, containing 67 acres more or less: 63 acres in Survey no. 3487 and 4 acres in Survey no. 12400.

Said sale to be free of the debts of M. Etora Clark, widow 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 forth with upon execution of this order. Witness my signature and the seal of said Probate Court at Mansville, Ohio, this 17th day of June, 1922. Seal W. H. Husted, Probate Judge.

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 17th day of June, 1922. George C. Ream, Adm'r.

Report of Sale In obedience to the within order, I sold said tract no. 1, consisting of 38 7/10 acres, on the 17th day of June, 1922, to M. Etora Clark, for the sum of \$1000.00. Glenn H. Husted, Adm'r.

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appraised value of the same. George C. Ream.

Dated the 17th day of June, 1922.

The State of Ohio, Union County.

The above named, George C. Ream, 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.

Sworn to before me, and signed in my presence, this 17th day of June, 1922. *Edward W. Porter*

Notary Public, Union County, Ohio.

Journal Entry: Orders Approving and Confirming Sale.

Probate Court, Union County, Ohio.

Saturday, June, 17th 1922.

approving

and confirming sale.

George C. Ream, admr. of the Estate of J. Pearl Clark, Decd. v. Plaintiff

M. Ettera Clark, et al. Deft. Orders approving and confirming sale. This day this cause, coming on to be heard on the report of George C. Ream, admr. of the estate of J. Pearl Clark, decd. of his proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm the sale, made in obedience to said order, 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 J. Pearl Clark, deceased, in said real estate, to the purchaser, M. Ettera Clark, upon the said purchaser, paying cash for same on delivery of deed. It is further ordered that this proceeding be continued until further order of Court.

W. H. Husted, Probate Judge.

Order of Sale, Free of Dower.

The State of Ohio, Union County ss. Probate Court. To George C. Ream, admr. of the estate of J. Pearl Clark, decd. 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 admr. of the estate of J. Pearl Clark, deceased, an Plaintiff and M. Ettera Clark 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 M. Ettera Clark, widow of J. Pearl Clark, deceased, the following described premises, to wit: Second Tract: Bitterate in the County of Union, and State of Ohio, and in the Township of Liberty, Part of Survey No. 4404.

order of sale

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Beginning at a stake in the westerly line of said Survey, in the center of a road, being also the corner to lands formerly owned by David Boursnich; thence with Boursnich's line (correcting the course to the meridian) N. $84\frac{3}{4}^{\circ}$ E. 110.30 poles to a stone in said Boursnich's line; thence N. $4\frac{3}{4}^{\circ}$ W. 62 poles - to a stake and stone (with a hickory N. 43° W. 14 feet an ash - S. 70° E. 11 feet); thence S. $84\frac{3}{4}^{\circ}$ W. 110.30 poles to a stake and stone in said Survey line and center of a road; thence with the center of a road; thence with the center of said road S. $4\frac{3}{4}^{\circ}$ E. 62 poles to the place of beginning, containing 42 acres and 127.29 poles more or less.

Third Tract: Situate in the County of Union, State of Ohio, and in the Township of Liberty, Part of Survey no. 3487 and 12400. Beginning at a stone and tile in the west line of said Survey no. 3487 and at the south-west corner of Lora M. Lockwood's lands; thence with the south line of said land No. $85^{\circ} 15'$ S. 225 $80\frac{3}{4}$ / 100 poles to a stone in the east line of said Survey no. 12400; thence with said line S. $4^{\circ} 30'$ E. 56 70 / 100 poles to a stone at the north-east corner of Abbie E. Dermisov's land; thence with the north line of said land, S. $58^{\circ} 15'$ W. 200 poles to a stone in the west line of Survey no. 3487; thence with said line N. $31^{\circ} 30'$ W. 50 50 / 100 poles to the beginning, containing 67 acres, more or less, 63 acres in Survey no. 3487 and 4 acres in Survey no. 12400.

Said Sale to be free of the dower of M. Elford Clark, as widow aforesaid, and to be upon the following terms, lease in hand.

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 20th day of December, 1922.

W. H. Kusted, Probate Judge.

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 20th day of December, 1922.

Geo. C. Ream, admsr.

Report of Sale.

In obedience to the within order, I sold said second and third Tracts, respectively 42 acres and 127.29 poles, 67 acres, more or less, I sold said on the 20th day of December, 1922, to M. Elford Clark.

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for the sum of Forty-five Hundred, and twenty-two and 50/100 Dollars, said sum being the appraised value of the same.
Geo. C. Ream, Adm.

Dated the 20th day of December, 1922.

The State of Ohio, Union County ss.

The above named George C. Ream, adm., of the estate of J. Pearl, black, 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.

Geo. C. Ream, adm.

Known to before me, and signed in my presence, this 20th day of December, 1922. Edward K. Potter, Notary Public, Union Co., Ohio
Probate Court, Union County, O., December, 20th, 1922.

Geo. C. Ream, as adm.,

Proceeding to Sell Real Estate.

of the Estate of J. Pearl, black, Decd.
Plaintiff

vs. Etta Black, et al. Defendants. Confirming Sale.

Confirming Sale

This day this cause coming on to be heard on the return of George C. Ream, adm., of the estate of J. Pearl black, 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 George C. Ream, as such adm., make to the purchaser, Mr. Etta Black, a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said adm., pay the costs herein taxed at \$ --- within ten days. W. H. Husted
Probate Judge.

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Jan. 25th 1923.

Petition To Sell Real Estate.

In The Probate Court, Union County, Ohio,

No. 10021

Mrs. L. Myers
attorney

Wm. Gimmernan, Executor,
Lora Gimmernan, and Vera Scheiderer,
executrix^s of the estate of Jacob Scheiderer, Deceased.
Plaintiff.

vs.

Lizzie Steng,
William Steng,
Clara Hall,
Harry Hall,
Delmer Hall,
Albert Hall,
Yorana Hall,
Francis Scheiderer,
Maurice Scheiderer,
Lora Gimmernan,
Wm. Gimmernan, and
Vera Scheiderer,

Defendants

Petition.

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The plaintiffs for a cause of action say that they are the duly appointed and qualified executor and executrix^s of the estate of Jacob Scheider, deceased, and that they were appointed as such by the probate court of Union County, Ohio, on the 30th day of December, 1921, and are still acting as such. That they have paid all the debts of the said decedent. That the said decedent died seized in fee-simple of the following described real estate situated in the township of Darby, County of Union, and State of Ohio, being part of Surry No. 4982, 7397, 12927, and 3312, and bounded and described as follows, to-wit: Beginning at a stone elm, lyin. and lying N.W. corner to Surry No. 4982; thence with the westerly line of said Surry S. 32¹/₂° W. 59.60 poles to a stone corner to R. G. Morris' land; thence with the northerly line of said land, S. 58¹/₄° E. 103 poles to a stone corner to said Morris' land in the center of the London Gravel Road; thence with the center of said road N. 37¹/₄° E. 31.20 poles to a stone N.W. corner to lands owned by J. S. Burns; thence with the northerly line of said lands, S. 50³/₄° E. 124.80 poles to the center of a small ditch (state has 5-5-0³/₄° E. 15 feet from center of ditch); thence with the center of said ditch N. 34° E. 11.24 poles to a stake; thence N. 49° E. 44 poles to a stake; thence N. 61° E. 15.80 poles to a stake; thence N. 84° E. 38.76 poles to a stake in the north line of surry No. 12927; thence with the Surry line N. 56° W. 228.48 poles to the place of beginning, containing 108.20 acres, more or less.

Plaintiff

Also, the following described real estate situated in said Township, County and State and being part of Surry No. 3312, and bounded and described as follows:

Beginning at a stake in the center of the Marysville and London Gravel Road, and in the north line of V. M. Surry No. 4982; thence with the center of the Marysville and London Road, N. 18° E. 21 poles to a stake in the center of said road and 40 feet from the center of the P. C. and St. L. R. R. track; thence N. 68° W. 81.60 poles parallel with the center of said track and 40 feet from the center thereof to a stake; thence S. 33° W. 5.68 poles to a stone in the north line of V. M. Surry, No. 4982; thence with said line S. 58° W. 86 poles to the beginning, containing 6.54 acres, more or less.

Also, the following described real estate situated in said Township, County and State and being part of Surry, No. 7245, and 3312, and bounded and described as follows:

Beginning at an elm, and sugar (sugar down)

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 W. H. Husted
 Probate Judge.
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one of the corners of the Frederick Scheiderer land: Thence N. $80\frac{1}{4}^{\circ}$ W. 28 poles to a stone at the root of a sugar tree in said line; thence N. $49\frac{1}{4}^{\circ}$ E. 47.44 poles to a stone and piece of brick under it, in one of the lines of said Scheiderer; thence with said line S. $7\frac{3}{4}^{\circ}$ E. 28.40 poles to a stone one of his corners; thence S. $62\frac{1}{2}^{\circ}$ W. 13.50 poles to the beginning containing 4.18 acres, more or less.

Also, the following described real estate situated in said Township County and State and being part of Survey No. 3312, and bounded and described as follows:

Beginning at an Elm, Gum, and Hickory N.W. corner to Survey No. 4982; thence N. $32\frac{1}{2}^{\circ}$ E. 3.60 poles to a stone in the southerly line of the P.C. & St. L. R.R. thence with said line S. 68° E. 11 poles to a stone; thence S. 34° W. 5.60 poles to a large stone in the north line of Survey No. 4982; thence with said line N. $57\frac{1}{2}^{\circ}$ W. 10.80 poles to the beginning, containing $\frac{1}{4}$ acre, more or less.

That the said Jacob Scheiderer, deceased, died testate on the 22nd day of December, 1921, and that his last will and testament was filed for probate the 27th day of December, 1921, in the office of the probate court of said Union County, Ohio, and therein probated on the 30th day of December, 1921, and recorded in Will record, O. page 448.

That by the terms of the said will of the said deceased, the said plaintiffs as executor and executrix^s of said estate were directed to sell the real estate herein above described, and divide the proceeds therefrom in five equal parts and as follows, to-wit:

- One share to Bora Zimmerman.
- One share to Niva Scheiderer
- One share to Lizzie Strong
- One share to Frances and Maurice Scheiderer, equally.
- One share to Clara Hall, to be situated in a home for her during her natural life, with the remainder estate therein, to her children, Delmer Hall, Albert Hall, and Norma Hall, in equal shares.

That the said Jacob Scheiderer, deceased, died leaving no widow; but left surviving him the following named as his only children, heirs at law and legates, Bora Zimmerman, a daughter, who inter-married with the said defendant, Wm. Zimmerman.

Lizzie Strong, a daughter, who inter-married with the said defendant, William Strong.

Clara Hall, a daughter, who inter-married with the said defendant, Harry Hall. The said defendants and legates, Delmer Hall, Albert Hall, and Norma Hall, being children of the said Clara Hall and Harry Hall, Frances Scheiderer and Maurice Scheiderer,

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grand-children, being children of Albert Scheider, deceased, who was a son of the said Jacob Scheider, deceased.

The said Vera Scheider being the widow of the said Albert Scheider, deceased, and, mother of the said Frances Scheider and Maurice Scheider.

Further the said plaintiffs say that they can now receive a satisfactory price for said farm, and, that they believe that the same should be sold without delay, and, that it would be for the best interest of said estate and all parties interested to sell said real estate forthwith, and that the proceeds received therefrom be distributed according to the provisions and conditions of the last will and testament of the said Jacob Scheider, deceased, and, as herein set forth.

Wherefore, the said plaintiffs pray that they may be authorized and ordered to sell said real estate that distribution of the proceeds therefrom may be distributed according to the terms of the will of the said Jacob Scheider, and, for such other and further relief in the premises, as, may be just and equitable.

Wm Zimmerman, Executor.
Vera Zimmerman, Executrix
Vera Scheider Executrix

of the estate of Jacob Scheider, deceased. By J. L. Myers, their attorney,
State of Ohio Union County, ss.

Wm Zimmerman, Vera Zimmerman, and Vera Scheider they, and each of them being duly sworn say that they are the executor and executrix's of the estate of Jacob Scheider, deceased, and, the plaintiffs herein, and that the facts stated and, the allegations made and contained in the foregoing petition are true as they believe.

Wm Zimmerman, Vera Zimmerman, Vera Scheider sworn to before me, and, signed in my presence, this 20th day of January, 1923. J. L. Myers, Notary Public
Journal Entry: In the Probate Court, of Union County, Ohio,
Wm Zimmerman, et al. etc. January, 20th 1923.

of the estate of Jacob Scheider, Dec'd, no. 10021
Plaintiffs Filing Petition to Sell
Lizzie Strong, et al. Defendants. Real Estate.

Filing Petition to Real Estate

This day came the plaintiffs as executor and executrix's of the estate of Jacob Scheider deceased, and presented to this Court their petition, duly verified, praying an order for the sale of real estate of the said Jacob Scheider, dec'd to distribute proceeds from said sale according to the Will 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

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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.

W. H. Busted, Probate Judge.

Waiver

For the Probate Court, Union County, Ohio.

no. 10021

Wm Zimmerman, Executor,
Cora Zimmerman, and
Hera Scheiderer, executrix's
of the estate of
Jacob Scheiderer, deceased.

Plaintiff.

vs.

Lizzie Stung, et al, Defendants.

We the undersigned, do hereby waive the issuing of summons and process in the above entitled cause, and, do hereby voluntarily enter our appearance herein, and consent to the sale of said real estate as prayed for in the petition of the said plaintiff.

Wm Zimmerman, Cora Zimmerman, Hera Scheiderer, Clara Hall,
Henry Hall, Lizzie Stung, Wm Stung, Frances Scheiderer.

Principals.

For the Probate Court, Union County, Ohio.

no. 10021

Wm Zimmerman, executor,
Cora Zimmerman, and
Hera Scheiderer, executrix's
of the estate of Jacob Scheiderer, dec'd.

Plaintiff.

vs.

Lizzie Stung, et al, Defendants.

Principals.

To the Court: Issued summons in the above entitled cause directed to the Sheriff of Union County, Ohio, for the defendants, Maurice Scheiderer, a minor, Delmer Hall, a minor, Albert Hall, a minor, and Norma Hall, a minor.

Indorse "action to sell real estate to pay devises and distribute according to Will" and returnable according to law.

The said Maurice Scheiderer resides at Unionville Center Ohio; and the said Halls, reside on So. Chestnut St, in Marysville, Ohio.

Wm L. Myers, atty. for Plaintiff.

Summons on Petition to Sell Real Estate

The State of Ohio, Union County.

Probate Court.

To the Sheriff of said County:

You are hereby commanded to notify Maurice Scheiderer Delmer Hall, Albert Hall, Norma Hall, Hera Scheiderer and Clara Hall, and the following named who are minors, to wit: — none except the above named minors making service of this summons, upon said minors and also upon the guardian, or father, or, if neither guardian or father can be found, then upon the mother, or, the

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person having the care of said minor, or with whom they live: that on the 25 day of January, 1923: W^m Zimmerman, Clara Zimmerman and Nora Scheidter, executors of the estate of Jacob Scheidter, 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 to sell real estate to pay debts and distribute according to will, and that unless they answer by the 24 day of February, 1923, said petition will be taken as true, and an order granted accordingly. Said sheriff will make due return of this writ on the 5th day of February, 1923

Witness my hand and the Seal of said Court this 26 day of January, 1923. Wm. Husted Probate Judge
Sheriff's Return.

The State of Ohio, Union County.
Received this writ Jan. 26 - 1923, at 3 o'clock p.m. and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: Jan. 31 - 1923 on Delmer, Albert, Norma, Hall and Maurice Scheidter, and also as to the within named defendants who are minors, the guardian of the said minor defendants not being found. Jan. 31 - 1923, the father of the said minor defendant Maurice Scheidter, being deceased, and the father of said minor defendants, Delmer, Albert, and Norma Hall not being found I served copies of the within writ Jan. 31 - 1923, on Nora Scheidter the mother of the said Maurice Scheidter and also on Clara Hall, the mother of said Delbert Hall, Norma Hall, and Albert Hall.

Frank Callier, Sheriff, Union Co., Ohio

Sheriff's Fees.

Sermon and Return \$ 75

Additional names, 23 1.25

24 miles at 8¢. 1.92 Total \$ 3.92

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Application for appointment of Guardian ad Litem
Probate Court, Union County, Ohio.
February 27 - 1923.

Wm Zimmerman, Executor
Clara Zimmerman, Law
Nora Scheidter, Ex^{rs} of the
Estate of Jacob Scheidter, Dec'd.
Defts.

application
for
appt. of Gd. ad Litem.

Lizzie String et al. Defts
To the Hon. W. H. Husted, Judge of said Court:
The undersigned, W^m Zimmerman, Clara Zimmerman and Nora Scheidter, make application for the appt. of a

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Guardian ad litem, for the minor defendants in the above entitled case. The defendant Maurice Scheiderer, a minor over the age of fourteen years, and, Delmer Hall, Albert Hall, and, Norma Hall, minors, under the age of 14 years, and have been duly served with summons herein, and that they and each of them have neglected for more than 20 days, after said service of summons and return thereon to apply for a guardian ad litem in this case.

The undersigned suggests that John B. Kirkada, who is a suitable person be appointed as such Guardian, ad litem.

Respectfully, Wm. Zimmerman, Cora Zimmerman, Nera Scheiderer
Joint Petition in support of Guardian ad litem.

Probate Court, Union County, O. February, 27th 1923.

Wm Zimmerman, Executor,
Cora Zimmerman, Nera Scheiderer, et al.
of est. of Jacob Scheiderer, Deft.

no 10021

appointment of

Lizzie Strong, et al. Defts

Guardian ad litem.

This day, the above named Wm Zimmerman, Cora Zimmerman and Nera Scheiderer, 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 Maurice Scheiderer is over the age of fourteen years, and, that the said defendants,

Delmer Hall, Albert Hall, and, Norma Hall, are under the age of fourteen years, and, have been duly and legally served with summons herein, and, that the said minor defendants and each of them have neglected for more than twenty days after the service of summons and return thereon to apply for the appointment of a guardian ad litem in this case, it is ordered that John B. Kirkada

be and he hereby is appointed Guardian for the said minor defendants, and, now comes the said John B. Kirkada and in open Court, accepts said appointment.

Wm. Hasted Probate Judge.

Answer of Guardian ad litem

Probate Court, Union County, Ohio

no. 10021

Wm Zimmerman, Ex.,
Cora Zimmerman,
Nera Scheiderer et al.
the est. of Jacob Scheiderer, Deft.

Answer of Minor Defendants.

Lizzie Strong et al. Defts.

And now comes the said Maurice Scheiderer, Delmer Hall, Albert Hall, and Norma Hall, the minor defendants to the petition in said cause, by John B. Kirkada their Guardian ad litem, heretofore appointed in said cause by said Court, and for answer to said petition, deny all the

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material allegations herein contained, prejudicial to said
minor defendants. They further say that they are
of tender years and not acquainted with the law in
such cases, and therefore pray the Court to protect
their rights in this cause, and for such relief as may
be just. Dated this 27th day of February, 1923.

Maurice Scheiderer, Delmer Hall, Albert Hall, Norma Hall,
By John H. Kirkade, Guardian, ad. litem.

Order for appraisement.

In the Probate Court, Union County, Ohio

Jimmie Zimmerman, Executor,
Lora Zimmerman ^{ad.}
Mrs. Scheiderer, ex ^{ad.} of
The State of Jacob Scheiderer, Decd.
_{Plffs.}

No. 10021.
Journal entry.

Lizzie Strong, et al. Defts. Order for appraisement.
This day this cause came on to be heard upon
the petition, the evidence and argument of counsel for
the plaintiff, and the Court find that all of the
defendants herein named have been duly served with
process, or have voluntarily entered their appearance
herein, and that the said defendants and each of
them, excepting the minor defendants are in default for
answer or demurrer to the said plaintiff's petition;
that as set forth in the petition, it is necessary to sell
the real estate described in said petition in order to
make distribution as directed in the last will and
testament of Jacob Scheiderer, deceased, and the Court
further finds that the said Jacob Scheiderer died
leaving no widow. Further, it being made to appear
to the Court that there is an error in the description
of record of a portion of the real estate described in the
plaintiff's petition, and that as set forth in the plaintiff's
petition said real estate is described in four tracts,
and it being made to further appear that it will be
necessary and to the advantage of the said estate to
have said real estate surveyed and a new des-
cription made therefor. Therefore, be, and it is
hereby ordered, that the plaintiff cause said real estate
and the whole thereof as described in said petition to be
surveyed, and a description thereof made, and that the
same be made hereafter used herein, and that
the costs therefor be charged in this action as a part
of the costs thereof. It is further ordered that
the said plaintiff cause said real estate to be ap-
praised, by the oaths of M. E. Travel, George Grumel, and
George Burns disinterested freeholders of the vicinity,
whom the Court hereby appoints for that purpose. W. H. Lusted,
Judge.

10071

Order of appraisement.

The State of Ohio, Union County, ss. Probate Court.
 To ^{Wm.} Zimmerman, born Zimmerman, ^{Wm.} Mrs. Schneider, 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 and executrix^s of the estate of Jacob Schneider, deceased, are Plaintiff and Lizzie Streng et al. are Defendants, you are commanded that by the oaths of M. E. Frank, George Bernell, and George Burns, 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 to-wit: Situated in the State of Ohio, County of Union and Township of Darby, and being part of Survey, No. 7397, 12927, 4952, 3312, and 7245; and bounded and described as follows: Beginning at the point of intersection of the center line of the Marysville and London Grant Road, with the south line of the P. C. C. & St. L. right of way; thence with the line of said right of way N. 65° 15' W. 92.70 poles to a stake; thence south 55° W. passing the north-west corner of Survey No. 4952, at 3.40 poles, and continuing with the west line of said Survey, No. 4952, 93 poles to a stone in the west line of said Survey and in the north line of lands owned by John George Burns; thence with the north line of said Burns' land S. 55° 45' E. 103.25 poles to a stone at a corner of said Burns' land and in the center of said Marysville and London Grant Road; thence with the center of said road N. 39° E. 25.65 poles to a stone in the center of said road and at another corner of said Burns' land; thence with the north line of said Burns' land, S. 49° 30' E. 122.50 poles to a stone south-west corner to the lands of George Schneider as conveyed to him in a deed from Jacob Schneider, dated July, 14th 1913, and recorded in Union County Deed Record No. 101 page 247; thence with the west line of said George Schneider's land, as formed by said conveyance, N. 34° E. 68.20 poles to a stone in the north line of Survey No. 12927; and the south line of Survey No. 7245; thence with said Survey line N. 54° 15' W. 102.90 poles to a post in said Survey line and south-west corner of lands owned by L. W. Streng; thence with the west line of said Streng's land, N. 27° 15' E. 25.38 poles, to a stone in the southerly line of the right of way of the P. C. C. & St. L. railway; thence with the said line of said right of way N. 65° 15' W. 30 poles to the place of beginning, containing 117 acres, more or less.

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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 27th day of February A.D. 1923. W. H. Busted, Probate Judge

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 27th day of Feb. 1923.

Wm. Zimmerman, Cora Zimmerman, Mrs. Scheider
Each of appraisers.

The State of Ohio, Union County.

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.

M. E. Frank, George Grenell, George Burns & appraisers.

Known to before me, and signed in my presence, this 27th day of February, 1923. Maud Pyles, Notary Public.

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 thousand four hundred and ^{no}/₁₀₀ Dollars. Given under our hands, this 27th day of February, 1923.

M. E. Frank, George Grenell, George Burns & appraisers.

Fees of appr. \$1.00 per day each

Application to Sell Real Estate at Private Sale, Probate Court, Union County, Ohio.

Wm. Zimmerman, Executor
Cora Zimmerman and
Mrs. Scheider, Executors
of the Estate of Jacob Scheider, Deid.
Plaintiff

No. 10021

Application

Lizzie Strung, et al. Defendants.

The said Plaintiff represents that it would be but for the interest in 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 forthwith at the appraised value, which value is all said real estate is reasonably worth. Second, that to sell at private sale will save time and expense of advertising and sale at public sale. And they therefore ask for an order authorizing them to sell said real estate at private sale.

Wm. Zimmerman, Cora Zimmerman, Mrs. Scheider

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The State of Ohio, Union County, ss
 Mrs. Jimmema, Cora Jimmema, Mrs. Vera Scheiderer, being duly sworn, says, that the various matters set forth in the foregoing application are true, as they verily believe
 Mrs. Jimmema, Cora Jimmema, Vera Scheiderer
 sworn to before me, and signed in my presence, this 27th day of February, 1923. ~~not~~ Mand Pyles, Notary Public

Affidavit of Disinterested Persons

The State of Ohio, Union County, ss.
 Chas. D. Webb, and R. G. Guy, 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 whatsoever 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.
 Chas. D. Webb, R. G. Guy,

sworn to before me, and signed in my presence, this 27th day of February, 1923. ~~not~~ Mand Pyles, Notary Public

Journal Entry: Order approving appraisement, for Private Sale -
 Mrs. Jimmema, et al.

Probate Court, Union County, Ohio,
 February, 27th 1923,

Cora Jimmema and
 Vera Scheiderer, Executrix^s of
 The Estate of Jacob Scheiderer, Deed.
 Plaintiff

Lizzie Strong, et al. Defendants

Order of Sale.

This day came, the said Plaintiff, by their attorney, and produced, to the Court, the report of an appraisement herein made by M. E. Frank, George Gremell, and George Burns, 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 is further ordered, that the survey of said real estate described in the plaintiff's petition, be, and the same is hereby approved and confirmed. It is further ordered that the said Executor and Executrix^s be not required to give additional bond, as such herein. 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 executor and executrix^s, as such, proceed to sell said real estate, at private sale, for not less than \$20400.00 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.

H. H. Husted, Probate Judge

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Order of Sale

The State of Ohio, Union County, Probate Court,
to Wm Zimmerman, Nora Zimmerman ^{vs} New Scheidter, Executors;

In obedience to an order and decree of the Probate Court, within and for said county, made this day, in an certain cause, wherein you as Executor and executrix^s of the estate of Jacob Scheidter, deceased, are Plaintiff^s and Lizzie Streng et al, are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$20400⁰⁰ the appraised value thereof, the following described premises, to-wit: Situated in the State of Ohio, County of Union and Township of Darby, and being part of Surveys No. 7397, 12927, 4982, 3312, and 7245, and bounded and described as follows:

Beginning at the point of intersection of the center line of the Marysville and Loudon Gravel Road, with the south line of the P. C. C + St. L. right of way; thence with the line of said right of way N. 65° 15' W. 92.70 poles to a stake; thence S. 35° W. passing the south-west corner of Survey No. 4982, at 3.40 poles, ^{and} continuing with the west line of said Survey, No. 4982, 93 poles to a stone in the west line of said Survey and in the north line of lands owned by John George Burns; thence with the north line of said Burns' land S. 55° 45' E. 103.25 poles to a stone at a corner of said Burns' land and in the center of said Marysville and Loudon Gravel Road; thence with the center of said road N. 39° E. 25.65 poles to a stone, in the center of said road and at another corner of said Burns' land; thence with the north line of said Burns' land S. 49° 30' E. 122.50 poles to a stone south-west corner to the lands of George Scheidter, as conveyed to him in a deed from Jacob Scheidter, dated July 14 - 1913, and recorded in Union County Deed Record No. 101, page 217; thence with the west line of said George Scheidter's land as formed by said conveyance N. 34° E. 68.20 poles to a stone in the north line of Survey No. 12927; and, the south line of Survey No. 7245; thence with said Survey line N. 54° 15' W. 102.90 poles to a post in said Survey line and south-west corner of lands owned by L. W. Streng; thence with the west line of said Streng's land N. 27° 15' E. 25.35 poles to a stone in the southerly line of the right of way of the P. C. C. & St. L. Railway; thence with the said line of the said right of way N. 65° 15' W. 30 poles to the place of beginning, containing 117 acres, more or less.

Said sale to be private, and, to be upon the following terms: Cash in full, in hand, on day of sale.

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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 Mansfield, Ohio this 27th day of February A. D. 1923. *W. H. Husted*, Probate Judge.

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 27th day of February, 1923.

Wm Zimmerman, Cora Zimmerman, Vera Scheiderer

Report of Sale.

In obedience to the within order, I sold said premises on the 27th day of February, 1923, to *Wm M. Burns* for the sum of Twenty Thousand Four Hundred and twenty-eight ^{and 20/100} Dollars, said sum being more than the appraised value of the same.

Wm Zimmerman, Cora Zimmerman, Vera Scheiderer

Dated the 27th day of February, 1923.

The State of Ohio, Union County.

The above named *Wm Zimmerman, Cora Zimmerman, Vera Scheiderer* being duly sworn, say 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 they could get for said property. *Wm Zimmerman, Cora Zimmerman, Vera Scheiderer*

Sworn to before me and signed in my presence, this 27th day of February, 1923.

Milo L. Myers, Notary Public

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Orders approving and confirming Sale

Journal Entry. Orders approving and confirming Sale. Probate Court, Union County, Ohio.

Wm Zimmerman, Executor

Cora Zimmerman

Vera Scheiderer, Executrix of the estate of *Jacob Scheiderer, Decd.*

Lizzie Stenz, et al. Defendants.

Orders approving and confirming Sale.

February 27th 1923.

This day this cause coming on to a heard on the report of *Wm Zimmerman, Executor, Cora Zimmerman, and Vera Scheiderer, Executrix* of the estate of *Jacob Scheiderer, deceased*, of their proceedings and sale under the former order of this court; upon the motion of said petitioner to confirm the sale made in obedience to said order; the Court, having carefully examined said report, and finding the proceedings of said petitioners 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 petitioners execute a deed of all the right, title and interest of the said *Jacob Scheiderer, deceased*, in said real estate, to the purchaser, paying the purchase price of said real estate, to wit, the sum of \$20,428^{20/100}, in full, to the said plaintiff. It is further ordered

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Filed July 5th 1923 Match H. Moffitt attorney

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Petition

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that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$- within ten days.

W. H. Truett, Probate Judge.

10127

Filed
July 5th 1923
Math. H. Moffitt
attorney.

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio

F. G. Higgins, admr.,
of the estate of Ora Higgins, decd.
Plaintiff

vs. 10127

Civil action

F. G. Higgins,
Salona Virginia Higgins
Evelyn B. Higgins
Dorothy M. Higgins
Defendants

Petition to Sell Real Estate.

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of Ora Higgins late of Union County, Ohio deceased; that the amount of debts due from the deceased is three hundred and eighty (380-) Dollars, as near as they can be ascertained, general expenses \$160.⁰⁰ due on mortgages \$155.⁰⁰ and other \$53.⁰⁰ that the charges of administration of said estate will amount to about twenty-five (25-) 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.

Petition

The Plaintiff further represents that said Ora Higgins died seized in fee simple of the following described real estate, situated in the County of Union, State of Ohio, and in the Township of Washington, to wit: The undivided one-half interest in the following real Estate to wit: In the village of Byhalia beginning in the center of the Essex and East Liberty Pike 100 feet from the Gro Miller lot. Thence easterly along said pike 80 feet to the South east corner of A. T. Stout's land; thence northward along said Stout land 160 ft. to a stake; thence eastward parallel with said pike 80 feet to a stake; thence southward 185 feet to the place of beginning containing 1/3 acre, more or less. Plaintiff

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, and that the amount of said appraisement is - no - dollars.

The said decedent died leaving the defendant F. G. Higgins her widow, who is entitled to dower in said premises; that the defendants, F. G. Higgins, Salona Virginia Higgins, Evelyn B. Higgins Dorothy M. Higgins, are the only heirs at law of said

10127

decendent leaving the next estate of inheritance from said Ora Higgins deceased, in said premises, that the defendants F. H. Higgins, Salma Virginia Higgins, Evelyn B. Higgins, Dorothy M. Higgins,

The Plaintiff therefore prays, that the dower of said F. H. Higgins in said premises may be assigned and set off to him; that the rights, interests and liens of the said F. H. Higgins, W. H. Pense, may be fully determined, adjusted and protected according to equity, and, that your petition may be authorized and ordered in all said real estate full of said dower according to the statute in such case made and provided, and, for all other proper orders and relief in the premises.

F. H. Higgins, Adm. of the estate of Ora Higgins, Deceased, The State of Ohio, Union County,

F. H. Higgins, 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.

Done to before me, and, signed in my presence, this 5th day of July, 1923. H. H. Busted, Probate Judge, Probate Court, Union County, Ohio.

F. H. Higgins, adm. of the estate of Ora Higgins, Decd. Plaintiff vs. F. H. Higgins, Salma Virginia Higgins, Evelyn B. Higgins, Dorothy M. Higgins, Defendants.

Summons. To the Probate Judge: Issue summons for said Salma Virginia Higgins, Evelyn B. Higgins, Dorothy M. Higgins directed to F. H. Higgins, parent, returnable according to law. Note L. Moffitt, Plf's attorney.

Journal entry: In the Probate Court, of Union County, Ohio, July, 5th 1923. Case no. 10127

F. H. Higgins, Adm. of the estate of Ora Higgins, Decd. Plaintiff vs. F. H. Higgins, Salma Virginia Higgins, Evelyn B. Higgins, Dorothy M. Higgins, Defendants.

This day came, the Plaintiff F. H. Higgins, Adm. of the estate of Ora Higgins, filed and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Ora Higgins 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

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Summons

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Return of Service

10127

F. H. Higgins Estate

F. H. Higgins

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To each of the said defendants; and, this course is continued, H. H. Husted, Probate Judge, Summons on Petition to Sell Real Estate.

The State of Ohio, Union County, To F. H. Higgins, you are hereby commanded to notify Saloma Virginia Higgins, Evelyn B. Higgins and Dorothy M. Higgins minors making service of this summons upon said minors, and also upon the guardian, or father, or, if neither guardian or father can be found, then upon the mother, or the person having the care of said minors, or with whom they live; that on the 5th day of July, A.D. 1923, F. H. Higgins, Administrator of the estate of Oral Higgins 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 against said estate and that unless they answer by the 4th day of August 1923, said petition will be taken as true, and an order granted accordingly.

The server will make due return of this writ on the 16th day of July, 1923. This writ to be served on each of said defendants, by copy personally being served on them, Witness my hand and the seal of said Court, this 5th day of July, 1923. H. H. Husted, Probate Judge

Summons

10127

Return of Service. Recrind this writ on the 5th day of July, 1923, and on the 17th day, and in the manner herein after named. I served the same, on the within named defendants, viz: July 5th 1923 on, Saloma Virginia Higgins; Evelyn B. Higgins; Dorothy M. Higgins, and, as to the within named defendants who are minors, July 5th 1923, on F. H. Higgins the father of the said Saloma Virginia Higgins, Evelyn B. Higgins; Dorothy M. Higgins, the person having the care of, with whom live the said Saloma Virginia Higgins, Evelyn B. Higgins Dorothy M. Higgins. F. H. Higgins.

Return of Service

The above named, F. H. Higgins who has signed the same, being duly sworn, says the foregoing Return of Service is true as he really believes.

Sworn to before me, and signed in my presence, this 17th day of July, 1923. H. H. Husted, Probate Judge

10127

Wainor of Summons. F. H. Higgins, adms. of the Estate of Oral Higgins Decd. Plaintiff.

vs. F. H. Higgins, et al. Defendants. Wainor. Mr. the undersigned parties, Defendant, to the Petition

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in the above entitled action, do each of us hereby waive the issuing and service of Summons, and voluntarily enter our appearance, as such Defendants. And we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

July 5th A.D. 1923. F. G. Higgins
Application for appointment of Guardian ad litem,
Probate Court, Union County, Ohio,

F. G. Higgins, Adm. of the estate of Osa Higgins, Deceased, Plf't.

July 19-1923.

appl. for appt. of adm. ad litem

F. G. Higgins,
Saloma Virginia Higgins
Evelyn B. Higgins
Dorothy M. Higgins. Def'ts.

application for appointment of Guardian ad litem.

To the Hon. W. H. Husted, Judge of said Court:
The undersigned F. G. Higgins makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The defendants Saloma Virginia Higgins - age 14 years.
Evelyn B. Higgins age 13 years
Dorothy M. Higgins age 8 years

the age of fourteen years, and under, and have been duly served with summons, herein. The undersigned suggests that Lemuel P. Sherman, who is a suitable person be appointed as such adm. ad litem.

Respectfully, F. G. Higgins, adm.

Journal Entry: on appt. of adm. ad litem,
Probate Court, Union County, Ohio July 19-1923.
no. 10127

F. G. Higgins, adm. of the estate of Osa Higgins, Deceased, Plaintiff.

F. G. Higgins,
Saloma Virginia Higgins
Evelyn B. Higgins
Dorothy M. Higgins Defendants.

appointment of Guardian ad litem.

This day F. G. Higgins, 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 Saloma Virginia Higgins, age 14, Evelyn B. Higgins, age 13, Dorothy M. Higgins age 8, have been duly and legally served with summons herein. It is ordered that Lemuel P. Sherman be and he hereby is appointed Guardian for the suit, for said minor defendants. And now comes the said Lemuel P. Sherman, and in open Court accepts said appointment.

W. H. Husted
Probate Judge.

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F. G. Higgins
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Answer of Guardian ad litem

Probate Court, Union County, Ohio,
no. 10127

F. G. Higgins, Adm. of
The Estate of Ora Higgins, dec'd.
Plaintiff

F. G. Higgins, Saloma Virginia Higgins,
Evelyn B. Higgins,
Dorothy M. Higgins.
Defendants.

Lemuel P. Sherman, ad litem,
Answer of minor defendants.

and now comes the said Saloma Virginia Higgins Evelyn B. Higgins, Dorothy M. Higgins the minor defendants to the petition in said cause, by Lemuel P. Sherman, their Guardian ad litem, heretofore appointed in said cause by said Court, and for answer to said petition, deny all the material allegations herein contained, prejudicial to said minor defendants. They further say, that they are of tender years, and not acquainted with the law in such cases, and therefore pray the Court to protect their rights in this case, and for such relief as may be just.

Dated this 14th day of July, 1923.

Saloma Virginia Higgins, Evelyn B. Higgins, Dorothy M. Higgins,
By Lemuel P. Sherman, Edm. ad litem,
Answer of widow.

In the Probate Court of Union County, Ohio

F. G. Higgins, adm. of the
Estate of Ora Higgins, deceased,
Plaintiff.

no. 10127
Answer of widow

Proceeding to Sell Real Estate.

F. G. Higgins, et al, Defendants

and now comes F. G. Higgins 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 Ora Higgins deceased, and, as such, is entitled to dower in the premises described in said petition; that his age is 38 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 notes and bonds, 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. F. G. Higgins

The State of Ohio, Union County, ss.

F. G. Higgins being duly sworn, makes oath that the facts stated in the foregoing answer are as he believes, true.
F. G. Higgins

Sworn to by said F. G. Higgins, before me, and signed

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by me in my presence, this 7th day of August, 1923.
 W. H. Husted Probate Judge
 Application to Sell Real Estate at Private Sale.
 Probate Court, Union County, Ohio

F. G. Higgins, admr., of the
 estate of Ora Higgins, decd.
 Plaintiff

vs. 10127

F. G. Higgins et al. Defendants.

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

That the tract is a small lot and, scarcely rents for enough to pay taxes and the interest on the mortgage against it, and there is no personal property to pay debts of deceased, and he therefore asks for an order authorizing him to sell said real estate at private sale.

F. G. Higgins, admr.

The State of Ohio Union County.

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

Sworn to before me, and signed in my presence, this 6th day of August, A.D. 1923.
 W. H. Husted, Probate Judge.
 Affiant of Disinterested Person.

The State of Ohio Union County.

E. H. Dillon and Frank Gallier 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 heirs to sell said real estate at private sale than at public sale, as they verily believe.
 E. H. Dillon Frank Gallier

Sworn to before me, and signed in my presence, this 6th day of August, 1923.
 Wm. L. Moffitt, J.P.
 Journal Entry. Order for Private Sale.

10127

F. G. Higgins, admr., of the
 Estate of Ora Higgins, decd.
 Plaintiff

Probate Court, Union County, Ohio,
 August, 7- 1923.

F. G. Higgins, et al. Defs.

Order for Private Sale.

This day this cause came on to be heard upon the petition, evidence and testimony of F. G. Higgins, 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

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an true. That said Ora Higgins, 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 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 Ora Higgins, described in the petition, to pay debts. And, it being made to appear to the Court upon satisfactory evidence, that it would be more for the interest of said heirs to sell the real estate described in the petition at private sale. It is, therefore further ordered that said F. G. Higgins as such adwr., proceed to sell said real estate, free of dower, at private sale, for not less than \$500- the appraised value thereof, on the following terms, cash in hand, on day of sale. Said petitioner is ordered to make and return to this Court immediately after such sale is made, and this cause is continued.

W. H. Buxton, Probate Judge.

Order of Sale - Free of Dower.

The State of Ohio, Union County. Probate Court.

To F. G. Higgins - 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 adwr., of the estate of Ora Higgins deceased, are Plaintiff and, F. G. Higgins et al are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$500- the appraised value, thereof, free. The dower of F. G. Higgins widow, of Ora Higgins, deceased, the following described premises, to wit: Situate in the County of Union, State of Ohio, and, in the township of Washington to wit: The undivided one-half interest in the following real estate, situated in the village of Piquette; Beginning in the center of the Essex and East Liberty Pike, 100 feet from the Kro. Millers lot; thence easterly along said pike 80 feet to the south east corner of A. T. Stout's land; thence northward along said Stout land 160 feet to a stake; thence eastward 85 feet parallel with said pike to a stake; thence southward 185 feet to the place of beginning, containing 1/3 acre, more or less.

Said Sale to be private and to be upon the following terms cash. Purchaser, to assume mortgage now, on said lot, to W. H. Buxton. 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 6- day of August, 1923.

Return

To the Probate Court of Union County, Ohio:

In obedience to the foregoing order, I have caused the

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the same, to be duly executed, as will fully appear by the proceedings hereto attached. Dated the 7-day of Aug. 1923.
F. G. Higgins, admr.

Report of Sale.

In obedience to the within order, I sold said premises on the 7th day of August 1923 to John Rockhold, for the sum of Five hundred and fifty Dollars, said sum being above the appraised value of the same.
F. G. Higgins, admr., of estate of Ora Higgins, dec'd.

Dated the 7-day of August 1923.

The State of Ohio, Union County.

The above named F. G. Higgins, admr. of Ora Higgins, dec'd estate, 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. G. Higgins, admr.

Sworn to before me, and signed in my presence, this 7-day of August, 1923.
W. H. Husted, Probate Judge

Journal Entry: Probate Court, Union County, Ohio.

F. G. Higgins, admr. of the Estate of Ora Higgins, dec'd.
August 7-1923.

Plaintiff

F. G. Higgins et al. Defendants. Orders approving and confirming sale.

Confirmation

This day this cause coming on to be heard on the report of F. G. Higgins, admr. of the estate of Ora Higgins deceased, of his proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Ora Higgins, deceased, in said real estate, to the purchaser, upon terms of sale cash or balance after deducting mortgage of W. B. Bruce.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$- within ten days.
W. H. Husted Probate Judge

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Filed April 20th 1923.
Fletcher admr.
Fletcher attorneys.

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Fackler
attorneys.

Petition for Sale of Real Estate, to Pay Debts.
Probate Court Union County, Ohio.
No. 10078
Civil action

Pearl Pierce, adms., with the
will annexed, of the estate
of Harlow L. Clark, of
Richmond, Ohio, deceased.
Plaintiff

P.
Nora M. Harris,
Charles Arthur Clark,
Richard Spicer,
Robert Spicer,
Mary P. Pierce
Pearl Pierce
Susannah Daniels,
William Wallace Daniels,
Maude Clark.
Defendants.

Petition to
sell Real Estate.
Petition.

The Plaintiff represents that he is the duly appointed and qualified administrator with the will annexed of the estate of Harlow L. Clark, late of Richmond, Union County, Ohio, deceased; that the amount of debts due from the deceased is \$755.00, as near as they can be ascertained (a schedule of which debt is hereto attached marked Exhibit A) 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 One Hundred Forty-five and one-half Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Harlow L. Clark died seized in fee simple of the following described real estate, situated in the County of Union State of Ohio, and in the village of Richmond, to wit: Being lot number sixty (60) situate in the Village of Richmond, Ohio. For further description see recorded plat of said village in Recorder's Office, at Marysville, Ohio.

Schedule of debts, Exhibit A

Lloyd Winter	funeral expenses	\$ 235.00
Kunkle and Son	monument	150.00
Dr. Rambo	medical services	10.00
Costs of administration		350.00
Insurance on real estate		10.00
	Total	\$ 755.00

Plaintiff 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, and that the amount of said

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appraisement is Two thousand (\$2000-) Dollars. The said decedent died leaving Hattie J. Clark his widow, who was entitled to a life estate under his will, now deceased; that the defendants Cora M. Harris, Richard Spicer, Robert Spicer, Charles Arthur Clark, Harlow M. Spicer, all are devisees under the will except Richard and Robert Spicer, who take the share of their mother, Myrtle Spicer, deceased, who was a devisee under the will. Now the heirs of said decedent, leaving the next estate of inheritance from said Harlow L. Clark, deceased, in said premises, that the defendants Mary Pierce, Susan Mah Daniels are devisees under the will. That the defendant William Wallace Daniels purchased the interest of Harlow M. Spicer under the will and now has a deed for the same. All other defendants are husbands or wives of the devisees who are entitled to dower interests. The Plaintiff therefore prays, that your petitioner may be authorized and ordered to sell said real estate according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

Fackler and Fackler, attys. for Plaintiff

The State of Ohio, Union County,

Pearl Pierce, adm., with the will annexed, 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.

Subscribed and sworn to before me, and signed in my presence, this 20-day of April, A.D. 1923.

W. H. Husted Probate Judge

Receipts

Pearl Pierce, adm.,
with the will annexed,
of the estate of Harlow L. Clark,
Plaintiff

Probate Court, Union County, Ohio,
No. 10078
Civil action

Receipt

To the Probate Judge:

Issue summons for said Charles Arthur Clark, and Maude Clark is the Sheriff of Athens County, Ohio, Publish service upon Cora M. Harris and Richard Spicer for a period of six weeks in a paper of general circulation in the county. Issue summons to the sheriff of Athens County, Ohio, to serve upon the defendant Robert Spicer. Indorse on summons "action to sell real estate of decedent to pay debts" Fackler and Fackler, Plaintiffs, attys.

Journal entry: Filing Petition

In the Probate Court of Union County, Ohio

Pearl Pierce, adm., de bonis non, etc.,
of H. L. Clark deceased, Pett.
Cora M. Harris et al. Defs.

April 25 - 1923.

Journal entry

This day came Pearl Pierce, adm., de bonis non with the will annexed, of the estate of H. L. Clark, and, filed

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Journal Entry: Probate Court, Union County, Ohio.
 Pearl Pierce, admr., etc. of
 H. L. Clark, deceased.
 vs. Plaintiff

May 25th 1923,
 no. 10078

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Cora M. Harris,
 Charles Arthur Clark et al.
 Defendants.
 Order. Service By Publication.

This day came the Plaintiff, and, filed herein an affidavit under the statutes in that behalf for the purpose of procuring service by publication; and, it appearing to the Court that the Defendant, Richard Spicer is a non-resident of Ohio, that service of summons on him cannot be made in this State; that the residence of said Richard Spicer is 4104 Broadway Avenue, Chicago, Illinois, that the residence of said Defendant Cora M. Harris is unknown to the Plaintiff, that the heirs of H. L. Clark, deceased, defendants' or necessary parties and their names and residences are unknown to the Plaintiff, that also residences of such defendants are unknown to the Plaintiff cannot be with reasonable diligence be ascertained, and, that service of summons, on such defendants cannot be made; it is ordered, that proceedings against said unknown heirs 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.

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.

W. H. Husted, Probate Judge.

Summons on Petition To Sell Real Estate.

The State of Ohio Union County. Probate Court.
 To the Sheriff of Athens County, Ohio.

You are commanded to notify Charles Arthur Clark, and, Maude Clark, that on the 25th day of April 1923, Pearl Pierce admr., etc. of the estate of H. L. Clark, 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 against said estate, and that unless they answer by the 12th day of June, 1923, said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due

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return of this writ on the 7-day of May, 1923.
Witness my hand and the seal of said Court, this 25th day of
April, 1923. W. H. Busted, Probate Judge.

Sheriff's Return,

The State of Ohio, Athens County,

Received this writ, April 26, 1923, at 10 o'clock, a.m., and
pursuant to its command on the 26th day of April, 1923, I
served the within named Charles Arthur Clark, by per-
sonally handing him a true and certified copy of this
writ with all the endorsements thereon. And on the
same day I served Maud Clark, by leaving at her
residence a true and certified copy of this writ with all
the endorsements thereon. P. H. M. Linsley, Sheriff.

Sheriff's Fee.

Service and Return \$ 75
additional names - 25
3 miles - 89. 24 Total \$ 124

Summons on Petition To Sell Real Estate

The State of Ohio, Union County,

Probate Court,

To the Sheriff of Morrow County:

You are commanded to notify Robert (Spicer) Snider and
Geo. A. Snider, that on the 25th day of April 1923, Pearl B. Bower
(Adm'r., et al., of the estate of H. S. Clark, 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 against said
estate, and that unless they answer by the 12th day of
June, 1923, said petition will be taken as true, and an
order granted accordingly. Said Sheriff will make due
return of this writ on the 7th day of May, 1923.

Witness my hand, and the seal of said Court, this 25th
day of April, 1923. W. H. Busted, Probate Judge.

Sheriff's Return,

The State of Ohio, Morrow County,

Received this writ April 26th 1923, at 9 o'clock, a.m., and
pursuant to its command on April 27th 1923 I
served the within named, Robert (Spicer) Snider and Geo.
W. Snider by personally handing to each of them a
true and certified copy thereof with all the en-
dorments thereon. William R. Corwin Sheriff.

Service and Return \$ 75
additional names - 25
14 miles 89, 1.12.
Docket and Postage 27
Copies - 20

Total \$ 2.59

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Warrant of Summons. on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

No. 10078.

Pearl Pierce, adm. with will annexed, of the estate of H. L. Clark, deceased.

Plaintiff

vs. Eva M. Harris et al.

Charles Arthur Clark, et al. Defendants

Consent to Sell.

We the undersigned parties defendant to the Petition in the above entitled action, do each of us, hereby waive the issuing and service of summons, and voluntarily enter our appearance as such Defendants.

and, do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

April 20 - A.D. 1923.

William Wallace Daniels, Susanna Daniels, Pearl Pierce, Mary Pierce.

Journal Entry. Publication of Notice.

In the Probate Court of Union County, Ohio.

May 3 - 1923.

Pearl Pierce, adm. of the Estate of H. L. Clark, deceased.

Journal entry.

Richard Spicer and Eva M. Harris vs. Defendants.

Publication of Notice.

This day came Clarence E. Tackler, not. delivered to the clerk of the court copies of the Richmond Gazette, a newspaper of general circulation in Union County Ohio, containing a publication of notice of the pending and hearing of this action, and one copy was mailed this day to each of the following named persons, by the clerk of this court to wit: Richard Spicer (con) United States Navy.

Eva M. Harris, whereabouts unknown for 27 years - filed.

W. H. Busted, Probate Judge

10078

Legal notice.

Pearl Pierce, administrator de bonis non with the will annexed of Harlow L. Clark, Plaintiff. vs. Eva M. Harris - Charles Arthur Clark et al. Defendants. Case no. 10078. Richard Spicer

who resides at 7109 Broadway Av. in the city of Chicago, Illinois and Eva M. Harris whose residence is unknown, will take notice that Pearl Pierce, adm. de bonis non with the will annexed, of the estate of Harlow L. Clark, deceased, on the 25th day of April 1923, 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 the charges of administration of the estate; that he did seized in fee simple of the following described real estate to wit: Being Lot number sixty (60) situated in the village of Richmond, Ohio. For further description see recorded

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plat of said village in Recorder's Office, in Marysville, Ohio.
The prayer of the petition is that the plaintiff may be authorized and ordered to see the real estate according to the statute made and provided, and, for all other proper orders and relief in the premises. Richard Spicer, and Cora M. Harris 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 12th day of June, 1923.
Tucker ^{and} Tucker, attys. for plaintiff

May 3-1923 - 67.

State of Ohio Union County. Personally appeared before me, O. W. Krigley, and made oath that the notice, a copy of which is hereto attached, was published for six consecutive weeks on and after May 3-1923, in the Pickwood Gazette, a newspaper of general circulation in the county aforesaid. O. W. Krigley, known to before me and signed in my presence, this 24th day of May, A. D. 1923. Paul B. Van Winkle Notary Public

Application for appointment of Guardian ad Litem.

Pearl Pierce, admr., de bonis non of H. L. Clark, Deceased.

Probate Court Union County, Ohio
June 9th 1923.
application

vs.
Cora M. Harris - Charles Arthur Clark, et al. Defendants.

for appnt. of Guardian ad Litem

To the Hon. W. B. Husted, Judge of said Court.

The undersigned Pearl Pierce, admr., etc., of H. L. Clark, deceased, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case. The defendant Richard Spicer is above the age of fourteen years, and has been duly served with summons herein, by publication and has neglected for a period of twenty days to apply for a guardian ad litem. Robert Spicer is of the age of 13 years, and has neglected to make application. The undersigned suggests that Wm. L. Moffitt who is a suitable person be appointed as such Guardian ad litem.

Respectfully, Pearl Pierce admr., etc.,

Journal Entry: Probate Court Union County, Ohio, June 9th 1923.
Pearl Pierce, admr., etc, Plft. No.
Cora M. Harris, Charles Arthur Clark, et al. Defts. appnt. of Guardian ad litem.

This day Pearl Pierce, admr., etc., of H. L. Clark, decd., 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, Robert Spicer, age 13, and Richard Spicer, who is above the age of fourteen years, and, have been duly and legally served with summons

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to make application for a guardian ad litem, it is ordered that Wate L. Moffitt, be and he hereby is appointed guardian for the suit for said minor defendant. and, now comes the said Wate L. Moffitt, and, in open court, accepts said appointment.

W. H. Busted, Probate Judge.

Answer of Guardian ad litem.

Probate Court, Union County, Ohio, no. 10078

Pearl Pierce, admr. of the estate of W. L. Clark, dec'd.

Plaintiff.

vs. Cora M. Harris, et al. Defendants.

Answer of minor Defendants.

and now comes the said Robert Spicer, and, Richard Spicer, the minor defendants to the petition in said cause, by Wate L. Moffitt their Guardian ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations herein contained, prejudicial to said minor defendants.

They further say that they are of tender years, and, not acquainted with the law, in such cases, and, therefore pray the court, to protect their rights in this cause, and for such relief as may be just.

Dated this 9th day of June, 1923, Robert Spicer, Richard Spicer
By Wate L. Moffitt, Guardian ad litem.

Application to sell Real Estate at Private Sale, Probate Court Union County, Ohio, no. 10078

Pearl Pierce, admr. etc. of the estate of W. L. Clark, dec'd.

Plaintiff

vs. Cora M. Harris, et al. Def'ts.

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. It would dispense with the advertising costs,
2. The Plaintiff can sell it for the entire appraisement,
3. It will allow him to settle up the estate, in a short time,
4. It will allow the heirs to receive their share in a short time.

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

Pearl Pierce, admr. etc. W. L. Clark, estate,

The State of Ohio Union County, etc.

Pearl Pierce, plaintiff, being duly sworn, says, that the various matters, set forth in the foregoing application are true, as he verily believes.

Pearl Pierce,

Sworn to before me, and, signed in my presence, this 12th day of June, 1923.

W. H. Busted

W. H. Busted

Probate Judge

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Affidavit of Disinterested Persons,

The State of Ohio, Union County, ss.

J. F. Wood, and Bent Cahill, 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 H. L. Clark, to sell said real estate at private sale, than at public sale, as they truly believe. J. F. Wood, Bent Cahill.

Sworn to before me, and signed in my presence, this 12-day of June, 1923. ~~W. H. Busted~~ L. E. Frackler, Notary Public, Journal Entry; Probate Court, Union County, Ohio.

Pearl Pierce, admr., etc., of the Estate of H. L. Clark, Decedent. Plaintiff.

June 12th, 1923.

Bora M. Harris, Charles Arthur Clark, Defendants. Order for Private Sale, etc.

This day this cause came on to be heard upon the petition, evidence and testimony of the plaintiff Pearl Pierce, admr., etc., of estate of H. L. Clark, deceased, 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 H. L. Clark, deceased, did not leave a widow, entitled to dower, in the estate to be sold, and all 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 sell the real estate of said H. L. Clark 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 Pearl Pierce, admr., etc., of the estate of H. L. Clark, as such, admr., proceed to sell said real estate, free of dower, at private sale, for not less than the appraised value thereof, on the following terms - Cash. and said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

W. H. Busted, Probate Judge

Journal Entry; Pearl Pierce, admr., etc., of H. L. Clark, Decedent. Plaintiff.

Orders -

No. 10078

Journal Entry.

Bora M. Harris, Charles Arthur Clark, et al. Defendants.

Petition to Sell Real Estate Ordered.

10078

This day this cause came on to be heard upon the petition or the plaintiff, for the purpose of having the real estate herein described sold to pay the debts and costs of administration of the deceased; and, also, upon the return of summons, issued, and the answer of Walter D. Moffitt, guardian ad litem, appointed for the minor defendants, and the waiver and consent of most of the defendants and the default to answer of the others.

and the court being fully advised in the premises finds that all the defendants herein have been legally served with process, and that all have been notified of the pendency and prayer of the petition as prescribed by law.

The court further finds that the allegations of the petition are true and that it is necessary to sell the real estate in the petition described to pay the debts and costs of administration of the deceased.

and, it appearing to the court, that it would be to the interests of the said estate described in the above petition to be sold, at private sale, it is now ordered, that Pearl Pierce as such adu., de bonis non, etc., proceed to sell said real estate at private sale, at not less than the appraised value, thereof for cash.

The court further finds that the real estate described in the petition was appraised by the appraisers of the personal estate at two thousand dollars, and, the court also finds, that the bond heretofore given by the plaintiff as adu., etc., of the estate of H. L. Clark, in the amount of \$4000.00, dollars, is sufficient. It is therefore ordered that further appraisement and additional bond be dispensed with.

Dated June 12-1923. W. H. Husted, Probate Judge.

Order of Sale, without show.

The State of Ohio, Union County, Probate Court.

I, Pearl Pierce, adm., etc., of H. L. Clark, 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 Adu., etc., of H. L. Clark, dec'd., are Plaintiff and Cora M. Harris, Charles Arthur Clark et al are Defendants, you are commanded to proceed, according to law, to sell at private sale, for not less than the appraised value the following described premises, to wit: Being Lot number (60) sixty situated in the village of Richmond Union County, Ohio.

For further description see recorded plat of said Village in Recorder's Office at Marysville, Ohio. 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 Marysville, Ohio, this 12 day of June, A. D. 1923.

W. H. Husted, Probate Judge

Return

To the Probate Court of Union County, Ohio,

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the same to be duly executed, as will fully appear by the proceedings hereto attached. Dated the 27-day of June, 1923.

Pearl Pierce, admr. etc.

Report of Sale -

In obedience to the within order, I sold said premises on the 26-day of June, 1923, to William Wallace Daniels and Susannah Daniels, for the sum of Ten Thousand Dollars, said sum being, the appraised value of the same.

Pearl Pierce.

Dated the 27-day of June, 1923.

The State of Ohio, Union County.

The above named Pearl Pierce, admr. etc. 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. Pearl Pierce, Admr. etc. -

Known to before me, and signed in my presence, this 27-day of June, 1923.

W.H. Husted, Probate Judge.

10078

Pearl Pierce

adm. etc. of

H.C. Clark, Dec'd

vs. Pearl Pierce

Comptroller, et al

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Journal entry: Orders approving and confirming sale.

This day, this cause coming on to be heard, on the report

of Pearl Pierce admr. etc. of the estate of H.C. Clark deceased,

of his proceedings and sale under the former order of this

Court; and upon the motion of said petitioner to confirm

the sale made in obedience to said order; 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 H.C. Clark deceased,

in said real estate to the purchasers William Wallace

Daniels and Susannah Daniels.

It is further ordered that this proceeding be recorded,

and that said petitioner pay the costs therein taxed

at \$--

W.H. Husted Probate Judge

10097

Files

June 12th 1923

Wm. L. Myers

attorney.

Norman C. Bourne, Edm. of

Royce E. Harow, a lunatic.

Plaintiff

P.

His said Ward -

Royce E. Harow.

Ernest Harow, Dora Oppfuhls, adms.

The Citizens Home and Savings Co.

Defendants.

Guardian's Petition to Sell Real Estate

Probate Court, Union County, Ohio.

No. 10097

Petition to Sell Real Estate.

Petitioner.

10097

The Plaintiff represents that he is the duly appointed and qualified guardian of Royce E. Hawn, of the age of 76 years, on the -- day of -- and residing within Union County, Ohio, at Marysville, Ohio. That he was appointed as such guardian on the 24-day of January, 1923. That said ward is the owner in fee simple of the preceding described real estate situated in the county of Union, State of Ohio, and in the village of Marysville, to wit: Being the east one-half of In. lot no. 308, new number, old no. being 291 of said village, and being 33 feet wide also, a tract 2 rods long, north and south and 33 feet wide east and west, out of the south-east corner of In lot no. 309, new no. of said village.

Said real estate is worth annually One Hundred and Twenty and no/100 dollars. That said Plaintiff has received no rents from the real estate of his ward. That the income from said property is wholly insufficient to pay the taxes and assessments thereon, and keep said property in repair and that there is a mortgage lien on said real estate in favor of the defendant, The Citizens Home and Savings Company, the interest on said mortgage lien being due and unpaid, and no funds with which to pay.

That the sale of said real estate will be for the best interest of the estate of the said ward, and that the proceeds from said sale be used to pay said firm and the balance invested as may be ordered by the Court.

The plaintiff further alleges, that the said defendant, Ernest Hawn, and Dora Oppels, are the only children and heirs at law of his said ward, and that his said ward has no husband living who may be entitled to any dower interest in said real estate whatsoever.

The Plaintiff therefore prays, that Royce E. Hawn, Ernest Hawn and Dora Oppels and The Citizens Home and Savings Company, 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 uses.

Norman L. Bour. Esq.

The State of Ohio, Union County, ss

Norman L. Bour, 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.

Norman L. Bour.

Sworn to before me, and signed in my presence, this 11th day of June, 1923.

Wanda Myers, Notary Public,
Journal Entry: Order Fixing Time of Hearing and for Notice
Probate Court, Union County, Ohio.

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Norman C. Bourn, Edu. of
Roxie E. Bourn, a lunatic,
Plaintiff

June 12th 1923.

v-

Order for notice.

His Wards, et al, Defendants

This day came Norman C. Bourn, Guardian of Roxie E. Bourn, and 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 23rd day of June, 1923, at 9 o'clock, a. m. It is further ordered, that said Edu., cause notice thereof, and of the filing and demand of said petition, to be given to said Roxie E. Bourn, his ward, and to Ernest Bourn and Dora Opphile, being 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, ten days before said day of hearing and this cause is continued. W. H. Husted, Probate Judge

Wainor of summons

Probate Court, Union County, Ohio

Norman C. Bourn, Edu. of
Roxie E. Bourn, a lunatic,
Plaintiff

No. 10097

Civil action.

v-

Roxie E. Bourn et al, Defs. Wainor

We, the undersigned parties, defendant to the petition in the above entitled action, do each of us, hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such Defendants. June 12-1923.

The Citizens Home & Savings Co., By C. A. Hoopes; Dora Opphile; E. L. Bourn.

Order for Notice.

Probate Court, Union County, Ohio,

Norman C. Bourn, Edu. of
Roxie E. Bourn, Lunatic,
Plaintiff

No. 10097

Order for Notice.

His said Ward, et al, Defs.

To Norman C. Bourn, Guardian:

You are hereby ordered to give notice to Roxie E. Bourn, your ward, and The Citizens Home and Savings Company, Ernest Bourn and Dora Opphile, Defendants to your petition, this day filed in said Probate Court, for sale of the foregoing described real estate of said ward, of the filing of said petition and the time when the same will be heard; Such notice to be given at least ten days before the time hereinafter named for said hearing.

The real estate so asked to be sold is described

10097

as follows to wit: Bring the east one-half of In-lot No. 308 new number, old no. being 291 of said village, and bring 33 feet wide also a tract 2 rods long, north and south and 33 feet wide east and west, out of the south-east corner of In-lot No. 309, new no. of said village. 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 23rd day of June, A.D. 1923, at 9 o'clock A.M. Said Guardian will make due return showing how he served this order.

Witness my hand and the seal of said Court, at Marysville, Ohio, this 12th day of June, 1923. *W. B. Husted, Probate Judge.*
Return,

The State of Ohio, Union County.

I, Norman C. Bourn, Esq., being duly sworn, say, that on the 12th day of June, 1923, I served this writ by delivering a true copy thereof personally to the within named Roxie E. Haun, Norman C. Bourn, Guardian.

Sworn to before me, and signed in my presence, this 12th day of June, 1923. *Wm. C. Myers, Notary Public.*

Cross Petition of The Citizens Home and Savings Company,

In the Probate Court, Union County, Ohio.

Norman C. Bourn Guardian of Roxie E. Haun, Lunatic Plaintiff

The Citizens Home and Savings Company.

Roxie E. Haun et al. Defendants.

This defendant, The Citizens Home and Savings Company of Marysville, Ohio, says, that on the 5th day of December, 1921, the defendant, Roxie E. Haun, executed and delivered to this defendant, her promissory note for the sum of \$300.00 with interest at seven per cent from date; that there is now due on said note the sum of \$287.20 with interest at 7 per cent from June 12th 1923. On said date in order to secure the payment of said note and said Roxie E. Haun executed and delivered to this defendant her mortgage deed, thereby conveying the premises described in the petition, that said mortgage was duly filed for record with the Recorder of Union County, on the 8th day of December, 1921, at 2:30 P.M. 5 o'clock, and was by him duly recorded in book 88, page 37 or Mortgage Records of Union County, and is the first and last lien on said premises. Wherefore, this defendant prays that upon the sale of said premises its claim of \$287.20 with said interests be first paid out of the proceeds.

C. A. Hoopes, atty. for Citizens Home & Savings Co.

State of Ohio, Union County, ss.

C. A. Hoopes, being first duly sworn, says, that he is the attorney for the Citizens Home and Savings Company of Marysville, a corporation, that the facts stated and allegations made in

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the foregoing cross petition are true, as he verily believes.
C. W. Hoopes.

Sworn to before me, and subscribed in my presence, this 12-day of June, 1923.

Wm. L. Myers, Notary Public

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

Norman C. Bown, Edu. of

No. 10097

Roxie E. Hawn, Lunatic.

Plaintiff

Roxie E. Hawn, et al. Defts.

Order for appraisement.

This day this cause came on to be heard upon the petition, proofs and exhibits, 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 will be for the benefit of the said estate of the said Roxie E. Hawn, Lunatic, that her real estate as described in the said plaintiff's petition, be sold as prayed for therein. It is therefore ordered and adjudged by the Court, that the said real estate be appraised by the oaths of J. M. Fox, P. V. Engard and Harry Perfect, three judicious and disinterested freeholders of the vicinity, whom the Court hereby appoints for that purpose, and that they return their proceedings to this Court for confirmation.

W. H. Husted Probate Judge.

Order of Appraisement.

The State of Ohio Union County, ss.

Probate Court.

To Norman C. Bown, Edu. 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 Guardian of Roxie E. Hawn, Lunatic, an Plaintiff and Roxie E. Hawn, et al. are Defendants, you are commanded that by the oaths of J. M. Fox, P. V. Engard, and Harry Perfect, 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, therein, to-wit: Situated in the County of Union, State of Ohio, and in the village of Marysville.

Bring the east one-half of In-lot No. 308. (new number) 291 old number, and bring 33 feet wide. also, a tract two rods long north and south and 33 feet east and west out of the south-east corner of In-lot No. 309 (new number) of said village.

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 26-day of June, 1923

W. H. Husted

Probate Judge

Seal

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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 28-day of June, 1923.

Norman L. Bourn.

Oath of appraisers

The State of Ohio, Union County.

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 of J. M. Fox, P. T. Engard, Harry Perfect, appraisers.

Sworn to before me, and signed in my presence, this 28-day of June, 1923. Norman L. Bourn, Notary Public

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 \$1,000 One thousand Dollars.

Given under our hands, this 28-day of June, 1923.

J. M. Fox, P. T. Engard, Harry Perfect } appraisers.

Bond

Know all men by these Presents: That we, Norman L. Bourn, P. T. Engard, and E. S. Bourn, are held and firmly bound unto the State of Ohio, in the firm sum of Ten 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 28-day of June, A.D. 1923.

The Condition of the above obligation is such, that whereas, the above bound Norman L. Bourn, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Roxie E. Bourn

And whereas the said Norman L. Bourn, 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 thousand Dollars, and whereas, said Court,

on the 28-day of June, 1923, made an order requiring said Guardian to execute a bond according to the statute in such cases, made and provided, Now, if the said Norman L. Bourn, as such Guardian, 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.

Norman L. Bourn, P. T. Engard, E. S. Bourn.

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This bond approved in open court, this 28th day of June, 1923.
W. H. Husted, Probate Judge.

Journal entry: Order approving appraisement and for Bond.

Probate Court, Union County, Ohio,
June, 28th 1923.

Norman C. Bourn, Guardian,
of Royce E. Bourn, Linnatic.
Plaintiff.

Petition to Sell Real Estate.

v.

Order for Bond.

Royce E. Bourn, 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 J. W. Fox, P. Y. Engard, and Harry Request, 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 thereby is approved, and confirmed.

It is further ordered, that said Norman C. Bourn as such guardian execute within five days, to the State of Ohio, a bond with sufficient surety, to be approved by the court in the sum of Ten Thousand Dollars, conditioned according to law, and this cause is continued.

W. H. Husted, Probate Judge.

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

No. 10097.

Petition To Sell Real Estate.

Norman C. Bourn, Guardian, of
Royce E. Bourn, Linnatic.
Plaintiff.

v.

Application

Royce E. Bourn, et. al. Defendants.

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

First: that the appraised value, \$1000.00 is all that said real estate is reasonably worth.

Second: that to sell at private sale will save the costs, expenses, and time of a public sale.

Third: that said real estate can be sold forthwith at private sale for cash, in hand, on day of sale.

and, he therefore asks for an order authorizing him to sell said real estate at private sale.

Norman C. Bourn, Guardian, of Royce E. Bourn, Linnatic.

The State of Ohio, Union County, ss.

Norman C. Bourn, being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.

Norman C. Bourn,

Sworn to before me, and signed in my presence, this 28th day of June, 1923. W. H. Husted
Maud Pyles, Notary Public.

10097

affidavit of Disinterested Person

The State of Ohio, Union County ss.
P. T. Engard, and H. C. Perfect, 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 of the said Roxie E. Hawn Lunatic, to sell said real estate at private sale than at public sale, as they truly believe. P. T. Engard, H. C. Perfect.

Sworn to before me, and signed in my presence, this 28 day of June, 1923.

Wm. P. Pyle, Notary Public

Journal Entry:
Norman B. Bown, Guardian of
Roxie E. Hawn, Lunatic.

Probate Court, Union County, Ohio.
June 28th 1923.
Approving Bond

Roxie E. Hawn, et al. Defts.

Ordering Sale.

According to Sell Real Estate.

This day, this cause came on further to be heard, and it appearing to the court that the said Norman B. Bown the plaintiff above named, has given bond as heretofore ordered, in the sum of Two Thousand Dollars with Norman B. Bown, P. T. Engard, and E. S. Bown, freeholders as sureties, it is ordered that said bond be and hereby is approved.

And it is 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 ordered, that said Norman B. Bown, as such guardian, proceed according to law to sell at private sale, the real estate described in the petition, for not less than the appraised value of said real estate, 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.

W. H. Husted, Probate Judge.

Order of Sale.

The State of Ohio, Union County.

Probate Court.

To Norman B. Bown, Guardian;

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 Guardian of Roxie E. Hawn, Lunatic, an Plaintiff and Roxie E. Hawn, et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$1000.00 the appraised value thereof, the following described premises, to wit:

Situated in the County of Union State of Ohio, and in the village of Marysville, Land, Being east one-half of In-lot no. 308 (new number) 291 (old number) and being 33 feet wide.

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also, a tract 2 rods long, north and south and 33 feet east and west, out of the south-east corner of In-lot 309 (new number) of said village. Said sale to be private, and, to be upon the following terms: 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. ^{sent} Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 28th day of June, A.D. 1923.
 W. H. Husted, Probate Judge.
 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 28th day of June, 1923.
 Norman C. Bourn, Edr.

Report of Sale.

In obedience to the within order, I sold said premises on the 28th day of June, 1923, to Mary Rogers, for the sum of One Thousand Dollars said sum being the appraised value of the same. And she assumes and agrees to pay, in full, all taxes and assessments thereon, due and payable, December 20th, 1923, and thereafter.
 Norman C. Bourn, Guardian.

Dated the 28th day of June, 1923.

The State of Ohio, Union County

The above named Norman C. Bourn, being duly sworn, says that the 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.
 Norman C. Bourn, Edr.

Done to before me, and signed in my presence, this 28th day of June, 1923. ^{sent} Maud Piers - Notary Public
 Journal Entry: Probate Court, Union County, Ohio.

Norman C. Bourn, Edr. of June 28th 1923.
 Roxie E. Haun, Sinitic, Plaintiff
 vs.
 Roxie E. Haun, et al. Defendant

Orders of Confirmation, Distribution.
 This day this cause came on to be heard on the report of Norman C. Bourn, Guardian of Roxie E. Haun, Sinitic, 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

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all the right, title and interest of the said Roxie E. Brown in said real estate, to the purchaser, Mary Rogers, upon the said purchaser paying the cash therefor, in full. 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 One thousand dollars; The Court finds that there is due the said The Citizens Home and Savings Company upon the note set forth in its answer and cross-petition from the said Roxie E. Brown, the sum of \$297.³² with interest from the date of this entry; that the said Roxie E. Brown, 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 Guardian, 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 Guardian out of the money in his hands, pay: First: To the treasurer of this county, the sum of \$34.⁰⁰ being the taxes, penalty and interest thereon against said property due June 20th 1923. Second: the cost and expenses incurred in the sale of said property, including an attorney fee of \$40.⁰⁰ to Mrs. L. Myers, and \$25.⁰⁰ the percentage of said Norman C. Brown herein, amounting to the sum of \$82.⁰⁰ including \$1.⁰⁰ revenue on deed.

Third: To the Citizens Home and Savings Company on the note and mortgage set forth and described in its answer and cross-petition herein, the sum of \$297.³² which the Court finds to be the amount due it.

Fourth: The balance of the proceeds of said sale amounting to the sum of \$586.³⁸ it is ordered that the said Guardian hold until further ordered by the Court.

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.

W.H. Husted, Probate Judge

10119
Filed

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

June 20-1923
Edward W. Porter
attorney.

vs.
Mrs. Margaret Coleman,
Leo L. Coleman,
Carl L. Coleman, and
John Dana Coleman and
Martina Margaret Coleman *Deponents.*

No. 10119
Civil Action.

Petition to Sell Real Estate
Petition.

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The Plaintiff's represent's that they are the duly appointed and qualified administrators of the estate of John Martin Coleman, late of Union County, Ohio, deceased: that the amount of debts due from the deceased is thirteen thousand, and five hundred and no. 00 Dollars, as near as they can be ascertained, that the charges of administration of said estate will amount to about one hundred (\$100.) Dollars, and that the total value of the personal estate and effects of said deceased is but Four thousand Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said John Martin Coleman, died seized in fee simple, of the following described real estate, situated in the County of Union, State of Ohio, and in the Township of Paris, to wit:

First Tract: Situated in the Township of Paris, County of Union, and, State of Ohio, and, bounded and described as follows: Beginning at a stone in the center of the Marysville and New California Grant Road, and at the southerly corner of Martin L. Coleman's 100 acre tract of land: Thence with the southerly line of said land, N. 41° 30' E. 115.20 poles to a stone in the north line of said Survey: Thence with said Survey line N. 80° 45' E. 106 poles, to a stone at the northerly corner of John H. Coleman's 95-acre tract: Thence with two consecutive lines of said tract S. 4° E. 45.50 poles to a stone; Thence S. 50° W. 160 poles to a stone in the center of said road; thence with the center of said road N. 48° 30' W. 84.50 poles to the beginning, containing 95-acres, more or less. part of Survey No. 2254, Sec: Vol. 87 page, 36. Union County Record of Deeds, in Recorder's office, Marysville, Ohio.

Second Tract: Situated in the County of Union, State of Ohio, and in the Township of Paris, part of Survey, No. 2254, 2256, 3350, and, 3351, and bounded and described as follows:- Beginning at a stake in the center of the Marysville and Watkins grant road, and, in the west line of Survey, No. 3350. (witness a stone S. 16° 15' E. 20 feet): Thence S. 54° E. 43 poles with the center of said road to a stake at the north west corner of John Scheiderer's land (witness a stone S. 7° E. 20 feet): Thence with the West line of said Scheiderer's land S. 7° E. 180.60 poles to a stake in the south line of Survey, No. 3350 across the north of Survey, No. 2254: Thence with said survey line N. 85° E. 100 poles to a stone, northerly corner to Mary C. Coleman's land: Thence with said Coleman's north line S. 41° W. 115.20 poles to a stone in the center of the Marysville and New California grant road: Thence with the center of said road, N. 49° W. 154 poles to a stone, southerly corner to John Oppihli's land: Thence

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with two consecutive lines of said Oppihlis land, N. 48° E. 55.20 poles to a stone in the east line of Survey No. 3351; thence with said Survey N. 6° 15' W. 124.60 poles to the beginning, containing 100 ⁸⁵/₁₀₀ acres, more or less.

Plaintiff 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, and that the amount of said appraisement is, Twenty-eight thousand Two hundred and Seventy five dollars.

The said decedent died leaving the defendant Anna Margaret Coleman, his widow, who is entitled to dower in said premises; that the defendants, Leo L. Coleman, Carl L. Coleman, John Dana Coleman, minor, and Martina Margaret Coleman, also a minor, are the only heirs at law and next of kin of said decedent having the next estate of inheritance from said John Martin Coleman, deceased, in said premises.

The Plaintiff therefore prays that the dower of said Anna Margaret Coleman, 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 free of said dower, according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

Leo L. Coleman

The State of Ohio, Union County.

Leo L. Coleman, one of 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.

Leo L. Coleman.

Sworn to before me, and signed in my presence, this 12 day of June, A. D. 1923.

Probate Court, Union County, Ohio.

Leo L. Coleman, and Carl L. Coleman,

No. 10119 Civil Action

Advers of the Estate of John Martin Coleman, Dec'd.

To the Probate Judge:

Plaintiff, against Anna Margaret Coleman, et al. Defts, as aforesaid.

Issue summons for said John Dana Coleman, and Martina Margaret Coleman, minors

making service upon said minors, and also upon the guardian, or father, or, if neither guardian or father can be found, then upon the mother, or the person having the care of said minors, or with whom they live, notifying them that this petition has been filed against them and others, to obtain order for the sale of real estate to pay debts of said estate, directed to Leo L. Coleman, of said County, returnable according to law.

Eduard W. Potter

Plaintiff's attorney.

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Journal Entry: In the Probate Court of Union County, Ohio.
Lrs. L. Coleman and Carl L. Coleman, adms. June, 20th 1923
Estate of John Martin Coleman, deceased. Case no. 10119
Plaintiff

p.
Anna Margaret Coleman,
Lrs. L. Coleman, ^{ans.}
John Darral Coleman, ^{ans.}
Martina Margaret Coleman, minor.
Defendants

Journal Entry
Filing Petition to
Sell Real Estate.

This day came the Plaintiff Lrs. L. Coleman and Carl L. Coleman, adms., of the estate of John Martin Coleman, decd., and, presented to this court their petition, duly verified, praying an order for the sale of real estate of the said John Martin Coleman, 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. W. Husted, Probate Judge.

Warrant of Summons, on Petition to
Sell Real Estate.

Lrs. L. Coleman and Carl L. Coleman,
adms., of the Estate of
John Martin Coleman, Decd.
Plaintiff

Probate Court, Union County, Ohio.

no. 10119
According to Sell Real Estate

p.
Anna Margaret Coleman, et. al.
Defendants

Warrant of Summons,
^{ans.}
Consent To Sell.

We, the undersigned parties defendant to the Petition in the above entitled action, do each of us hereby waive the issuing and service of Summons, and voluntarily enter our appearance as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same. June 27th A. D. 1923.

Anna Margaret Coleman, Lrs. L. Coleman, Carl L. Coleman,

Summons on Petition to Sell Real Estate

The State of Ohio, Union County To Lrs. L. Coleman,
you are hereby commanded to notify Anna Margaret Coleman, and the following named who are minors, to wit: John Darral Coleman, and Martina Margaret Coleman, making service of this summons, upon said minors, and, also upon

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the guardian or father, or if neither guardian or father can be found, then upon the mother, or the person having the care of said minors, or with whom they live: that on the 20th day of June, A.D. 1923, Leo L. Coleman, and Carl L. Coleman, Adams, of the estate of John Martin Coleman, 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 28th day of July, 1923, said petition will be taken as true, and an order granted accordingly. The server will make due return of this writ on the 9th day of July, 1923.

This writ to be served on each of said defendants, by copy personally, ~~at~~ Witness my hand and the seal of said Court, this 27th day of June, 1923. W.H. Husted.

Probate judge and ex officio clerk of the Probate Court of said Co.
Return of Service.

Received this writ on the 27th day of June, 1923, at one o'clock P.M., and on the days and in the manner hereinafter named. I served the same on the within named defendants viz: June 27th 1923, on Anna Margaret Coleman, and as to the within named defendants who are minors, June 27th 1923 to John Dana Coleman personally and to Martina Margaret Coleman, personally, and on Anna Margaret Coleman, the mother of the said John Dana Coleman, and Martina Margaret Coleman, minors, they having no guardian, and their father being deceased.

Leo L. Coleman,

The above named Leo L. Coleman, who has signed the same, being duly sworn, says the foregoing Return of Service is true as he really believes. Sworn to before me, and signed in my presence, this 9th day of June, 1923.

Edward M. Porter ^{Notary Public} Union County, Ohio
Assessor of Widow.

Leo L. Coleman, ^{and} Carl L. Coleman,
Adams, of the estate of
John Martin Coleman, deceased.
vs
Plaintiff

In the Probate Court of Union Co., Ohio,
vs. 10119

Assessor of Widow

Anna Margaret Coleman, et al
Defendants
vs. Real Estate.

And now comes Anna Margaret Coleman, 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 John Martin Coleman, deceased, and, as such is entitled to dower in the premises described

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in said petition; that her age is 46 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.

Anna Margaret Coleman.

The State of Ohio, Union County.

Anna Margaret Coleman, being duly sworn makes oath, that the facts stated in the foregoing answer are as she believes, true.

Anna Margaret Coleman.

Done to by said Anna Margaret Coleman, before me, signed by her in my presence. This 18 day of July, A.D. 1923.

Edward W. Porter, Notary Public, Union Co. Ohio

Application for appointment of Guardian ad Litem.

Probate Court, Union County, Ohio.

Geo. L. Coleman, ^{ad.} Carl L. Coleman, ^{ad.}
advs., of the Estate of
John Martin Coleman, Dec'd
vs.
Anna Margaret Coleman, et al.
Def'ts.

September 14th 1923.
Application for
appt. of Guardian ad Litem.

To the Hon. W.H. Husted, Judge of said Court:
The undersigned Geo. L. Coleman, and Carl L. Coleman, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case. The defendants John Dana Coleman, and Martina Margaret Coleman are over the age of fourteen years, and have been duly served with summons herein. The undersigned suggests that Richard B. Thrall who is a suitable person be appointed as such Guardian ad litem.

Respectfully,

Geo. L. Coleman. Carl L. Coleman.

Journal Entry: Probate Court, Union County, O. Sept. 14th 1923.
No. 10119
Geo. L. Coleman ^{ad.}
Carl L. Coleman, advs.
of the Estate of
John Martin Coleman, Dec'd
vs.
Anna Margaret Coleman, et al.
Defendants.

appt. of Guardian ad Litem.

This day Geo. L. Coleman, and Carl L. Coleman 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

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the defendants, John Dana Coleman, and Martina Margaret Coleman, minors over the age of fourteen years, and have been duly and legally served with summonses herein, it is ordered that Richard C. Thrall, he and he hereby is appointed Guardian for the suit for said minor defendants, and now comes the said Richard C. Thrall, and in open court, accepts said appointment.

W.H. Husted, Judge.

Affirm of Guardian Ad Litem.

Srs. L. Coleman, ^{and} Carl L. Coleman.
Adms. John Martin Coleman, decd.
v. _{Plffs.}

Probate Court, Union County, Ohio,
no. 10119

Anna Margaret Coleman, et al.

Defts.

Affirm of minor Defendants,

And now comes the said John Dana Coleman, and Martina Margaret Coleman, the minor defendants to the petition in said cause by Richard C. Thrall, their Edu. ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations herein contained, prejudicial to said minor defendants. They further say, that they are of tender years, and not acquainted with the law in such cases, and therefore pray the Court, to protect their rights in this cause, and for such relief as may be just. Dated this 14 day of September, A.D. 1923

John Dana Coleman, Martina Margaret Coleman.
By Richard C. Thrall, Edu. ad litem

- Application To Sell at Private Sale -

Probate Court Union County, Ohio,
no. 10119

Srs. L. Coleman, ^{and} Carl L. Coleman.
Adms. of the Estate of
John Martin Coleman, Deced.
v. _{Plaintiffs.}

Anna Margaret Coleman, et al.
Defendants.

Application.

Proceeding to sell Real Estate.

The said Plaintiffs represent 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. Because at private sale it must be sold for as much as the appraisement, whereas at public sale it might be sold for two-thirds of the appraisement only. 2. It will save the costs of advertising. 3. Because a purchaser has already been secured, who will pay the appraised value. And they therefore ask for an order authorizing them to sell said real estate at private sale. Srs. L. Coleman. Carl L. Coleman. Adms. of said estate, as aforesaid.

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The State of Ohio, Union County.
Geo. L. Coleman, one of the administrators herein, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.

Geo. L. Coleman.

Known to before me, and signed in my presence, this 14th day of September, 1923. ^{seal} Edward W. Porter

Notary Public, Union County, Ohio.

Affidavit of disinterested person.

The State of Ohio, Union County.

Jos. Coff. L. W. Hazen, and H. E. Conkright 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 said estate, as aforesaid, to sell said real estate at private sale than at public sale, and for the reasons given herein, so they verily believe. Jos. Coff. L. W. Hazen, H. E. Conkright

Known to before me, and signed in my presence, this 14th day of September, 1923. Edward W. Porter, Notary Public, Union Co., O. ^{seal}

Journal Entry:

September 14th 1923.

Geo. L. Coleman, ^{and} Carl L. Coleman, vs. 10119

Journal Entry,

Administrators of the estate of John Martin Coleman, Dec'd., Plaintiffs

Journal Entry,

application to sell at

Private Sale.

Anna Margaret Coleman, et al.

Defendants

Orders.

This day this cause came on to be heard upon the petition of the plaintiff, 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 return of summons issued, and the answer of Richard B. Thrall, guardian ad litem, as well as by the answer of Anna Margaret Coleman, widow of said deceased, and the Court being fully advised in the premises finds that all the defendants herein have been legally served with process and that Geo. L. Coleman, and Carl L. Coleman, have entered their appearance herein in writing; and that all have been notified of the pendency and prayer of the petition as prescribed by law. And, the Court further finds that Anna Margaret Coleman, widow of the said John Martin Coleman, deceased, claims 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

10119

premises such a 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.

The court further finds that the real estate in the petition described was appraised by the appraisers of the personal estate at \$ 28,275.⁰⁰ and the court also finds that the bond heretofore given by the administrators of the estate of John Martin Coleman, deceased, is sufficient. It is therefore ordered that further appraisement and additional bond be dispensed with.

and it further appearing to the court that it would be to the interest of the said estate to sell the real estate described in the above petition up private sale, it is now ordered that said Leo L. Coleman, and Carl L. Coleman, as such administrators proceed to sell said real estate at private sale, at not less than the appraised value thereof, in the following terms: cash in hand, on delivery of deed.

W.H. Kusted, Probate Judge.

Order of Sale. Sale of Dower.

The State of Ohio, Union County, Probate Court.

To Leo L. Coleman, and Carl L. Coleman, admors., of the estate of John Martin Coleman, deceased. Greeting:

In obedience to an order and decree of the Probate Court within and for said county, made this day, in an certain cause wherein you as admors. of the estate of John Martin Coleman, deceased, are Plaintiff and Anna Margaret Coleman 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 Anna Margaret Coleman, widow of John Martin Coleman, deceased, the following described premises, to wit: situated in the County of Union, State of Ohio, and, in the Township of Paris, and bounded and described as follows:

First Tract: Situated in the Township of Paris, County of Union, and, State of Ohio, and, bounded and described as follows: Beginning at a stone in the center of the Marysville and New California Trunk Road, and at the southerly corner of Martin L. Coleman's 100-acre tract of land; thence with the southerly line of said land N. 41° 30' E. 115.20 poles to a stone in the north line of said Survey; thence with said Survey line N. 80° 45' E. 106 poles to a stone at the northerly corner of John H. Coleman's 95-acre tract; thence with two consecutive lines of said tract S. 4° E. 45.50 poles to a stone; thence S. 50° N. 160 poles to a stone in the center of said road; thence with the center of said road, N. 45° 30' W. 84.50 poles to the beginning, containing 95

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acres more or less, part of Survey No. 2254
 See Vol. 81, page 36, Union County, Record of Deeds, in
 Recorder's office, Marysville, Ohio.
 Second Tract: Situated in the County of Union, State of Ohio, and
 Township of Paris, being part of Surveys, nos. 2254, 2256, 3350,
 and 3351, and, bounded and described as follows:—
 Beginning at a stake in the center of the Marysville and
 Watkins grant road; and in the west line of Survey
 No. 3350 (witness a stone S. 16° 15' 20 feet); thence S. 84° E.
 43 poles with the center of said road to a stake at
 the north west corner of John Scheider's land (witness
 a stone S. 7° E. 20 feet); thence with the west line of said
 Scheider's land, S. 7° E. 181.60 poles to a stake in
 the south line of Survey no. 3350, across the north Survey
 no. 2254; thence with said Survey line N. 85° E. 100
 poles to a stone, northerly corner to Mary C. Coleman's
 land; thence with said Coleman's north line S. 41° N. 115.20
 poles to a stone in the center of the Marysville and New
 California Grant Road; thence with the center of said road
 N. 49° W. 154 poles to a stone, southerly corner to John
 Oppihle's land; thence with two consecutive lines of said
 Oppihle's land, N. 48° E. 55.20 poles to a stone in the east
 line of Survey no. 3351; thence with said Survey line N. 6'
 15' W. 124.60 poles to the beginning,
 containing 100 ⁵⁵/₁₀₀ acres, more or less.

Said sale to be free of the debts of said widow herein
 and to be upon the following terms: Cash in hand on
 delivery of deed. God 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 14-day of Sept. 1923.
 W. H. Husted, Probate Judge.

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 18-day of September 1923.
 Leo L. Coleman, Carl L. Coleman.

Report of Sale.

In obedience to the within order, I sold said
 premises on the 18-day of September 1923 to Anna
 Margaret Coleman, for the sum of Twenty-eight Thousand
 Five Hundred and Seventy-five dollars, said sum
 being the appraised value of the same.
 Leo L. Coleman, Carl L. Coleman.
 Dated the 18-day of September, 1923.
 The State of Ohio, Union County,
 The above named Leo L. Coleman and Carl L. Coleman,

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Sworn to before me, and signed in my presence. This 18-day of September, 1923. Edward W. Porter, Notary Public, Union County, O.
 Journal Entry: Probate Court, Union County, Ohio.
 vs. L. Coleman, and Carl L. Coleman, September, 18th 1923.
 adms. of the estate of John Martin Coleman deceased.
 Plaintiff

Anna Margaret Coleman, et al. Order of Confirmation, Distribution, etc.
 Defendants.

This day, this cause came on to be heard on the report of Carl L. Coleman, and L. Coleman, adms. of the estate of John Martin Coleman, dec'd of their proceedings under the former order of this Court, and upon the motion of said petitioners to confirm the sale made in obedience to said order; and the Court, having carefully examined said report, and finding the proceedings of said petitioners 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 petitioners execute a deed of all the right, title and interest of the said John Martin Coleman deceased, in said real estate, to the purchaser Anna Margaret Coleman, upon the said purchaser, executing to said adms., a mty. 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 --- Dollars, and the said Anna Margaret Coleman, 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 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 Six thousand five hundred and ⁸⁴/₁₀₀ Dollars.

It is further ordered that said Administrators out of the money in their 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 \$ 50.00 to Edward W. Porter, and \$ -- the percentage of said adms., herein amounting to the sum of \$ --- Third: To Anna Margaret Coleman, widow the sum of \$ 6,500.⁸⁴, which the Court finds to be the value of

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her down 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 costs herein taxed at \$ --- out of the proceeds of said sale within ten days
W. H. Husted Probate Judge.

10112
Files

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio,

no. 10112.

Civil Action

James, 20-1923
Edward W. Porter
attorney.

Elizabeth E. Staley, admx.,
of the estate of
L. Merrill Staley, deceased.
Plaintiff.

v-

Elizabeth E. Staley, suv.
John M. Staley, in minor.
Defendants.

Petition

The Plaintiff represents that she is the duly appointed and qualified admx. of the estate of L. Merrill Staley late of Union County, Ohio, deceased; that the amount of debts due from the deceased is three thousand ^{and 22/100} as near as they 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 --- dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said L. Merrill Staley died seized 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 village of Marysville. To-wit: Beginning at a stake in the center of the Marysville and Marion Grant Road, at the north-west corner of the land conveyed by J. C. Spurrier to E. W. Spurrier and Bertude H. Spurrier, October 4th 1906; thence S. in the line of said road 51 1/2 feet to a stake; thence 340 feet parallel to the north line of land conveyed by J. C. Spurrier to Emery A. Spurrier and Bertude H. Spurrier, his wife, October 4th 1906; thence N. parallel with the line of the Marysville and Marion Grant Road 51 1/2 to a stake; thence N. 340 feet to the place of beginning, containing 40/100 acres, more or less.

Plaintiff 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

10112

personal estate of said decedent, and that the amount of said appraisement is nineteen hundred (\$1900.00) Dollars.

The said decedent died leaving the defend out, Elizabeth E. Staley, his widow who is entitled to dower in said premises; that the defendants, John M. Staley is the only heir at law and next of kin of said decedent, having the next estate of inheritance from said L. Merrill Staley, deceased, in said premises.

The Plaintiff therefore prays, that the dower of said Elizabeth E. Staley, in said premises, may be assigned and set off to her; that the rights, interests and liens of the said John M. Staley 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 of said dower, according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

Edward H. Porter, atty. for Plaintiff

The State of Ohio, Union County.

Elizabeth E. Staley 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 her knowledge and belief.

Elizabeth E. Staley, admx., as aforesaid.

Sworn to before me, and signed in my presence, this 20th day of June, A.D. 1923. Edward H. Porter, Notary Public, Union Co., Ohio Probate Court, Union County, Ohio.

Elizabeth E. Staley, admx., of the estate of L. Merrill Staley, deceased, Plaintiff

No. 10112
Civil Action.

Specific

Elizabeth E. Staley, et al. Defendants,

To the Probate Judge:

Issue summonses for said John M. Staley minor, as aforesaid, making service upon said minor, and also upon the guardian or father, or if neither guardian or father can be found, then upon the mother, or the person having the care of said minor, or with whom he lives, notifying him that this petition has been filed against him and others, to obtain an order for the sale of real estate in which he is interested to pay the debts of said estate directed to Elizabeth E. Staley of said County, returnable according to law.

Edward H. Porter, Plft., attorney.

Journal Entry:
Elizabeth E. Staley, admx. of L. Merrill Staley, deceased. Plft.

In the Probate Court of Union County, Ohio
Wednesday, June, 20th 1923,
No. 10112.

Elizabeth E. Staley, vs. John M. Staley minor. Plft.

Journal Entry.
Filing Petition To Sell Real Estate.

This day came the Plaintiff Elizabeth E. Staley, administratrix of the estate of L. Merrill Staley, deceased, and,

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presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said L. Merrill Staley 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.

W. H. Busted, Probate Judge.

Answer of Widow.

In the Probate Court of Union County, Ohio,

Elizabeth E. Staley, admx. of the Estate of L. Merrill Staley, Decd.

no. 10112.

Answer of Widow.

Plaintiff

Elizabeth E. Staley, et al. Defendants. Proceeding to Sell Real Estate.

and now comes Elizabeth E. Staley 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 L. Merrill Staley deceased, and as such is entitled to dower in the premises described in said petition; that her age is 29 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 accorded and paid her in money out of the proceeds of such sale, as the Court may deem reasonable.

Elizabeth E. Staley.

The State of Ohio, Union County ss.

Elizabeth E. Staley being duly sworn, makes oath that the facts stated in the foregoing answer are as she believes, true.

Elizabeth E. Staley.

Done to by said Elizabeth E. Staley before me, and signed by her in my presence, this 20th day of June, A. D. 1920.

Eduard W. Porter, Notary Public, Union Co., Ohio.

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appl. for appnt. of Edm. ad. litem.

Probate Court, Union County, Ohio,

Elizabeth E. Evans, admx. of the Estate of L. Merrill Staley, deceased. Plaintiffs

June 20th 1923.

application for.

appnt. of Edm. ad. litem.

Elizabeth E. Staley, et al. Defendants.

To the Hon. W. H. Busted, Judge of said Court:

The undersigned Elizabeth E. Staley makes application for the appointment of a Guardian ad litem for the

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his minor defendant in the above entitled case. The defendant John M. Staley, who is a minor under the age of fourteen years, and has been duly served with summons herein. The undersigned suggests that Ellis Gross, who is a suitable person be appointed as such Guardian ad litem.

Respic. Elizabeth E. Staley, aduix.,

Journal entry: Probate Court, Union County, Ohio, June 20th 1923. Elizabeth E. Staley aduix., of the Estate of L. Merrill Staley, deceased.

Plaintiffs appointment of Elizabeth E. Staley, et al. Defendants. Guardian ad litem.

This day Elizabeth E. Staley 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 John M. Staley under the age of fourteen years, and has been duly and legally served with summons herein; it is ordered that Ellis Gross be and he hereby is appointed Guardian for the said minor defendant. and now comes the said Ellis Gross and in open court accepts said appointment.

W.H. Husted, Probate Judge.

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Summons on Petition To Sell Real Estate

The State of Ohio, Union County, To Elizabeth E. Staley,

Summons.

You are hereby commanded to notify the following named who is a minor, to wit: John M. Staley, making service of this summons upon said minor, and also upon the guardian, or father, or if neither guardian or father can be found, then upon the mother, or the person having the care of said minor, or with whom he lives; that on the 20th day of June, A. D. 1923, Elizabeth E. Staley aduix. of the estate of L. Merrill Staley, 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 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 21st day of July, 1923, said petition will be taken as true, and an order granted accordingly. The server will make due return of this writ on the 2nd day of July, 1923. This writ to be served on each of said defendants, by copy personally.

Witness my hand, and the seal of said Court, this 20th day of June, 1923, W. H. Husted, Probate Judge.

Return of Service Received this writ, on the 20th day of June, 1923, at One O'clock P.M., and on the 21st day, and in the manner hereinafter narrated. I served the within named defendant who is a minor. June 20th 1923, on

10112 Return of Service

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Answer

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Elizabeth E. Staley, the mother of, the said minor John M. Staley, there being no guardian, and no father.

Elizabeth E. Staley,

she above named Elizabeth E. Staley who has signed the same, being duly sworn, says the foregoing Return of Service is true as she really believes. Sworn to before me, and signed in my presence this 20-day of June, 1923.

Edward W. Porter, Notary Public, Union Co., Ohio.

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Answer of Guardian ad Litem.

Probate Court, Union County, Ohio.

No. 10112.

Petition to Sell Real Estate

Elizabeth E. Staley, adux.
L. Merrill Staley, Decedent,
Plaintiff.

Answer

Elizabeth E. Staley, et al.
Defendants.

Answer of minor Defendants.

And now come the said John M. Staley the minor defendant to the petition in said cause by Ellis Brown, 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.

John M. Staley, minor as aforesaid.

By Ellis Brown, Guardian ad litem.

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Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

Application

Elizabeth E. Staley, adux. of
The Estate of L. Merrill Staley, decd.
Plaintiff.

No. 10112.

Petition to Sell Real Estate.

Elizabeth E. Staley 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. It will save the expense of advertising. 2. It will bring the entire appraisement, whereas, at public sale, it might go for two-thirds of the appraisement only. 3. Because, a purchaser at the appraisement has already been secured, thus saving time as well. and she therefore asks for an order authorizing her to sell said real estate at private sale.

Elizabeth E. Staley, adux. of the estate of
L. Merrill Staley, deceased.

The State of Ohio, Union County ss.

Elizabeth E. Staley being duly sworn, says that the various matters set forth in the foregoing application are true

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am true as she verily believes. Elizabeth E. Staley.
sworn to before me, and signed in my presence. This 23-day
of July, 1923. ^{seal} Edward W. Porter, Notary Public, Union Co. O.

Affidavit of Disinterested Person.

The State of Ohio, Union County, ss.

Norman C. Bourn, E. H. Patton, and J. W. Kennedy, 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 at private sale, than at public sale, and
for the reasons given herein, as they verily believe.

Norman C. Bourn, E. H. Patton, J. W. Kennedy.

sworn to before me, and signed in my presence. This 23-day of
July, 1923. ^{seal} Edward W. Porter, Notary Public, Union Co. Ohio.

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Journal Entry: Probate Court, Union County, Ohio,
Elizabeth E. Staley, admx., July, 23-1923.
of L. Merrill Staley, decd.
v. Plaintiff

Elizabeth E. Staley, et al. Defendants. Order for Private 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 appear-
ance herein, and are now properly before the Court.

That the statements and allegations in said petition
are true. That said L. Merrill Staley, deceased, left a
widow entitled to dower in the estate to be sold, who
assumed, waiving certain rights and asked that her dower
be set off to her in money, and an appraisement of such
estate is contained in the inventory. It is ordered

that another appraisement be read hereby is dispensed
with. And the Court being satisfied that it is
necessary to sell the real estate of said L. Merrill Staley
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 sell the real estate described
in the petition at private sale. It is therefore further

ordered, that said Elizabeth E. Staley as, such, admx.,
proceed to sell said real estate, for (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.

W. H. Husted, Probate Judge

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Order of Sale, Free of Debt.

The State of Ohio, Union County, Probate Court.
To Elizabeth E. Staley, admx., of the estate of L. Merrill
Staley, deceased. Pending:

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 admx. of the estate of L. Merrill Staley, deceased, are Plaintiff and Elizabeth E. Staley 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 debt of Elizabeth E. Staley widow of L. Merrill Staley deceased, the undivided half of the following described premises, to-wit: Beginning at a stake in the center of the Mansville and Marion Grant Road, at the north-west corner of the land conveyed by J. C. Spurrier to E. C. Spurrier and Gertrude B. Spurrier, October 4th 1906; thence S. in the line of said road 51 1/2 feet to a stake; thence 340 feet parallel to the north line of land conveyed by J. C. Spurrier to Emory A. Spurrier and Gertrude B. Spurrier, his wife October 4th 1906; thence N. parallel with the line of the Mansville and Marion Grant Road, 51 1/2 to a stake; thence W. 340 feet to the place of beginning, containing 40/100 acres more or less.

Said sale to be free of the debt of said Elizabeth E. Staley and to be upon the following 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 Mansville, Ohio, this 23rd day of July, A. D. 1923. W. H. Husted, Probate Judge.

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 23rd day of July, 1923. Elizabeth E. Staley, admx., as aforesaid.

Return

Report of Sale

In obedience to the within order, I sold said premises, on the 23rd day of July, 1923, to William Longbrake, for the sum of nine hundred (\$900) Dollars, said sum being the appraised value of the same, as Elizabeth E. Staley, admx. of the estate of L. Merrill Staley. Dated the 23rd day of July, 1923.

Report

The State of Ohio, Union County,
The above named Elizabeth E. Staley, admx. of the estate of L. Merrill Staley, deceased, being duly sworn, says that the sale above reported has been made after

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diligent endeavor to obtain the best price for said property, that said sale is for the highest price she could get for said property. Elizabeth Staley, admx., as aforesaid. Dorn to before her, and signed in my presence this 23rd day of July, 1923.

Edward W. Porter, Notary Public, Union Co. Ohio.

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Journal Entry: Probate Court, Union County, Ohio, July, 23 - 1923. Elizabeth E. Staley, as admx. of the estate of L. Merrill Staley, decd. Confirming Sale. Plaintiff Elizabeth E. Staley, et al. Defendants.

This day this cause coming on to be heard now the return of Elizabeth E. Staley, admx., of the estate of L. Merrill Staley deceased, of her 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 Elizabeth E. Staley as such, administratrix, make to the purchaser William Longbrake, a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said administratrix pay the costs herein taxed at \$--- within ten days. W. H. Husted, Probate Judge.

10139 Filed July 25th 1923

Petition for Sale of Real Estate to Pay Debts. Probate Court, Union County, Ohio. No. 10139 Civil action. Richard C. Hall, admx. of the estate of Maryann Grans, deceased. Plaintiff.

Raymond Grans, Estella Schneider, Doris June Grans, a minor. Defendants. The Plaintiff represents

that he is the duly appointed and qualified administrator of the estate of Maryann Grans, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is six hundred dollars, as near as they can be ascertained, that the charges of administration of said estate will amount to about twenty-five dollars; and, that the total value of the personal estate and effects of said deceased is but more dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Maryann Grans, died seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and in the Village of Marysville, to wit: an undivided

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one-half interest in fee simple in the following described property: Being thirty-five feet off of the south part of lots nos. 381, 382, and 383, facing on maple street and adjoining on the north land, sold by deed to William Byland, April 21-1903, see vol. of Deeds 80- page 406. Excepting therefrom a small tract off of the east side of lot. no. 381, sold to Mattie Cook recorded in Book of Deeds vol. 80-Page, 554, May, 8th 1903.

Plaintiff 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 and, that the amount of said appraisement is nine hundred dollars. The said decedent died leaving the defendant Raymond Grans, her widow, who is entitled to dower in said premises; that the defendants Doris June Grans, a minor, are the only child and next of kin of said decedent, having the next estate of inheritance from said Maryann Grans, deceased, in said premises. that the defendants Estella Schneider claims to hold some lien upon said property and it is asked, that said defendant, Estella Schneider may be required to set up its claim herein or be forever barred.

The Plaintiff therefore prays that the dower of said Raymond Grans, in said premises may be assigned and set off to him; that the rights, interests and claims of the said Estella Schneider, and, Doris June Grans, a minor, 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 case made, and provided, and, for all other proper orders and relief in the premises.

Richard C. Thrall, adur., aforesaid.

The State of Ohio, Union County,

Richard C. Thrall, adur., 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.

Richard C. Thrall, adur., of the estate of, Maryann Grans, deceased, sworn to before me, and, signed in my presence, this 25th day of July, A. D. 1923.

Journal Entry: In the Probate Court, of Union County, Ohio. Richard C. Thrall, adur., of the Estate of, Maryann Grans, deceased, Plaintiff vs. Raymond Grans, et al. Defendants. July 25th 1923. No. 10139. Journal Entry. Filing Petition To Sell Real Estate.

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This day came the Plaintiff Richard L. Thrall, admr. of the estate of Maryann Grans, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Maryann Grans, 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.

W. H. Husted, Probate Judge.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County.

To Richard L. Thrall:

You are hereby commanded to notify Estella Schneider and Raymond Grans, and the following named who are minors, to wit: Doris June Grans, making service of this summons upon said minor, and also upon the guardian or father, or if neither guardian or father can be found, then upon the mother, or the person having the care of said minor, or with whom she lives: that on the 25th day of July, A. D. 1923, Richard L. Thrall, admr. of the estate of Maryann Grans, 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 25th day of August, 1923, said petition will be taken as true, and an order granted accordingly. The server will make due return of this writ on the 6th day of August, 1923.

This writ to be served in each of said defendants, by copy personally.

Witness my hand and the seal of said Court, this 25th day of July, 1923.

[Signature]

W. H. Husted, Probate Judge.

Return of Service.

Received this writ on the 25th day of July, 1923, at 10.0'clock, A. M. and on the days, and in the manner herein after named, I served the same on the within named defendants, viz: July 29-1923, on Estella Schneider and Raymond Grans, and Doris June Grans, a minor and as to the within named defendants who are minors, July 29th 1923, on Raymond Grans, the guardian of the said Doris June Grans, July 29-1923, on Raymond Grans, the father and person having the care of

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and, with whom lives the said Doris June Grans -
Richard L. Thrall -

The above named Richard L. Thrall, who has signed
the same, being duly sworn, says, the foregoing Return
of Service is true as he really believes
know to before me and, signed in my presence,
this 30th day of July, 1923

W. H. Hustler, Probate Judge.

Warrant of Summons.

Probate Court, Union County, Ohio.

Richard L. Thrall, admr.,
of the Estate of Maryann Grans, Decd.

No. 10139

Plaintiff
Raymond Grans, et al. Defendants. | Consent to Sell.

W. the undersigned, Estella Schneider, and Raymond
Grans, and also Raymond Grans, adm. of the estate
of Doris June Grans, minor; parties defendant to the
petition in the above, entitled action, do each of us
hereby waive the issuing and service of summons,
voluntarily enter our appearance, as such defendants,
and we do hereby consent to the sale of the Real Estate
described in the petition in said action according to
the prayer of the same. July 25th 1923.

Estella Schneider, Raymond Grans, co. adm. of Doris June Grans,

Widow.

In the Probate Court of Union County, Ohio.

Richard L. Thrall, admr. of
the Estate of Maryann Grans, Decd.

No.

Plaintiff
Raymond Grans, et al. Defs.

Proceeding to Sell Real Estate.

And now comes Raymond Grans, one of the defend-
ants in the above entitled cause and voluntarily
enters his appearance, herein, and for this answer
to the petition in this case filed says: that he is the
widow of said Maryann Grans, deceased, and as
such is entitled to dower in the premises described
in said petition; that his age is twenty-four 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 and profits; and asks
the Court that said premises be sold free from his
dower estate therein, and that the value of such
dower estate may be allowed and paid in money out of
the proceeds of such sale, as the Court may deem
reasonable.

Raymond Grans.

The State of Ohio, Union County ss.

Raymond Grans, being duly sworn, makes such

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that the facts stated in the foregoing answer are as he believes true.
Raymond Graves

The State of Ohio, Union County ss.

Raymond Graves, being duly sworn, makes oath that the facts stated in the foregoing answer are as he believes true.
Raymond Graves.

Sworn to by said Raymond Graves. Informed, and signed by him in my presence. This 27-day of July, A.D. 1923.

John W. Dailey, Notary Public.

Answer, and Cross-Petition.

In the Probate Court, Union Co. Ohio.
No. 10139

Richard L. Thrall, admr. of
The Estate of Maryam Graves, Decd.
Plaintiff

Raymond Graves, et al. Defendants.

Answer, and Cross-Petition.

First cause of action: This answering defendant, as he, first cause of action herein says:

That on, or about, the 31-day of January, 1923, Raymond D. Graves, and Maryam Graves, his wife, executed and delivered to this answering defendant, their two certain promissory notes, of which the following are true and correct copies, to-wit: \$250.00
January, 31- 1923.

Six months after date, for value received in promise to pay to the order of Estella Schneider Two Hundred and Fifty Dollars, with interest at the rate of six per centum, and he hereby authorizes any attorney at law to appear in any Court of Record in the United States after the above obligation becomes due, and vain the issuing and service of process, and confess a judgment against us, in favor of the holder hereof, for the amount then appearing due, together with costs of suit, and thereupon to release all errors and release all errors and vain all right of appeal.

Raymond D. Graves. Maryam Graves.

That there are no payments or endorsements thereon, also, one other promissory note, as above stated, to-wit: \$250.00
January 31- 1923.

One year after date for value received, in promise to pay to the order of Estella Schneider Two Hundred and Fifty Dollars, with interest at the rate of six per centum interest payable annually, and he hereby authorizes any attorney at law, to appear in any Court of Record in the United States, after the above obligation becomes due, and vain the issuing and service of process and confess a judgment against us, in favor of the holder hereof, for the amount then appearing due, together with costs of suit, and thereupon release all errors and vain all rights of appeal.

Raymond D. Graves. Maryam Graves.

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That there are no payments or endorsements thereon, and, that each of said notes are marked on the upper margin thereof "Secured by Mortgage on Real Estate", that this defendant is now the owner and holder of said notes now which there is due on said first named note the sum of, Two Hundred and Fifty Dollars, with interest from January, 31- 1923, as per the terms of said note; and on the second note as described herein, the sum of Two Hundred and Fifty Dollars, with interest from January, 31- 1923, interest payable, annually, and both together for the sum of Two Hundred Dollars, with interest thereon, as per the terms of said notes, which said sum of Two Hundred Dollars, with said interest and costs, this defendant claims.

Second cause of action:

For her second cause of action herein, this answering defendant adopts and makes a part thereof each and all of the allegations of her first cause of action, the same as if fully re-written herein, and further says:

That on said 31- day of January 1923, Raymond D. Gravo and Maryann Gravo, his wife, executed and delivered to this answering defendant, their certain mortgage deed, thereby to ^{her} convey the following 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:

Being 35 feet off the south part of Lot's nos. 361, 382, and, 383, facing on Maple Street, and, adjoining on the north lands sold by deed to William Byland, April 21- 1903, vol. of Deeds, no. 85, Page, 456, excepting therefrom a small strip off the East side of Lot, no. 381, sold to Mattie Cook, recorded in Book of Deeds vol. 85, Page 554, May, 8- 1903.

Said mortgage is continued as follows: Provided always, and these presents are upon this condition that if the said grantors, Raymond D. Gravo and Maryann Gravo shall pay or cause to be paid, unto the said grantee Estella Schneider, or, to her executor, administrator or assigns the sums of money mentioned in the two following described promissory notes, to-wit:

One note dated, Marysville, Ohio,

January, 31- 1923, calling for the sum of Two Hundred and Fifty Dollars, due and payable, six months from date, with interest thereon at six per cent from date.

One note dated Marysville, Ohio, January, 31- 1923, calling for the sum of Two Hundred and Fifty Dollars, due, and, payable, one year from date, with interest thereon at six per cent, from date, according to the terms and tenor thereof, then these presents shall be void, other- wise to remain in full force and virtue in law form.

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Said mortgage was filed for record with the Recorder of said County, on the 1st day of February, 1923, at 2:45 o'clock P.M. and was thereafter by him recorded on February 3rd 1923, in Mortgage Book 57, page 47, of the Mortgage Records of said County, and is now the first and best lien on the said real estate. Wherefore this answering defendant prays that upon a sale of said real estate her rights herein may be protected; her said mortgage declared to be the first and best lien on said real estate; her said first claim paid first out of the proceeds of any sale of said real estate; and that she may have all other relief to which she is entitled either in law or equity. E.W. Porter, atty. for Estella Schneider.

The State of Ohio, Union County, ss.
 Estella Schneider, being first duly sworn, makes oath, and says, that she is the said answering defendant herein, and that the facts stated all the allegations made in the foregoing answer and cross-petition are true, as she believes.
 Estella Schneider.

Sworn to by said Estella Schneider before me, and signed by her in my presence, this 14th day of August A.D. 1923.

seal Edward H. Porter, Notary Public, Union Co., Ohio.

Application for Sale Real Estate at Private Sale.

Probate Court, Union County, Ohio.

no. 10139

Richard C. Thrall, admr. of
 the Estate of Maryann Evans, Deid.
 vs. Plaintiff

Raymond Evans, et. al. Defts.

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. The property may be sold for the full appraised value. 2. A purchaser is already found and the costs of public sale may be avoided.

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

Richard C. Thrall, admr. of est. of Maryann Evans, Deid.
 The State of Ohio, Union County.

Richard C. Thrall, admr. being duly sworn, says, that the various matters set forth in the foregoing application are true as he verily believes. Richard C. Thrall, admr.

Sworn to before me, and signed in my presence, this 15th day of October, A.D. 1923. *seal* John H. Dailuy, Notary Public
 affidavit of Disinterested Person.

The State of Ohio, Union County.
 G. C. C. Clark, George W. Baines, and Elba Mather, 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 whatsoever in the matter

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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.

C. H. Clark, George M. Baines, Elton Mathews,

Sworn to before me, and signed in my presence this 15th day of October, 1923. ^{at} Richard B. Thrall, Notary Public,

Journal entry: Probate Court, Union County, Ohio.

Richard B. Thrall, adm. of the estate of Maryann Graves, Decd. October, 15th 1923.

estate of Maryann Graves, Decd. Plaintiff

Raymond Graves, et al. Defts. Order for Private Sale, etc.

This day this cause came on to be heard upon the petition, evidence and testimony of Richard B. Thrall, adm. of the estate of Maryann Graves, deceased, 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 this court. That the statements and allegations in said petition are true. That said Maryann Graves, 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 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 Maryann Graves, 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 therefore further ordered that said Richard B. Thrall, as such adm., 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. H. H. Husted, Probate Judge.

Order of Sale - Free of Dower.

The State of Ohio, Union County, Probate Court.
To Richard B. Thrall, adm. of the estate of Maryann Graves, deceased. Greeting: In obedience to an order ^{and} made of the Probate Court within and for said county made this day, in a certain cause, wherein you are administrator of the estate of Maryann Graves, decd. and Plaintiff and Raymond Graves 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 Raymond Graves

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widow of Maryam Grans, deceased, the following described premises to wit: Situated in the village of Marysville, County of Union and State of Ohio, to wit: An undivided one-half interest in fee simple in the following described property. Being thirty-five feet off the south part of lots nos. 381, 382, and 383, facing on Maple Street, and adjoining on the north land sold by deed to William Byland, April 21-1903, see volume of deeds 85- page 456. Excepting therefrom a small tract off of the east side of lot no. 381, sold to Mattie Cook, recorded in books of deeds, Vol. 86- page 554, May 8th 1903. Said sale, to be from the dowry of said widow, 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 15th day of October A.D. 1923.

Seal W. H. Husted, Probate Judge

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 22nd day of October, 1923.

Richard C. Thrall, admr. of the est. of Maryam Grans, Deid.

Report of Sale-

In obedience to the within order, I sold, said premises on the 15th day of October, 1923, to Leo Pearns, for the sum of One thousand Dollars, said sum being more, the appraised value of the same. Richard C. Thrall, admr. of est. of Maryam, Grans, Deid, the State of Ohio, Union County.

The above named Richard C. Thrall, admr. of the estate of Maryam Grans, 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. Richard C. Thrall, admr. of est. of Maryam Grans, Deid.

Sworn to before me, and signed in my presence, this 22nd day of October, 1923. *Seal* W. H. Husted, Probate Judge.

Journal Entry: Order of Confirmation etc.

Richard C. Thrall, admr. of the estate of Maryam Grans, Deid.

v. Plaintiff

Raymond Grans, et al. Depts.

Probate Court, Union County, Ohio, October 22- 1923.

Order of Confirmation Distribution.

This day this cause came on to be heard on the report of Richard C. Thrall, admr. of the estate of Maryam Grans, 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:

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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, ^{herewith} ~~herewith~~ is approved, and, confirmed. It is further ordered that said petitioner execute a deed of all the right title and, interest of the said Maryam Graves, deceased, in said real estate, to the purchaser, Lev. Peann, 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 One thousand Dollars, and, the said Raymond Graves, widow, having to answer herein raised 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 Two hundred and seventy - ⁸³/₁₀₀ Dollars.

The Court finds that there is due, the said Estella Schneider upon the notes set forth in her answer and cross-petition, from the estate of said Maryam Graves the sum of Two hundred and sixty-one ¹⁰⁴/₁₀₀ dollars, with interest thereon from from the date of this entry; that the said Maryam Graves, deceased, and said Raymond Graves, her widow, 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. It is further ordered, that said adven^r, out of the money in his hands, pay: First to the treasurer of this county, the sum of \$ 20.94 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 \$ --- to ---, and \$ 100- the percentage of said Richard C. Howell, adven^r, herein, amounting to the sum of \$ 145.00. Third to Raymond Graves, widow the sum of \$ 270.⁸³, which the Court finds to be the value of his dower interest in said premises. Fourth: To Estella Schneider, on the note and mortgage

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at fork and described in her answer and cross-petition herein, the sum of \$ 261.¹⁵ which the court finds to be the amount due her. It is further ordered, that the balance of said proceeds, amounting to the sum of \$ 302.⁰⁸ be accounted for by said administrator according to law.

And it is further ordered that this proceeding be recorded, and that said petitioners pay the costs herein, taxed at \$ 30.⁰⁰ out of the proceeds of said sale, within ten days.

W. H. Husted, Probate Judge.

10138
Filed

June 26-
1923.
John W. Dailay
att'y.

Guardian's Petition To Borrow money, and
Mortgage Real Estate.

Probate Court, Union County, Ohio.
No. 10138.

Petition To Borrow money, and
Mortgage Real Estate.

Harry Frye, Guardian of
Rudolph Nickel, Incompetent.
Plaintiff

v.

His Ward, and Thomas Nickel,
Ethel Orchard,
Mary Frye, Ethel Nickel,
as Guardian of Francis,
Rosel, Alvin, Margaret Nickel.
Defendants.

The plaintiff represents that he is the duly appointed and qualified Guardian of Rudolph Nickel of the age of 67 years on the 4-day of April, 1923, and residing at Richmond, Ohio, route 2.

The following are the names and residences of the next of kin of said Ward, residing in this state, to-wit: Thomas Nickel, 1431 Newton St., Akron, Ohio, Ethel Orchard, 767 Hill Ave., Marion, O., Ethel Nickel as Guardian of Francis, Margaret, Rosel and Alvin Nickel, Radnor, Ohio R. D. 2.

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 Leeburg to-wit: Bring part of military survey, 6199, bounded and described as follows: Beginning at a stake in the center of road, at south west corner of a fifty acre tract of land owned by Samuel DeGood; thence North 11 1/2° E. 124 77 rods to a stone on post and tile; thence in a westerly direction 16 rods to a stone in center of hedge; thence south 61° West along the center of said hedge, 33.47 rods to a stone; thence North 30° West 47 poles along the south line of lands heretofore deeded by Joseph H. Morry, and wife to Samuel DeGood; thence South 60° West 50 rods to end of hedge fence; thence South 43° West 2.80 poles to the center of magnetic springs gravel pit; thence with the center of said road, 38° east 36.20 rods; thence North 61° 30 minutes east 25.28 rods to the corner of

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J.C. Kernan's land. Thence South 23° East 9 poles; thence south 22° East 30 rods and 14 1/2 feet; thence south 63° west 20 rods to center of magnetic Spring gravel road from which a stone placed on post and tile is placed on side of pipe; north 62° East 37 lengths from said corner; thence south 22° east 59.88 rods to the center of cross road at stone; thence east 11 1/2 South 23.80 rods to the place of beginning, containing 46 acres and 38/100 acres.

Being the same land transferred to J. Kernan Uncapler by Joseph G. and Clara Morry deed record vol. 80 page 371, and 372, and transferred to Joseph G. Morry and Clara Morry by John Hite, recorded in Vol. 62 page 44. Samuel Dilsod and wife vol. 63 page 457 Samuel Dilsod and wife recorded, in Vol. 65 page 462. Deed of record Union County.

That the following is the nature and amount of the encumbrances upon said real estate described above, showing when the same became or will become due, and the rate of interest thereon, together with the names and residences of all persons holding such liens, to wit: no mortgages filed, or liens filed but the following debts are due and payable.

1. The Richmond Banking Company, note of \$135.00 interest at 7% due on 19-day of June, 1923.
2. ⁵⁰ \$113.00 due to Dr. F. M. Wurstbaugh for medical services rendered.
3. Insurance on buildings premium due amounting to \$12.00.
4. Taxes due Min. Co. \$71.76

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

That the following is the character of repairs and improvements proposed to be made upon said real estate and the necessity therefor. No improvements.

That the amount required to pay said debts due, is Eleven Hundred and fifty Dollars. That the income from said real estate is approximately \$250.00.

The following is a statement of said ward's personal property and the income therefrom: no personal property except household goods. That the amount probably necessary to maintain said ward would be about One Hundred Dollars.

The Plaintiff therefore prays that said ward and said Mary Frye, Thomas Nickel, Ethel Orchard, Ethel Nickel, as guardian of Francis Nickel, Russel Nickel, Alvin Nickel, Margaret Nickel, minor children, may be made parties defendant to this Petition, that they be notified of the pendency and prayer hereof, in such manner as the Court shall direct; and that he may be authorized to

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borrow the sum of One thousand one hundred and fifty dollars, to pay such mortgages, debts, legacies, and judgments, and such additional sum as the Court shall deem necessary to make said repairs and improvements on said real estate, and to maintain said Ward, and to mortgage so much of said Wards lands, as may be necessary to secure such loan, and for other proper relief. Harry Frye, Guardian of Rudolph Nickol, Incompetent

The State of Ohio, Union County, ss.

Harry Frye, (Guardian of Rudolph Nickol,) the Plaintiff named in the foregoing petition, being duly sworn, says, that he believes the facts stated in said petition, are true. Harry Frye, sworn to before me, and signed in my presence. This 25 day of June, 1923.

John W. Dailey, Notary Public

Journal Entry: Order fixing time of hearing and for notice.

Probate Court, Union County, Ohio.

Harry Frye, Guardian of Rudolph Nickol, Incompetent June, 25th 1923.

Plaintiff | Petition To Borrow money
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This Wards et. al.

Defendants.

Order for notice.

This day Harry Frye, Guardian of Rudolph Nickol, 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 20th day of July, 1923, 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 Mary Frye, Thomas Nickol, Ethel Nickol as, Guardian of Francis, Margaret, Russel, and Alvin Nickol, and Francis, Margaret, Russel and Alvin Nickol, minor children, Defendants as Ethel Orabood 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. W. H. Husted, Probate Judge

Summons on Petition To Mortgage Real Estate.

The State of Ohio, Union County.

Probate Court.

To Harry Frye.

you are hereby commanded to notify Ethel Nickol, guardian, and mother of Francis, Margaret, Russel, and Alvin Nickol, and the following named who are minors, to wit: Francis Nickol, Margaret Nickol, Russel Nickol, and Alvin Nickol, making service of this summons upon said minors, and also upon the guardian, or father, or if neither guardian or father can be found, then upon the mother, or the person having the care of said minors, or with whom they live, that on the 26th day of June, A. D. 1923. Harry Frye, ss.

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guardian of the person and estate of Rudolph Nickol 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 to mortgage of certain Real Estate belonging to said ward, in said petition described, for the purpose of paying debts, and that unless they answer by the 21. day of July, 1923, said petition will be taken as true, and an order granted accordingly.

Said Henry Frye, will make due return of this writ on the 2. day of July, 1923.

Witness my hand and the seal of said Court, this 26. day of June, 1923. W.H. Husted, Probate Judge.

Return,

The State of Ohio, Union County.

Received this writ June 27. 1923. at 9. o'clock a.m. and on the days and in the manner hereinafter named. I served the same on the within named defendants, viz: June, 27. 1923. on Francis Nickol, Margaret Nickol, Russell Nickol, and Alvin Nickol minors children, and also on the within named defendants who are minors, June, 27. 1923. on Ethel Nickol, the guardian of the said minors, Francis, Margaret, Russell, and Alvin Nickol, June, 27. 1923. on Ethel Nickol, the mother of the said Francis, Margaret, Russell and Alvin Nickol, June, 27. 1923. on Ethel Nickol the person having the care of, - with whom lives the said Francis, Margaret, Russell, and Alvin Nickol.

Harry Frye being first duly sworn deposes and says, that on the above mentioned day, at about the hour of 11. a.m. he personally handed a summons, to each of the above mentioned parties.

Harry Frye, sworn to before me and subscribed in my presence, this 29. day of June, 1923. John H. Daily, Notary Public, Wainwright.

10138.

Probate Court, Union County, Ohio.

Harry Frye, Adm. of Rudolph Nickol, Incompetent. Civil Action
Plaintiff

Harry Frye, et al. Defendants. Wainwright.

The undersigned party, defendant, to the petition in the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance as such Defendants.

June 26 - 1923. Ethel M. Orabood.

Wainwright

Harry Frye, Adm. of Rudolph Nickol. Plaintiff

Probate Court, Union County, Ohio.

Harry Frye, et al. Defs. Wainwright.

The undersigned party, defendant, to the petition in

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the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance as such. Defendants. Mary Fry. Witness by R. B. Liggitt

Wainor

Probate Court, Union County, Ohio. No. 10138.

Harry Fry, as Guardian of Rudolph Nickel, Incompetent. Plaintiff

Mary Fry, et al. Defendants; Wainor.

The undersigned parties, defendant to the petition in the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such. Defendants. Thomas W. Nickel, July 2- 1923.

Order to Investigate

The State of Ohio, Union County, ss.

Probate Court.

I, Emanuel Kurni, G.W. Davis, and C.A. McFadden, Justices;

Whereas Harry Fry, Guardian of Rudolph Nickel, has petitioned this Court for authority to mortgage real estate of his said ward, for the purpose of borrowing money to pay debts for the benefit of the estate of said ward, said debts being described as follows: 1- note due to the Richmond Banking Co. \$830- with interest at 7%. 2- \$113.50 due Dr. F.M. Wurtstbaugh, Richmond, Ohio, for medical services. 3- Insurance due on buildings premium \$12.00. 4- Taxes due Union County, \$71.76.

Therefore, said Court has appointed you as their disinterested fiduciaries, to fully investigate the question as to the necessity for, and the advisability of paying said debts, and the probable cost thereof.

and you are required to report the same, to the Court, under oath forthwith upon the execution of this order.

Witness my signature and the seal of said Probate Court, at Mansfield, Ohio, this 29- day of June, A.D. 1923.

W.H. Honsted, Probate Judge.

Return of Order.

To the Probate Court, of Union County:

In obedience to the foregoing order, we hereby respectfully report that First: Note due to the Richmond Banking Co. at 7%, to July 20- 1923 \$833.18

2- Due Dr. F.M. Wurtstbaugh, for medical services, to June, 23- 1923 \$113.50.

3- Insurance - Premium on buildings \$12.00

4- June Taxes for 1923- \$71.76 Total, \$1053.15-

That the above amount of \$1053.15- is due to the above named creditors and to satisfy the above claims, we, after having investigated the question recommend that the wards real-estate be mortgaged to satisfy the above claims. Emanuel Kurni, G.W. Davis, C.A. McFadden.

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The to Mr. A report judge on this 19 Jour Harry Rudoy

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Oath

The State of Ohio, Union County, ss.

Mr. the undersigned, solemnly swears, that the foregoing report is just and true according to the best of our judgment and belief Emanuel Green, Ch. W. Davis, C. A. M. Fadden, known to in my presence, and subscribed by each.

This 19th day of July, 1923. W. H. Husted, Probate Judge

Journal Entry: Probate Court Union County, O. July 20th 1923.
Harry Frye, Adm. of. Plaintiff
Rudolph Nickel, Defendant
Petition to Borrow money, and Mortgage real estate.

His ward, 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 answer of the guardian ad litem for the minor children 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 statement and allegations in said petition are true, and it appearing to the Court to be for the best interest of the estate of said ward that the prayer of the petition be granted, the Court hereby fixes the amount necessary to be borrowed, at the sum of Eleven Hundred and fifty dollars - and directs that the following described lands of said ward - be encumbered by mortgage to secure the same, to wit: situated in the County of Union, State of Ohio, and in the Township of Liberty, to wit: Being part of military Survey 6199 bounded as described as follows: Beginning at a stake in the center of road at South west corner of a fifty acre tract of land, owned by Samuel DeGood; Thence North 11 1/2° East 124.77 rods to a stone on post and tile; Thence in a westerly direction 16 rods to a stone in the center of said hedge; Thence South 61° West, along the center of said hedge, 33.47 rods to a stone; Thence North 30° West 47 poles along the south line of lands, heretofore deeded, by Joseph H. Morry, and wife J. Samuels DeGood; Thence South 60° West 50 rods to end of hedge fence; Thence South 43° West 2.80 poles to the center of Magnetic Springs gravel road; Thence with the center of said road South 38° East 36.20 rods; Thence North 61° 30' East 9 poles; Thence South 22° East 30 rods 14 1/2 feet;

and it is ordered, that said guardian do 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. W. H. Husted, Probate Judge
Description continued on other (page 374)

10139 (From page 373. continued) thence south. 63° 20 rods to center on magnetic Springs grant site from which a stone placed on post and tile is placed on side of pipe: N. 62° E. 37 lengths from said corner: thence south 22° E. 59.88 rods to the center of cross road at stone: thence E. 114° S. 23.80 rods to the place of beginning, containing 46 acres, and 38/100 acres. Being the same land transferred to J. Herman Zwickler, by Joseph, G. and Clara Mory. Deed record, vol. 81 pages, 371, and 372, and transferred to Joseph G. Mory, and Clara Mory, by John Hite, recorded in vol. 62, page, 44. Samuel DeGood and wife vol. 63 page 457 Samuel DeGood and wife recorded in vol. 65 page 462. Deed of record in Union County, Ohio.

10138

application for appointment of Gdn. ad. litem,
Probate Court, Union County, Ohio,
July, 20- a. d. 1923.

Harry Lutz, Gdn. of
Rudolph Nickol, Incompetent
v. Plaintiff

His ward, Thomas Nickol.
Ethel Crahook, Mary Lutz,
Ethel Nickol, as guardian of
Francis, Russel, Alvin and
Margaret Nickol, minors
Defendants

application for appointment
of
Guardian ad litem.

To His Hon. W. H. Husted, Judge of said Court:
The undersigned John H. Dailey, the attorney for Rudolph Nickol, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case. The defendant, Francis, Russel, Alvin, and Margaret Nickol, minors, under the age of 14 years, have been duly served with summons, herein.

The undersigned suggests that Richard C. Thrall, who is a suitable person be appointed as such guardian ad litem.

Respectfully, John H. Dailey, atty. for
Rudolph Nickol.

10138

Journal entry: on appointment of Gdn. ad litem,
Probate Court, Union County, Ohio July 20-1923
No. 10138.

Harry Lutz, as guardian of
Rudolph Nickol, Incompetent
v. Plaintiff

His ward, Mrs. Thomas Nickol.
Ethel Crahook, Mary Lutz, Ethel
Nickol, Mrs. Ethel Nickol, as Gdn. of
Francis, Russel, Alvin and Margaret
Nickol, minors. Defendants.

appointment of Guardian ad litem

This day John W. Dailey attorney for Rudolph Nickol, 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

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the defendants, Francis, Russel, Alvin, and Margaret Nickol, are under the age of fourteen years, and have been duly and legally served with summons herein, it is ordered, that Richard C. Thrall, do and he hereby is appointed Guardian for the suit, for said minor defendants, and now comes the said Richard C. Thrall, and in open court accepts said appointment.

W. H. Huusted Probate Judge.

Answer of Guardian Ad Litem.

Probate Court, Union County, Ohio.

No. 10138.

Harry Frye, as Edu. of
Rudolph Nickol, Incompetent
Plaintiff

Mary Frye, et al. Defendants. Answer of minor Defendants.
And now comes the said Francis Nickol, Alvin Nickol, Russel Nickol, and Margaret Nickol, the minor defendants to the petition in said cause, by Richard C. Thrall, their Guardian ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations herein contained, prejudicial to said minor defendants. They further say, that they are of tender years, and not acquainted with the law in such cases, and therefore pray the court, to protect their rights in this cause, and for such relief as may be just. Dated this

20-day of July, 1923. Francis Nickol, Alvin Nickol, Russel Nickol, Margaret Nickol. By Richard C. Thrall, Edu. ad litem.

Report of Edu - as to Terms of Loan.

Probate Court, Union County, Ohio.

Harry Frye, Guardian of
Rudolph Nickol, Incompetent
Plaintiff

His Ward, et al. Defendants. 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 Ward, are as follows: the Richmond Banking Company, Richmond, Ohio, for two or one year, the amount \$1150.00 at the rate of 7%., all other Banks, ask the same amount, or rate of interest. Dated this 26-day of July, 1923.

Harry Frye, Guardian.

The State of Ohio, Union County, ss.

Harry Frye, being duly sworn, says that the statements in the foregoing report are true, as he verily believes.

Harry Frye.

Sworn to before me, and signed in my presence, this 26-day of July, 1923. W. H. Huusted, Probate Judge.

10138.

Journal entry: Orders confirming and authorizing Loan.
Probate Court, Union County, Ohio.

Harry Fyge, Esq. of Rudolph Nickel. July, 20th 1923.
Incumphant. vs. Plaintiff
His ward, et. al. Defendants. | Orders.

This day this cause came on to be heard on the report of said Harry Fyge, 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.
W. K. Kuster, Probate Judge.

10163

Filed Aug. 30-1923
Richard C. Howell
attorney.

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio,
no. 10163.
Civil action.

Frank Miller Jr. - Adm. with the Will annexed, of the Estate of Frank Miller Sr. deceased.
Plaintiff
vs.

Joseph Miller, John Miller, Elizabeth Howell, Alice Colark, Mary Colark, and Perry Miller, Frank Miller, Jr. Defendants.

Petition to Sell Real Estate.
Petition.

The Plaintiff represents that he is the duly appointed and qualified Adm. with the Will annexed, of the estate of Frank Miller Sr. late of Union County, Ohio, deceased, that the amount of debts due from the deceased, is two hundred and fifty dollars, as near as they can be ascertained, that the charges of administration of said estate will amount to about twenty-five dollars; and that the total value of the personal estate and effects of said deceased is but twenty-five dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Frank Miller Sr. died seized in fee simple, of the following described real estate, situated in the County of Union, State of Ohio, and in the village of Arnold, Jerome Township, to wit: Being Lots No. 30, and 31, in the Second Addition of the village of Arnold City, as the same are known, numbered, and designated on the recorded plat of said Second Addition in the office of the Recorder of Union County, Ohio, at Marysville, Ohio: to which plat

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reference is made for a fuller description.
 The said decedent died leaving the defendant, Joseph Miller, John Miller, Elizabeth Cornell, Alice Clark, Mary Clark, Perry Miller, and Frank Miller Jr. as the only next of kin and heirs at law of the said decedent. And, the only heirs at law, and, next of kin of said decedent, having the next estate of inheritance from said Frank Miller Sr. deceased, in said premises, that the said decedent by his last will and testament duly probated in said County of Union devised all of his right, title and interest in said real estate to the said petitioner, Frank Miller Jr. that the rights, interests and heirs of the said Joseph Miller, John Miller, Perry Miller, Elizabeth Cornell, Mary Clark, and, Alice Clark, and Frank Miller Jr., 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 case made and provided, and, for all other proper orders and relief in the premises.

Frank Miller Jr. adur.

The State of Ohio, Union County,

Frank Miller Jr. adur. of the estate of Frank Miller Sr. 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.

Frank Miller Jr. adur.

Sworn to before me, and, signed before me, this 25th day of August, A.D. 1923.

Richard C. Thrall

Journal Entry: In the Probate Court of Union County, Ohio, Frank Miller Jr. adur. with August, 30th 1923. will annexed, of the estate no- 10163. of Frank Miller Sr. deceased. Journal Entry, Plaintiff.

Joseph Miller, John Miller, Alice Clark, Mary Clark, Elizabeth Cornell, and Perry Miller.

Petition to Sell Real Estate.

Defendants

This day came the Plaintiff Frank Miller, adur. with the will annexed of the estate of Frank Miller Sr. deceased, and, presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said estate of Frank Miller Sr. 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, pending and prayer, of the said petition, and, of the time in which they are required by law to answer the same, be given

10163

to each of the said defendants. ^{and} this cause is continued.
W.H.usted Probate Judge,
Warrant of summons on Petition to Sell
Real estate.

Probate Court Union County Ohio

no. 10163

Frank Miller Jr. admr. of
the estate of Frank Miller Sr. decd.
Plaintiff

Joseph Miller et al. Defendants. Warrant of summons and consent to sell.
We the undersigned parties Defendant to the Petition in the
above entitled action, do each of us hereby waive the issuing
and service of summons and voluntarily enter our appearance
as such Defendants. and we do hereby consent to the
sale of the Real Estate described in the petition in said
action according to the prayer of the same. August 30th 1923.

Abner Clark Columbus Ohio Elizabeth E. Horvath Columbus Ohio
John Miller Mary Ann Clark Perry Miller Joseph Mark Miller
Frank Miller Jr.

Journal Entry: Order on hearing of appraisement.

Probate Court Union County Ohio

Sept 22- 1923.

Frank Miller Jr. admr. with
the Will annexed of the
Estate of Frank Miller Sr. deceased.
Plaintiff

Joseph Miller 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 Frank
Miller Sr. described in the petition to pay his debts.

It is ordered that G.E. Berivott, Edward Binder and
Nelson Thompson three suitable and judicious disinterested
men of the vicinity of said real estate who are freeholders,
do and they hereby are appointed to appraise said lands,
at their true value in money 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. W.H.usted, Probate Judge.

Order of appraisement.

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

To Frank Miller Jr. admr. with the Will annexed of the
Estate of Frank Miller Sr. deceased. Meeting:

In obedience to an order and decree of the
Probate Court, within and for said County, made this

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day, in a certain cause, wherein you, as Adm., with the Will annexed, are Plaintiff and Joseph Miller et al. are Defendants, you are commanded that by the oaths of H. E. Herrick, Edward Binder, and Nelson Thompson, 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, situated in the Village of Arnold City, Jerome Township, Union County and State of Ohio: Being Lots No 30 and 31 in the second addition of the Village of Arnold City, as the same are known, numbered and designated on the recorded plat of said second addition, in the office of the Recorder, of Union County, Ohio, at Marysville, Ohio: to which plat reference is hereby made for a fuller and better description.

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 22-day of September A.D. 1923.

W. H. Husted Probate Judge

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 Sept. 24- 1923.

Frank Miller Jr. Adm., with Will annexed, next of Kin of Frank Miller, Sr.

Oath of appraisers.

The State of Ohio, Union County.

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. Herrick, E. H. Binder, H. P. Thompson & appraisers.

Shown to before me, and signed in my presence, this 24 day of September, 1923. W. C. Vignon Notary Public

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 Three Hundred Dollars. Given under our hands, this 24-day of September, 1923.

H. E. Herrick, E. H. Binder, H. P. Thompson & appraisers.

Application to Sell Real Estate at Private Sale.

Frank Miller Jr. adm. of the estate of Frank Miller, Sr. Plaintiff

vs. Joseph Miller, et al. Defendant

Probate Court Union County, Ohio.

vs. application.

10163

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 said real estate may be sold for the full appraised value.
2. Because a buyer is already secured.
3. Because the estate will be saved the costs of public sale.

and he therefore asks for an order authorizing him to sell said real estate at private sale. Frank Miller Jr. adms. etc., of estate of Frank Miller, Sr. deceased.

The State of Ohio, Union County.

Frank Miller, adms. being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.

Frank Miller Jr.

Sworn to before me, and signed in my presence, this 24th day of Sept. 1923.

W.C. Vigor Notary Public, Union Co., Ohio

Affidavit of Disinterested Person.

The State of Ohio, Union County.

M. E. Herring, Edward Hindner, and Nelson Thompson, 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 whatsoever 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.

M. E. Herring, E. H. Hindner, N. P. Thompson.

Sworn to before me, and signed in my presence, this 24th day of September, 1923.

W.C. Vigor Notary Public, Union County, Ohio.

Journal Entry: In the Probate Court of Union County, Ohio, September 25th 1923. No. 10163. Journal Entry.

Frank Miller Jr. adms. etc., of estate of Frank Miller, Sr. dec'd. Plaintiff

Joseph Miller, 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 adms. 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

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and, the evidence adduced in support thereof; on con- sideration 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 Frank Miller Jr., adur., as aforesaid, proceed to advertise and sell the real estate aforesaid, free of downr., at private sale, at not less than the appraised value thereof on the following terms, to wit: Cash 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.

W. H. Husted, Probate Judge

Order of Sale - Free from downr.

The State of Ohio, Union County, ss. Probate Court. To Frank Miller Jr., adur., with will annexed, of the estate of Frank Miller Sr., 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 adur., etc., of the estate of Frank Miller Sr., are Plaintiff and Joseph Miller 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: Situated in the Village of Arnold City, Jerome Township, Union County and State of Ohio: Being lots nos. 30 and 31 in the second addition of the Village of Arnold City, as the same are known, numbered, and designated on the recorded plat of said second addition, in the office of the Recorder, of Union County, Ohio, at Mansfield, Ohio; to which plat reference is hereby made for a fuller and better description.

Said sale to be free from downr. and to be upon the following terms: cash on day 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 25 day of September, 1923.

W. H. Husted, Probate Judge

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 28 day of September, 1923. Frank J. Miller, adur., etc.

Report of Sale.

In obedience to the within order, I sold said premises, on the 26 day of September 1923, to John Sheppard, R. 3, Plain City, Ohio, for the sum of Three Hundred Dollars.

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said sum being the appraised value of the same.
Frank Miller Jr. adur. etc. of est. of Frank Miller Sr. decd.

Dated the 26-day of Sept. 1923.

The State of Ohio, Union County.

The above named Frank Miller Jr. adur. etc. of estate of Frank Miller Sr. 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.

Frank Miller Jr. adur. etc.

Brought to before me and signed in my presence this 26-day of September 1923.

W. C. Ligon Notary Public Union Co., Ohio.

Journal Entry: Orders approving ^{and} confirming Sale.

Frank Miller Jr. adur. etc.

Probate Court, Union County, Ohio.

Estate of Frank Miller Sr. Plffs.

September 28-1923.

Joseph Miller, et. al. Defts.

Orders approving ^{and} confirming Sale.

This day this cause coming on to be heard on the report of Frank Miller Jr. adur. etc. of estate of Frank Miller Sr. deceased.

of his proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Frank Miller Sr. in said real estate to the purchaser John Sheppard, and Eliza Jane Sheppard, who paid cash in hand at sale.

It is further ordered that this proceeding be recorded, ^{and} that said petitioner pay the costs herein taxed at \$- within ten days.
W. C. Ligon Probate Judge.

10053
Filed
April 20-1923.

In the matter of the estate of Alvin A. Smith, Deceased,
Petition To Sell Personal Property at Private Sale.

Probate Court Union County, Ohio.

In the matter of the Estate of Alvin A. Smith, Deceased. Property.

Private Sale of Personal Property. Petition.

To the Judge of said Court:

The undersigned Percy M. Smith, adur. of the estate of Alvin A. Smith late of said County, deceased, respectfully makes application for authority to sell at private sale and at its appraised value the part of the personal property of said estate which is enumerated in the schedule attached hereto and which is also enumerated in the inventory of said estate filed in said Court. And the petitioner alleges that said sale would be for the advantage of said estate for the following reasons:

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To assist in meeting claims against the estates.
 Dated April 20th 1923. Percy M. Smith, admr.,
 The Estate of Alvin A. Smith, deceased.

Percy M. Smith, being duly sworn, says that the various matters and things contained in the foregoing application are true, as he truly believes. Percy M. Smith, admr.,

known to before me, and signed in my presence. This 30th day of April, 1923. W.H. Husted, Probate Judge.

Schedule.

1/3	Interest in 5 horses	425-
1/3	" " 7 cows	350-
1/3	" " 26 hogs	240-
1/3	" " farm machinery	397-
		<u>1412</u> = 469-

Journal entry: Probate Court, Union County, O. April 20th 1923.

The Estate of Alvin A. Smith, deceased.

Authorizing Private Sale.

This day this cause came on to be heard upon the petition herein filed and the testimony Percy M. Smith, 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 Percy M. Smith as admr. 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: Purchases - amounting to five 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 payments to bear interest 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 admr. make return of his proceedings herein, within 60 days from this date, and, forthwith after such sale is made, and this cause is continued.

W.H. Husted, Probate Judge

Order of Private Sale, Personal Property,

Probate Court, Union County, Ohio.

In the matter of the Estate of

Alvin A. Smith, deceased. Order of Sale, Personal Property.

To Percy M. Smith, admr. 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:

- 1/3 Interest in 8 Horses #420- Sold to Mabel E. Smith
- 1/3 " " 7 cattle 350- " " " " "
- 1/3 " " 26 hogs 240- " " " " "
- 1/3 " " farm mch. 397- " " " " "

Said sale to be on the following terms: Purchases amounting to five 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 payments to bear interest from date of sale, and to be secured by the note or bond of the purchaser, with two or more approved sureties thereon.

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 30th day of April, A. D. 1923.

W. H. Husted, Probate Judge

Return.

Probate Court, Union County, Ohio.

In the matter of the Estate of Alvin A. Smith, Deceased

Report of Sale of Personal Property

The undersigned admr. of said estate, says, that in obedience to the order of said Court, hereto attached, he sold to Mabel E. Smith said personal property at private sale for the sum of \$469.00 said sum being not less than the appraised value of the same. A detailed Bill of said sales, is hereto attached.

Dated this 2nd day of July, 1923. Percy M. Smith, admr.

The State of Ohio, Union County. Percy M. Smith, admr., of the estate of Alvin A. Smith, being duly sworn, says, that the foregoing Report is in all respects true and correct, that such sale has been made after a 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.

Percy M. Smith, admr.

Sworn to before me, and signed in my presence, this 2nd day of July, 1923. W. H. Husted, Probate Judge

Journal Entry: Probate Court, Union County, O. July 2- 1923.

In the matter of the Estate of Alvin A. Smith, Dec'd. Sale of Personal Property confirmed. The administrator of the above named decedent having filed his return of the order to sell at private sale of the personal property of said decedent, and the Court, having carefully examined the same, find said proceedings in all respects regular and in accordance with law, and therefor approves and confirms the same.

W. H. Husted, Probate Judge

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April, 30-
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Filed
April 30-
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In the matter of the Estate of Elizabeth Andrews, Deceased,
Petition to Sell Personal Property at Private Sale,
Probate Court, Union County, Ohio,
Petition.

In the matter of the Estate of Elizabeth Andrews, Deceased

To the Judge of said Court:

The undersigned Percy M. Smith Ex., of the estate of Elizabeth Andrews late of said County, deceased, respectfully makes application for authority to sell at private sale and at its appraised value, the part of the personal property of said estate which is enumerated in the schedule, attached hereto, and which is also enumerated in the inventory of said estate filed in said Court and the petitioner alleges that said sale would be for the advantage of said estate, for the following reasons: To assist in meeting claims against the estate. Dated April 30th 1923.

Percy M. Smith, Executor.

The State of Ohio, Union County,

Percy M. Smith, being duly sworn, says that the various matters and things contained in the foregoing application, are true as he verily believes. Percy M. Smith, Ex.

Sworn to before me and signed in my presence this 30th day of April, 1923. W. H. Husted Probate Judge.

Schedule.

1/3	Interest in 5 horses	420.
1/3	" " 7 cattle	350.
1/3	" " 26 hogs	240.
1/3	" " farm machinery	397.
		1407) 1/3 = 469 ⁰⁰

Journal Entry: Probate Court, Union County, O. April 30th 1923.

The Estate of Elizabeth Andrews, Deceased.

Authorizing Private Sale.

This day this cause came on to be heard upon the petition herein filed and the testimony of Percy M. Smith 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 Percy M. Smith as Executor 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: Purchases, amounting to Five 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 payments to bear interest

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 Executor, makes returns of his proceedings herein, within 60 days from this date, and forthwith after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge.

Order of Private Sale. Personal Property, Probate Court, Union County, Ohio.

In the matter of the Estate of Elizabeth Andrews, Deceased.

no. Order of Sale of Personal Property.

To Percy M. Smith, Executor. 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:

- 1/3 Interest in 5 horses - \$420.00 Mabel E. Smith
- 1/3 " " 7 cattle 350.00 " " "
- 1/3 " " 26 hogs 240.00 " " "
- 1/3 " " farm machinery 397 " " "

Said sale to be on the following terms: Purchases amounting to five dollars (\$5) 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 approved sureties thereon. 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 30th day of April 1923.

Return,

Probate Court, Union County, Ohio.

In the matter of the Estate of Alvira A. Smith, Deceased.

Report of Sale of Personal Property.

The undersigned, administrator of said estate, says, that in obedience to the order of said Court, hereto attached, he sold to Mabel E. Smith, said personal property, at private sale, for the sum of \$490.00, said sum, being not less than the appraised value of the same. A detailed Bill of said Sales is hereto attached. Dated this 2nd day of July, 1923.

Percy M. Smith Ex.

The State of Ohio, Union County.

Percy M. Smith, Executor, of the estate of Elizabeth Andrews, being duly sworn, says, that the foregoing Report is in all respects true and correct, that such sale has been made after a diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could

9866- Filed Aug. 9, 1923.

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Oliver M. Smith Ex.

Brought to before me and signed in my presence. This 2-day of July, 1923. ~~Notary~~ W.H. Husted. Probate Judge.

Journal entry: Probate Court, Union County, Ohio, July 2, 1923. In the matter of the Estate of Elizabeth Andrews, Dec'd | Sale of Personal Property confirmed.

The Executor of the above named, decedent having filed his return of the order of the court for private sale of the personal property of said decedent, and the court having carefully examined the same, find said proceedings in all respects regular, and in accordance with law, and therefore approve and confirm same.

W.H. Husted, Probate Judge.

9865- In the matter of The Estate of Florence Woodburn, Deceased, Petition to Sell Personal Property.

Filed Aug. 9, 1923. In the matter of The Estate of Florence Woodburn, Dec'd, Probate Court, Union County, Ohio, No. 9865- 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 Florence Woodburn, 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:

7 1/2 shares, Mansfield Light and Water Co. stock - Face value \$100- per share - \$750.00

Said authority is asked for the following reasons: that it will be necessary to sell the same for the purpose of paying debts and costs of administering said estate and to make distribution as provided in the Will of the said deceased.

Wherefore, said executor asks that the Court may fix the price at which said stock may be sold, and authorize her to sell it at not less than the price so fixed by the Court.

Ruth Henry, Executor.

The State of Ohio, Union County, ss. Ruth Henry, being duly sworn, says that the facts stated in the foregoing petition are true, as he verily believes.

Ruth Henry.

Brought to before me and signed in my presence. This 9-day of August, 1923. ~~Notary~~ Maud Myers, Notary Public.

Journal entry: In the Probate Court, Union County, Ohio, No. 9865- Journal entry of Florence Woodburn, Dec'd authorizing sale of stock.

9865 This day came Ruth Berry, executrix of the estate of Florence Woodburn, deceased, and filed herein her application to sell seven and one-half shares of stock of the Marysville Light & Water company belonging to the said deceased; and the same was submitted to the court. Whereupon, the court, find that it is necessary to sell the said stock, and fixes the value thereof to be \$750- with accrued interest to the 1- day of August, 1923, and authorizes and directs said executrix to sell and transfer to the purchaser said stock at not less than the sum so fixed by the Court, at private sale, and for cash.

W. H. Husted, Probate Judge.

Order of Sale. Personal Property.

Probate Court, Union County, Ohio.

no. 9865.

Order of Sale-

In the matter of the Estate of Florence Woodburn, deceased.

To Ruth Berry

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 par, and interest, the following goods and chattels belonging to said deceased to wit:

7 1/2 shares, Marysville Light & Water Co - stock.

True value, \$ 100 - per share - 562.50

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 9- day of August, 1923.

W. H. Husted, Probate Judge.

Return

Probate Court, Union County, Ohio.

Ret. to sell Personal Property.

Report of Sale-

In the matter of the Estate of Florence Woodburn, deceased.

The undersigned, Ruth Berry, executrix of the estate of Florence Woodburn, deceased, says, that in obedience to the order of said court, hereto attached, she sold said personal property, for the sum of seven hundred and fifty-four ^{and 75/100} Dollars, said sum being amount fixed by the Court.

A detailed Bill of said sales, is hereto attached.

Dated this 9- day of August, 1923.

Ruth Berry.

Bill of Sales-

7 1/2 shares, Marysville L. & W. Co. stock, 562.50. The Ohio Edison Co. 754.75

The State of Ohio, Union County, ss.

Ruth Berry, executrix of the estate of Florence Woodburn, 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

9866-

for the highest sum of any money in the hands of Florence Woodburn, deceased, this Ruth Berry, executrix of the estate of Florence Woodburn, deceased, having filed and sworn that she has proceeded according to law, to sell at private sale, at not less than par, and interest, the following goods and chattels belonging to said deceased to wit:

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Filed

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In the matter of the Estate of John C. To... The... duly John C. persons and court. To sell terms of said to wit: 1. sp... 1 ston... 5- shai... Said that sale. facts verile... day

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Journal Entry: Orders for Private Sale.

Probate Court, Union County, Ohio.

In the matter of the estate of John B. Kromkopf, Deceased.

March 6th 1922.

Order of Sale, etc.

This day this cause came on to be heard upon the petition herein filed, 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 personal property at private sale; it is therefore ordered that Laura Kromkopf, as admx. 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: Cash in hand at time of sale. It is further ordered that said admx. make return of proceedings herein, within six months, from this date, and forthwith after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge

Order of Sale - Private

Probate Court, Union County, Ohio.

no. 9751

Order of Sale.

In the matter of the estate of

John B. Kromkopf, Deceased

To Laura Kromkopf, admx. of the estate of John B. Kromkopf, 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 to proceed according to law, to sell at private sale, the following personal property, to-wit:

- 1. Spring wagon. 20.00
- 1. set wagon harness. 10.00
- 1. storm top buggy. 18.00
- 1. " Buggy " " 2.00
- 5. Stands bees. 5.00

- 1. Spring wagon R. J. Kromkopf \$ 20.00
 - 1. Storm top buggy W. Peterson 18.00
 - 5. Stands Bees R. J. Kromkopf 5.00
 - 1. set wagon harness " " " 10.00
 - 1. " Buggy " " " 2.00
- Total \$55.00

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 6th day of March, A. D. 1922.

W. H. Husted

Probate Judge

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Return,

Probate Court, Union County, Ohio.

In the matter of the estate of

J. B. Kronsopf, deceased. Report of Sale

The undersigned Laura Kronsopf, admx. of the estate of J. B. Kronsopf, deceased, says, that in obedience to the order of said court, hereto attached, she sold said personal property, commencing on the 5-day of March, 1922, and, closing on the 10-day of March, 1922, for the sum of Fifty-five dollars - Bill of sale is herewith returned. Dated this 30 day of July, 1923.

Laura Kronsopf, admx.

Journal Entry: Orders approving and Confirming Sale

Probate Court, Union County, Ohio.

In the matter of the estate

July, 31-1923.

of John B. Kronsopf, deceased. Orders approving and Confirming sale.

This day this cause coming on to be heard on the report of Laura Kronsopf, admx. of the estate of John B. Kronsopf 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 hereto is approved and confirmed. It is further ordered, that this proceeding be recorded, and, that said admx. pay the costs herein taxed at \$ 3. H. H. Husted Probate Judge.

Guardian's Petition To Sell Real Estate

Probate Court, Union County, Ohio.

10143.
Filed
July, 31-1923
M. L. Myers,
attorney.

Rosa D Campbell, Guardian of,
Florence Rose Clark, a minor.
Plaintiff.

No. 10143
Petition To Sell
Real Estate.

Her said Ward,
Florence Rose Clark,
Lester Earl Clark, and,
Wattie May Carmean.
Defendants.

Petitioner.

The Plaintiff represents that she is the duly appointed and qualified Guardian of Florence Rose Clark, of the age of 17 years, on the 9th day of March, 1923, and, residing with the plaintiff, Rosa D. Campbell, at North Lewisburg, Ohio, and, that she was appointed as such guardian by the probate court of Union County, Ohio.

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 Allen, to-wit:

Being a part of Survey # 368,

Beginning at an iron rod in the center of the

10143

Inskip and Grady Grant Road and in the south line of the Thompson Snuffin land: thence with the center of said road S. 28° E. 33.50 rods to an iron rod at the north-east corner of L. Earl Clark's 95.75-acre tract; thence with the north line of said tract S. 54° W. 135.50 rods to a stone in the east line of the former Sleep, Clark's land; thence with the said line N. 36 1/4° W. 24.65 rods to a stone in the south line of said Snuffin's lands; thence with the consecutive lines of said land, N. 55° E. 48 rods to a stone, and N. 36° W. 26.30 rods to a Willow tree and N. 54° E. 95.40 rods to the beginning.

Containing 40 acres, more or less. Said real estate is worth annually, Two hundred and 40/100 Dollars.

That said Plaintiff has received no rents from the real estate of her ward in the sum of \$125.00

Further, the said plaintiff says, that the defendant, Lester Earl Clark, is a brother of her said ward, and that the said defendant, Mattie May Carmean, is a half sister of her said ward, being all the persons entitled to the next estate of inheritance in the real estate hereinafter described.

That the sale of said real estate, will be for the best interest of her said ward for the following reasons, to-wit: First: That the rental received therefrom is insufficient to pay the taxes, insurances, repairs, and necessary expenses, so as to leave any margin of profit for her said ward. Second: That if sold the proceeds received therefrom can be invested in bonds or other investment as may be ordered by the Court, so that a reasonable income and net profit may be received annually for the benefit of her said ward.

Third: That the said real estate can be sold for cash, at once, for all that it is reasonably worth.

The Plaintiff therefore prays that said Florence Rose Clark, Lester Earl Clark, and Mattie May Carmean, 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 hereinafter proposed, and for other proper relief.

Rosa D. Campbell, Guardian of
Florence Rose Clark, a minor

The State of Ohio, Union County, ss.
Rosa D. Campbell, being duly sworn, says, that he is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as she truly believes.

Rosa D. Campbell.

Sworn to before me, and signed in my presence, this 30-day of July, 1923.
Maud Pyles,
Notary Public.

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Journal Entry: In the Probate Court, Union County, Ohio,
Rosa D. Campbell, Guardian of
Florence Rose Clark, Minor
Plaintiff

No. 10143

Journal entry

Florence Rose Clark, et al. | Filing Petition to Sell -
Defendants. | Real Estate.

This day came Rosa D. Campbell, as guardian of Florence Rose Clark, and filed her petition herein, duly verified, asking for the sale of the real estate of her said ward, as in the petition described and for the purpose therein stated. Whereupon, it is by the Court ordered, that said cause shall be set for hearing on the 1st day of September 1923, at nine o'clock a.m. and that notice thereof shall be given to Florence Rose Clark, her ward and to Hattie May Carmean, defendants, in writing and delivered to each of said defendants personally, fifteen days before the day set for said hearing.

It is further ordered that the defendant, Lester Earl Clark, be served by publication, he being a non-resident of the state of Ohio, unless he should enter his appearance, and that said notice be published for four consecutive weeks in a newspaper of general circulation within the county prior to said day set for hearing, and that a copy of said newspaper containing said notice be mailed addressed to said defendant at his last known address, and this cause is continued. H. H. Husted, Judge.

Order For Notice.

Probate Court, Union County, Ohio,

Rosa D. Campbell, Guardian of
Florence Rose Campbell, Ptft.,
Her said Ward, et al. Defts. Order for Notice.

No. 10143

Proceedings to sell Real estate.

To Rosa D. Campbell, Guardian:

You are hereby ordered to give notice to Florence Rose Clark, your ward, and Lester Earl Clark, and Hattie May Carmean, defendants to your petition, this day filed in said Probate Court, for sale of the following described real estate of said ward, of the filing of said petition and the time when the same will be heard: such notice to be given at least 15 days before the time hereinafter named for said hearing: The real estate so asked to be sold, is described as follows, to wit:

Situated in the County of Union, State of Ohio, Township of Allen, and part of Survey # 3681 Beginning at an Iron rod, in the center of the Leakey, County Road, and in the south line of the Thompson Snuffin land: thence with the center of said road, S. 28° E.

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55.50 rods to an iron rod at the north east corner of L. Earl Clark's 95.75 acre tract: thence with the north line of said tract S. 54° W. 135.50 rods to a stone in the east line of the former Shup. Clark's land: thence with the said line N. 36 1/4° W. 29.65 rods to a stone in the south line of said Snuffin's lands: thence with three consecutive lines of said land N. 55° E. 48 rods to a stone, and N. 36° W. 26.20 rods to a willow tree and N. 54° E. 95.40 rods to the beginning, containing 40 acres, more or less.

The prayer of said petition is for the Court to authorize the said guardian to remove the funds, as may be ordered by the Court.

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 1-day of September A.D. 1923, at 9 o'clock A.M. said guardian will make due return showing how he served this order.

witness, my hand and the seal of said Court, at Marysville, Ohio, this 31-day of July, 1923. ^{seal} W.H. Husted, Probate Judge.

Return of Order.

Received this order, the 31-day of July, 1923, and thereupon served the same, as shown hereon. Rosa D. Campbell, Edm.

We, the undersigned defendants named herein, do each of us acknowledge, due and legal service of the foregoing writ.

Rosa D. Campbell, Edm. of Florence Rose Clark.
Rosa D. Campbell.

Return of service made directly by guardian. The State of Ohio, Union County.

I, Rosa D. Campbell, being duly sworn, say that on the 31-day of July, 1923, I served this writ by delivering a true copy thereof personally to the within named Florence Rose Clark, and Walter May Carmean.

Rosa D. Campbell, Edm.

Sworn to before me and signed in my presence, this 31-day of July, 1923. ^{seal} Mand Piers, Notary Public.

Return - If service made thru Sheriff.

The State of Ohio, Union County.

Received this writ July 31- 1923, at ten o'clock, a.m. and on the 31-day of July 1923, I served the same, by delivering a true copy thereof personally to the within named Florence Rose Clark a minor, and, as to said minor on the same day and at the same time I served a true copy of this writ on Rosa D. Campbell, personally, she, the said Rosa D. Campbell, being the guardian of said minor and, with whom said minor resides, said minor having no father or mother living.

Frank Gallier, Sheriff.

Witness

In the Probate Court of Union County, Ohio.

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Rosa D. Campbell, Guardian of
Florence Rose Clark, minor,
Plaintiff

no. 10143

Florence Rose Clark, et al.

vs. minor.

Defendants.

I, the undersigned, do hereby waive the issuing and service of process, and summons in the foregoing action, and, enter my appearance herein, waive time and consent to the sale of said real estate, as prayed for in the plaintiff's petition. L. Earl Clark.

Application for appointment of Guardian ad litem,
Probate Court, Union County, Ohio.

Rosa D. Campbell, Edu. of
Florence Rose Clark, minor,
Plaintiff

September 29 - 1923

application for
appointment of Guardian ad litem

Florence Rose Clark, et al.

Defendants.

To the Hon. W. H. Husted, Judge of said Court:

The undersigned Rosa D. Campbell, makes application for the appointment of a Guardian ad litem, for the minor defendant in the above entitled case. The defendant

Florence Rose Clark, being over the age of fourteen years, and, has been duly served with summons herein, and, has neglected for more than twenty days after the return of summons on her to apply for a guardian ad litem. The undersigned suggests that C. A. Hoopes

who is a suitable person be appointed as such Guardian ad litem. Respectfully, Rosa D. Campbell.

Journal Entry on appointment of Guardian ad litem.
Probate Court, Union County, O. September 11 - 1923.

Rosa D. Campbell, Edu. of
Florence Rose Clark, minor,
Plaintiff

no.

Florence Rose Clark, et al.

appointment of Guardian
ad litem.

Defendants.

This day, Rosa D. Campbell, the plaintiff as guardian of Florence Rose Clark, 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 Florence Rose Clark being over the age of fourteen years, and, has been duly and legally served with summons herein, and, has neglected for more than twenty days after the return of summons, on her to apply for the appointment of a guardian ad litem. It is ordered, that C. A. Hoopes, Sr. and he is hereby appointed Guardian

10143

for the suit. for said minor defendant. and now comes the said W. A. Hoopes, and in open court accepts said appointment. W. H. Huated, Judge.

Answer of Guardian ad litem.

Probate Court, Union County, Ohio,

no. 10143

Rosa D. Campbell, Guardian of Florence Rose Clark, et al.

Plaintiff

Florence Rose Clark, et al.

Defendants.

Answer of minor Defendants.

And now comes the said Florence Rose Clark the minor defendant to the petition in said cause, by her Guardian ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations herein contained, prejudicial to said minor defendant. She further says that she is of tender years and not acquainted with the law in such cases, and therefore pray the court to protect her rights in this cause, and for such relief as may be just.

Dated this 11 day of September A. D. 1923.

W. A. Hoopes, Guardian ad litem of Florence Rose Clark, minor.

Journal entry: Order on hearing of appraisement

Probate Court, Union County, Ohio.

Rosa D. Campbell, Guardian of Florence Rose Clark, minor.

Plaintiff

Florence Rose Clark, et al.

Defendants.

September 29 - 1923.

Petition to Sell Real Estate.

Order of appraisement.

This day this cause came on to be heard, upon the petition, evidence and testimony and, on the answer of W. A. Hoopes, as guardian ad litem of Florence Rose Clark, a minor, 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 as described in the petition set forth, and that it will be for the best interest of the estate of the said minor, and said minor to sell the same.

It is ordered that Frank Bellor, Everett Epps, and Chas. D. Wood, 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.

It is further ordered that said appraisers be sworn as required by law, and afterward, upon

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actual view. perform the duties required of them, and make return of their proceedings in writing to this Court, on or before the 29-day of September 1923, and this cause is continued.

W. H. Husted, Probate Judge.

Order of appraisement.

The State of Ohio, Union County ss.

Probate Court,

J. Rosa D. Campbell, 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 Florence Rose Clark, a minor are Plaintiff and Florence Rose Clark, et al, are Defendants, you are commanded that by the oaths of Frank Collins, Everett Epps, and Charles D. Holt judicious disinterested men of the vicinity most 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 described premises, to wit:

Situated in the Township of Allen, in the County of Union, and State of Ohio, Survey no. 3681, Beginning at an iron rod in the center of the Inskeep and Keratty Grand Road, and in the South line of the Thompson Snuffin lands; thence with the center of said road S. 28° E. 55.50 rods to an iron rod at the North-east corner of L. Earl Clark's 95:75 acre tract; thence with the north line of said tract S. 54° W. 135.50 rods to a stone in the east line of the former Shyp Clark's lands; thence with said line N. 36 3/4° W. 29.65 rods to a stone in the south line of said Snuffin's land; thence with three consecutive lines of said land N. 55° E. 48 rods to a stone and N. 36° W. 26.20 rods to a willow tree and N. 54° E. 95.40 rods to the beginning. Containing 40 acres more or less.

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 29-day of September A.D. 1923.

W. H. Husted, Probate Judge.

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 29-day of September, 1923, Rosa D. Campbell,

Cash of Appraisers.

The State of Ohio, Union County

We, the undersigned, appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate.

10143

Estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

Frank Collier, Ervntt Effe. Chas. D. Webb appraisers known to before me, and signed in my presence, this 29 day of September, 1923. ^{with} Willis L. Myers, Notary Public, 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 Five thousand and ^{no}/₁₀₀ Dollars, being under our hands, this 29 day of September 1923.

Frank Collier, Ervntt Effe. Chas. D. Webb appraisers. Journal entry: Order approving appraisement for Bond. Probate Court, Union County, Ohio

Rosa D. Campbell, Guardian of Florence Rose black minor Plaintiff September 29 - 1923.

Florence Rose black et al. Defendants. Orders for Bond.

This day came the said Plaintiff, by her attorney, and produced to the Court the report of an appraisement herein made by Frank Collier, Chas. D. Webb, and Ervntt Effe, 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 Rosa D. Campbell, execute within five days, to the State of Ohio, a bond, with sufficient freehold, sureties, to be approved by the Court, in the sum of Ten thousand and ^{no}/₁₀₀ Dollars, conditioned according to law, and this cause is continued.

H. H. Busted, Probate Judge. Guardian's Bond.

Know all men by these Presents: That we, Rosa D. Campbell, The United States Fidelity and Guarantee Company of Baltimore, Md. are held, and firmly bound unto the State of Ohio, in the sum of Ten thousand and ^{no}/₁₀₀ Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, Executors and administrators.

Signed by us, and dated at Marietta, Ohio, this 29th day of September A.D. 1923. The condition of the above obligation is such, that whereas, the above bound, Rosa D. Campbell, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Florence Rose black minor.

and whereas, the said Rosa D. Campbell, as such Guardian, has filed in said Probate Court, asking an order for the sale of certain real estate of said Ward, described in said

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Final Record, Union County Probate Court

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petition, which under proceedings in said court, duly had, has been appraised at the sum of, Five thousand and no 100 Dollars. And, whereas, said court, on the 29-day of September 1923, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided. Now, if, the said Rosa D. Campbell, as Guardian aforesaid, shall faithfully discharge her 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. Rosa D. Campbell.

United States Fidelity and Guar. Co.,
F. M. Kilcast, Agt.

Executed in Presence of Milo L. Myers, T. B. Snuffin.

This bond approved in open court, this 29-day of September, 1923. W. H. Husted, Probate Judge.

Application to Sell Real Estate at Private Sale -

Probate Court, Union County, Ohio,
vs.

Rosa D. Campbell, Adm. of
Florence Rose Clark, minor.

Plaintiff.

Florence Rose Clark, et al.

Defendants.

Application.

The said Plaintiff represents that it would be for the best interest of the said Florence Rose Clark, and her 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 forthwith for cash, in full, in hand, on day of confirmation of sale - at the appraised value. Second, that the appraised value, of said real Estate as appraised is all said real estate is reasonably worth. Third, that to sell at private sale, will save time and expense of advertising a sale at public sale. And, she therefore asks for an order authorizing her to sell said real estate at private sale. Rosa D. Campbell, Adm. of Florence Rose Clark, minor.

The State of Ohio, Union County,

Rosa D. Campbell, being duly sworn, says, that the various matters set forth in the foregoing application are true as she truly believes. Rosa D. Campbell.

Known to be true, and, signed in my presence, this 29-day of September, A. D. 1923.

Milo L. Myers Notary Public

Affidavit of Disinterested Persons -

The State of Ohio, Union County,

F. W. Gallaway and J. M. Deutz 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

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whatsoever in the matters therein referred to, and that it will be more for the interest of the said Ward and her estate to sell said real estate at private sale, than at public sale, as set forth herein, as they truly believe.

F. W. Gallaway, J. M. Lutz,

came to before me, and signed in my presence, this 29th day of September 1923. W. H. Myers, Notary Public.

Journal entry: Order approving Bond for Private Sale.

Probate Court, Union County, Ohio.

September 29th 1923.

Petition to Sell Real Estate

Rosa D. Campbell, Guardian of Florence Rose black minor.

Plaintiff
Florence Rose black, 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 Rosa D. Campbell, the plaintiff above named has given bond, as heretofore ordered, in the sum of Ten thousand and no/100 Dollars; with the United States Fidelity and Guarantee Co. of Baltimore, Md., 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 of said estate to sell the real estate described in the petition at private sale.

It is therefore further ordered that said Rosa D. Campbell, as such, guardian proceed to sell said real estate at private sale, for not less than \$5000.00 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.

W. H. Husted Probate Judge.

Order of Sale -

The State of Ohio, Union County,

Probate Court,

To Rosa D. Campbell, 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 Guardian of Florence Rose black, a minor, are Plaintiff and Florence Rose black, et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$5000.00 the appraised value, thereof, the following described premises, to wit:

Situated in the Township of Allen, in the County of Union and State of Ohio, survey no. 3681. Beginning at an iron rod in the center of the Inskeep and Cratty Grand Road, and in the south line of the Thompson Snuffin lands; thence with the center of said road S. 28° E. 55.50 rods to an iron rod at the north-east corner of h. East black's 95.75-acre tract; thence with the north

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line of said tract S. 54° W. 135.50 rods to a stone in the east line of the former Shep Clark's lands: Thence with said line N. 36 3/4° W. 29.65 rods to a stone in the south line of said Snuffin's land: Thence with three consecutive lines of said land, N. 55° E. 48 rods to a stone and N. 36° W. 26.20 rods to a willow tree and N. 54° E. 95.40 rods to the beginning, containing 40 acs. more or less.

Said sale to be private and to be upon the following terms: Cash in hand, 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 Mansville, Ohio, this 29-day of September, 1923.

W. H. Husted, Probate Judge.

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 29-day of Sept., 1923.

Rosa D. Campbell, Guardian.

Report of Sale.

In obedience to the within order, I sold said premises on the -- day of September 1923, to Thompson Snuffin, for the sum, being the appraised value of the same.

Rosa D. Campbell, Secy., aforesaid.

Dated the 29-day of September, 1923.

The State of Ohio, Union County,

The above named Rosa D. Campbell, 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 she could get for said property.

Rosa D. Campbell.

Sworn to before me and signed in my presence, this 29-day of September, 1923. Milo L. Myers, Notary Public.

Journal Entry: Probate Court, Union County, Ohio, September 29-1923.

Rosa D. Campbell, as Secy., of Florence Rose Clark minor, Plaintiff

Proceeding to Sell Real Estate

Florence Rose Clark et al, Defendants.

Confirming Sale.

This day this cause coming on to be heard on the return of Rosa D. Campbell, Guardian of the estate of Florence Rose Clark, a minor, of her 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

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same be and hereby is approved and confirmed: and it is further ordered that said Rosa D. Campbell as such Guardian, make to the purchaser, Thompson Snuffin a good and sufficient deed for the premises so sold. It is further ordered, that this proceeding be recorded, and that said Guardian pay the costs herein taxed at #. within ten days.

W.H. Husted, Probate Judge.

95-06

Filed

Nov. 16th

1920.

Petition to Sell Real Estate,

The Probate Court, Union County, Ohio.

no. 95-06

Norman C. Bourne, adur. of.
The Estate of Robert L. Woodburn, deceased.
Plaintiff.

vs.

- Florence Woodburn,
- Louella Woodburn,
- C. K. Woodburn,
- Mary Howland,
- Ruth Shaver,
- Bessie Hamilton
- Samuel H. Woodburn,
- Dora Willard,
- Helena Shormaker
- Lucile Woodburn, ^{and}
- Calvin H. Woodburn.

Petition.

Defendants.

Now comes the plaintiff and says, that he is the duly appointed, qualified and acting administrator de bonis non, with the Will annexed, of the estate of Robert L. Woodburn, deceased, and that the said Robert L. Woodburn died on the 19th day of September 1910. seized in fee simple of the following described real estate, situated in the township of Paris, County of Union, and the State of Ohio, to-wit:

Being part of Survey no. 4066.

Beginning at three beeches, in the east line of said Survey 100 poles from the south-easterly corner, thence with said line N. 10° 24' W. 122 poles to two beeches, and a sugar tree and ironwood (all saplings) in said line; thence S. 53° W. 300 poles to two beeches, and a sugar tree, on the bank of Mill Creek; thence down the bank, with the meanders thereof, S. 43° E. 82 poles; thence N. 80° E. 32 poles to a white ash; thence N. 33° E. 117.50 poles to three white ash saplings; thence N. 10° W. 7 1/4 poles to two beeches; thence north 80° East 160 poles to the beginning.

Containing 160 acres, more or less.

Excepting 60 acres conveyed to Abraham Amurino May 21-1820, which is described as follows:

Beginning at three beeches, in the east line of

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Survey No. 4066. 100 poles from the southeast corner; thence with said line N. 10° 24' W. 122 poles to two beeches and a sugar and ironwood, all saplings; thence S. 55° W. 104 poles to a stake; thence S. 10° 24' W. 79 poles to a stake in the north line of 100 acres of land, which was conveyed by Abraham Aurine to Benjamin Bates, April 1 - 1820; thence with said Bates' line N. 80° E. 95 poles to the beginning. Containing 60 acres, more or less.

Leaving 100 acres, more or less.

also, the following described real estate, situated in the township of Paris, County of Union, and the State of Ohio, to wit: Being part of Survey No. 4066.

Beginning at two sugars, and by nw. (gone) southeast corner to said Survey No. 4066; thence with the east line of said Survey N. 8° W. 22 poles to a stone at the intersection of the Marysville and Kenton Road, with the Marysville and Aurine Mill Road; thence S. 87° W. 34 1/2 poles to a stone in the center of said Aurine Mill Road; thence N. 8° W. 75. 28 poles to a stone in the line of the Smith W. Aurine estate; thence with the line of said Aurine estate and a line of lands, formerly owned by John Woodburn Sr., S. 80° W. 125 poles to a stone, corner to said John Woodburn's land; thence with another of his lines S. 10° E. 7 poles to a stake; corner to said John Woodburn's land; thence with another of his lines S. 33° W. 120 poles to a white oak, corner to said Woodburn's land in the south line of Survey No. 4066; thence with said line N. 80° E. about 240 poles to the beginning. Containing 107 1/4 acres, more or less.

also, another lot situated in the township of Paris, County of Union, and the State of Ohio, to wit: Being part of Survey No. 3354. Beginning at a sugar in the original east line of Survey No. 3354, at the crossing of Mill Creek; thence with said line N. 10° W. 64 poles to two sugar trees, and a hewn northeast corner to said Survey No. 3354; thence with the north line of said Survey S. 80° W. 96 poles to the center of Mill Creek; thence down the center of Mill Creek, with the meanders thereof, as follows; S. 60° E. 12 poles, S. 80° E. 20 poles S. 58° E. 22 poles S. 2° E. 17 poles, N. 47° E. 20 poles, S. 26° E. 12 poles S. 15° W. 18 poles S. 11° E. 12 poles S. 42° E. 8 poles S. 66° E. 19 poles to the beginning.

Containing 11 1/4 acres, more or less. Excepting therefrom 8 acres, in Survey No. 3354, conveyed to R. M. Henderson, by deed dated May 28 - 1853, and recorded in Vol. of Deeds, No. 55, page 560 and also, excepting 5 acres in Surveys Nos. 3356, and 4066 conveyed to S. N. McCloud, by deed dated May 28 - 1883, and recorded in Vol. 56 page 102. Leaving 100 1/2 acres, more or less.

That the said Robert R. Woodburn died testate,

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the duly de bonis b. S. Woodburn in fee- ated in State of Ohio.

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that his said last Will and testament was admitted to probate by the probate judge of said Union County, Ohio, on the 4th day of October 1910, and recorded in Vol. 11th record of Wills page 138. That it was provided and contained in item seventeen of the said decedent's Will, that his executor named therein, have and hold the 205 acres of land owned by the deceased, situated in Paris Township Union County, Ohio, with all the Chattel property found thereon at the time of his demise; in trust, for the use, purposes and benefits therein mentioned, for the period of ten years from the date of the death of the said testator.

That it was provided and contained in item eighteen of the said decedent's Will, that at the expiration of the ten year period, for the operation or leasing of said farm lands, said decedent's executor was directed to sell said lands, and any personal property then found thereon, and from the aggregate proceeds of such sale, or sales, the said testator bequeathed and devised to his sister, Florence Woodburn, four thousand dollars; to his sister, Surlen Woodburn, four thousand dollars; to his brother Heber Woodburn, three thousand dollars; and the balance of said estate, if any remaining to his nephews and nieces then living, in equal shares.

Further, the said plaintiff says, that the said Robert L. Woodburn, the said testator, died leaving no widow, and no children, that he left the following named: Florence Woodburn and Surlen Woodburn, his only sisters, living, surviving him; and C. H. (Heber) Woodburn his only brother, living, surviving him, and who are yet living; and the following named: Max Woodland, who was a daughter of David Woodburn, deceased, who was a brother of the said Robert L. Woodburn, deceased; Ruth Shaver, who was a daughter of Maud Shaver, deceased, who was a sister of the said Robert L. Woodburn, deceased; and Bessie Barrett, Samuel Woodburn, Duro Hillard, Helen Shoemaker, Lucile Woodburn and Calvin H. Woodburn who were children of Warner Woodburn, deceased, who was a brother of the said Robert L. Woodburn, deceased; all of whom are the only nephews and nieces, now living, of the said Robert L. Woodburn, deceased.

This plaintiff further says, that the ten year period for operating said farm, by the executor, as stated and contained in the said decedent's Will, terminated on the 19th day of September 1920, and that to carry out the terms and provisions in said Will contained in order to pay the bequests and devises as therein stated, and to close said estate,

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that it is now necessary to sell the lands therein mentioned, being the premises herein described.

That the description of said lands, as herein described and the description thereof as found of record is vague and uncertain, that it will be to the benefit and advantage of said estate, and to this plaintiff to have said real estate and the whole thereon, resurveyed and described, so that, the metes and bounds thereof may be made definite and certain.

Wherefore, the plaintiff prays for an order directing him to forthwith cause said premises to be surveyed; and, that your petitioner may be authorized and ordered to sell said real estate, so as to make distributions according to the will of deceased trust 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.

Norman C. Bourn, Adm. de bonis non, of estate of Robert L. Woodburn, deceased.
Milo L. Myers, Attorney for Plaintiff.

The State of Ohio, Union County, ss.

The above named plaintiff, Norman C. Bourn, being duly sworn, says, that the facts stated and the allegations made and contained in the foregoing petition are true as he believes.
Norman C. Bourn.

Done to before me and signed in my presence, this 15th day of November, 1920. Milo L. Myers, Notary Public
Journal entry: In the Probate Court of Union County, Ohio.
Norman C. Bourn, Adm. of the Estate, November 16th, 1920.
of Robert L. Woodburn, Decd. No. 9306.
Plaintiff. Journal entry.

Flourace Woodburn,	Louella Woodburn,	Filing Petition of Real Estate.
C. H. Woodburn,	Man Rowland,	
Ruth Sharrer,	Bessie Hamilton	
Samuel Woodburn,	Jess Willard,	
Helen Shoemaker,	Lula Woodburn	
Mrs. Leoline H. Woodburn.		

Defendants.

This day came the Plaintiff Norman C. Bourn, adm. de bonis non with Will annexed of the estate of Robert L. Woodburn, deceased, and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said Robert L. Woodburn, deceased, to pay the debts, and the costs of administering the estate, of the 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

9506

are required by law to answer the same, to give to each of the said defendants, and this cause is continued.

Eduard W. Potter, Probate Judge.

Summons.

The State of Ohio, Union County, ss.

To Norman C. Bourn, of Union County, Kentucky:

You are commanded to notify Calvin H. Woodburn a 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 Norman C. Bourn, administrator de bonis non, with the will annexed of the estate of Robert L. Woodburn, deceased, in the Probate Court, of Union County and that unless he answer by the 8th day of January 1921, the petition of said Plaintiff against him 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 20th day of December, 1920.

Witness my hand and the seal of said Court, this 6th day of December, 1920. Eduard W. Potter, Probate Judge.

The State of Ohio, Union County, ss.

I, Norman C. Bourn, 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: Dec. 8th 1920, to Calvin H. Woodburn and also, as to the within named minor defendant, December 8th 1920, to Calvin H. Woodburn, and also, as to the within named, minor defendant, December 8th 1920, to Margaret Woodburn the mother, he having no legally appointed guardian and his father being deceased, and she the mother being with whom such infant resides.

Norman C. Bourn

known to before me, and signed in my presence, this 10th day of December, 1920. Wills L. Myers, Notary Public

Wainor

In the Probate Court, of Union County, Ohio.

Norman C. Bourn, Administrator of the estate of Robert L. Woodburn, deceased. Plaintiff

No. 9506

Petition to Sell Real Estate.

v.

Glenn Woodburn, et al.

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.

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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. N. K. Woodburn, Samuel Woodburn, Luella Woodburn,

Wainor

In the Probate Court of Union County, Ohio,

Norman C. Bourn, adur.

No. 95-86.

of the estate of Robert L. Woodburn, deced.

Petition to sell Real Estate,

Plaintiff

v.

Florence Woodburn, et al.

Wainor, of Process and,

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.

Luella Woodburn, Florence Woodburn, Max Howland, Calvin H. Woodburn, Mrs Bessie Hamilton, Ruth Sharrer,

Summons on Petition to sell Real Estate

The State of Ohio Franklin County ss.

To the Sheriff of said County:

You are commanded to notify Helen Showmaker, # 1221 Pennsylvania Avenue, Columbus, Ohio, and also Gus Willard # 495 W. 3rd Avenue Columbus, Ohio, that on the 16th day of November, A.D. 1920, Norman C. Bourn, as Adur., de bonis non, with the Will annexed, of the estate of Robert L. Woodburn, 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 29th day of January, 1921, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 17th day of January A.D. 1921. Witness my hand, and the seal of said Court, this 28th day of December, A.D. 1920.

Edward H. Potter Judge, and

Ex officio Clerk of the Probate Court of said County, Sheriff's Return.

The State of Ohio, Franklin County, ss.

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Received this writ, December, 29th 1920, at 9 o'clock, a.m., and pursuant to its command, I served, Ines Willard, by personally handing her a true and truly certified copy of this writ, I also, on the same day served Helen Shormaker, by leaving a true and duly certified copy of this writ at her usual place of residence. William M. Slack Sheriff of Franklin Co. O. By S.L. Donohue, Deputy Sheriff.

Sheriff's Fee
service and return, 75
additional names, 25
mileage, 50
Postage, 06 Total \$1.86

Summons on Petition To Sell Real Estate,

The State of Ohio, Union County, ss.

To the Sheriff of said County:

You are commanded to notify Lucile Woodburn, who resides at 495 W. 3rd Avenue, Columbus, O. that on the 16th day of November, A.D. 1920, Norman L. Bourn, as administrator de bonis non with the will annexed, of the estate of Robert L. Woodburn, Dec'd, 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 29th day of January, 1921, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 17th day of January A.D. 1921. Witness my hand and the seal of said Court, this 10th day of January, A.D. 1921.

Edward W. Potter, Probate Judge
Sheriff's Return,

The State of Ohio, Franklin County, ss.

Received this writ January 11th 1921, at 11 o'clock, a.m. and pursuant to its command on January 11th 1921, I also on the same day served a true and duly certified copy of this writ with all the endorsements thereon to the within named defendant by leaving ^{at} her usual place of residence. Lucile Woodburn, Frank L. Holyeros Sheriff of Franklin County, O. By H. M. Mithy, Deputy.

Sheriff's Fee
service and return, 75
additional names,
mileage, 40
Postage, 06 Total \$1.21

Summons on Petition To Sell Real Estate

The State of Ohio, Hardin County, ss.

To the Sheriff of said County:

You are commanded to notify Lucile Woodburn,

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who resides at Peiffer Station that on the 16-day of November, A.D. 1920 Norman C. Bourn as Adm. de bonis non. with the Will annexed, of the estate of Robert L. Woodburn 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-day of January, 1921, said petition will be taken as true, and an order granted accordingly. You will make due return of this writ on the 17-day of January, A.D. 1921.

Witness my hand and the seal of said Court, this 25 day of December, A.D. 1920. Edward W. Potter, Probate Judge.

Sheriff's Return

The State of Ohio, Hardin County, ss.

Received this writ December, 30th 1920, at 9 o'clock, a.m., and pursuant to its command, after diligent search and enquiry, I failed to find the within named defendants Lucile Woodburn in my County, and this writ returned not served. E. E. Johnson, Sheriff By: J. W. Lady, Deputy Sheriff.

Sheriff's Fee:

Service and Ret. 75

Mileage 96 Total \$1.71

Principals:

In the Probate Court Union County, Ohio.

Norman C. Bourn, Adm., of
The Estate of
Robert L. Woodburn, Decd.
Plaintiff

no. 9506.

Principals.

vs.
Florence Woodburn et al.
Defendants.

To the effect:

Issue summons in the above entitled cause directed to the Sheriff of Franklin County, Ohio, for the defendant Helen Shaemaker, whose residence is 1221 Pennsylvania Ave., Columbus, Ohio, and for the defendant Jess Willard, whose residence is 495 N. 3rd Ave., Columbus, Ohio. Indorse "Action for sale of Real Estate" and make returnable according to law. Also, issue summons directed

to the Sheriff of Hardin County, Ohio, for the defendant, Lucile Woodburn, who resides at Peiffer Station. Indorse "Action for sale of real estate," and, make returnable according to law.

Milo L. Myers, atty. for Plaintiff.
Affidavit to obtain Service by Publication

Probate Court of Union County, Ohio.

95-06

Norman C. Bourn, admr. of.
The Estate of.
Robert L. Woodburn, deceased.
Plaintiff

No 95-06

v.
Samuel Woodburn, et al.
Defendants.

affidavit to obtain service
By
Publication.

The State of Ohio, Union County, ss.

Norman C. Bourn, the said Plaintiff, being sworn, says that the Defendant, Samuel Woodburn, is a non-resident of Ohio, and that service of summons on him cannot be made in this State; that the residence of said Samuel Woodburn 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 5040 of the Revised Statutes of Ohio.

Norman C. Bourn.

Sworn to before me, and signed in my presence, this 7th day of January, 1921. Edward H. Porter, Probate Judge.

Legal Notice - To Non-Resident Defendant.

Filed
Feb. 10 - 1921

Samuel Woodburn, legatee, devisee and heir at law of Robert L. Woodburn, deceased, whose place of residence is unknown will take notice that on the 17th day of November, 1920, Norman C. Bourn, admr. de bonis non, with the Will annexed of the estate of Robert L. Woodburn, deceased, filed his petition in the Probate Court of Union County, Ohio, being case no. 95-06 therein; alleging that in order to carry out the terms and provisions in said Will contained, and to close said estate and to pay the bequests and devises therein stated, that it is necessary to sell the real estate of which the said decedent died seized, which real estate is described as follows:

Situated in the county of Union, State of Ohio, Township of Paris and Survey No. 4066, and 3354. Beginning at the southerly corner of the Morrow Amrine farm in the center of Mill Creek (witness as shown by a marked N. 60° E. 3.5 rods on the bank); Thence with the southerly line of said Amrine lands, and the lands of J. E. Lorr, N. 60. E. 245.40 poles to a stone corner to said Lorr's lands; Thence with two consecutive lines of said Lorr's lands, S. 5° 15' minutes E. 77.70 poles to a stone, and N. 85° E. 59.80 poles to a stone at the north-west corner of H. F. and A. C. Fayl or land; Thence with the west line of said land and of other lands, S. 5° E. 98.95 poles to the center of said Mill Creek; Thence up said Creek, with the center current thereof about 70 rods to the point of intersection of the Survey line dividing said Surveys; Thence with said Survey line S. 85° 30' W. 89.10 poles to the re-crossing of said line and the center line of said Creek; Thence

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continuing with the center current up stream to the place of beginning, containing 202.75 acres more or less.

Said defendant is required to answer on or before the 19-day of February 1921. or judgment will be taken accordingly.

Norman L. Bown, administrator

of the estate of Robert L. Woodburn, deceased.

mils L. Bryers, attorney, Jan. 7-1921 - b.u.

The State of Ohio, Union County, 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 six consecutive weeks on and next after January, 7th 1921, 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 15th day of February, A. D. 1921.

J. M. Huber, Notary Public.

Printers Fees \$ 2.00

Journal entry: In the Probate Court, Union County, Ohio.

Norman L. Bown, adms. of

The Estate of Robert L. Woodburn, Decd.

Plaintiff

vs. Florence Woodburn, et al. Defendants. Journal entry.

This day this cause came on to be heard upon the petition, exhibits, and evidence: the court finds that all the defendants have been duly served with process, or have voluntarily entered their appearance herein: and that as set forth in the petition, it is necessary to sell the real estate therein described and as therein stated in order to pay the bequests and devises as stated and contained in the said decedents will.

That the description of the lands described in the petition as found of record is vague and uncertain, and that it will be to the advantage of all parties interested to have the said lands surveyed, that the description thereof may be made definite and certain, and, it appearing to the court that the said plaintiff has already caused said land to be surveyed, and a description thereof to be had by metes and bounds, and filed herein.

Therefore, he, it is hereby ordered, adjudged and decreed by the court, that the action of the said plaintiff in having said real estate surveyed and described by metes and bounds be approved, and confirmed, and that the expenses thereof be taxed as a part of the costs herein.

It is further ordered that the said administrator cause said real estate to be appraised by the oaths of L. B. Henry, H. G. Southard and P. V. Burson, judicious and disinterested free holders of the vicinity, whom the court hereby appoints for the purpose, and that they return their proceedings

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brun to before me, and, signed in my presence, this 5th day of
March, 1921. Milo S. Myers, Notary Public, Seal

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 \$125.⁰⁰ per acre, as a total of \$25,120.⁰⁰

Given under our hands, this 5th day of March, 1921.
H. G. Southard, P. V. Burson, L. B. Barry, Appraisers.
Fees of appraisers \$2- per day each \$6.⁰⁰.

Surveyor's Report

In the Probate Court, Union County, Ohio,
Norman C. Bourn, Adm. of
The estate of Robert L. Woodburn, deceased,
Plaintiff.

No. 9506
Surveyor's Report.

Flonice Woodburn, et al. Defendants

I, the undersigned, do hereby certify that I am a
duly appointed, qualified, and acting deputy County
surveyor of Union County, Ohio, and, that as per the
request of Norman C. Bourn, admr. of, the estate of Robert
L. Woodburn, deceased, I personally surveyed the real estate
owned by the said, deceased, consisting of about 200 acres
of land, situated in Paris Township, Union County, Ohio, and
after making said survey caused the following description
to be made of said land, by metes and bounds, to wit:

Situated in the County of Union, State of Ohio, Township
of Paris and Survey Nos. 4066, and 3354.

Beginning at the southerly corner of the monson
Aurine farm, in the center of Mill Creek (witness an
elm, marked, N. 60° E. 3.5 rods on the bank); Thence with
the southerly line of said Aurine lands and the lands
of J. E. Low, N. 60° E. 245.40 poles to a stone corner to said
Low's lands; Thence with two consecutive lines of said Low's
lands, S. 5° 15' E. 77.70 poles to a stone and N. 85° E. 57.80
poles to a stone at the north-west corner of U. F. and A. C.
Taylor land; Thence with the west line of said land and of
other lands S. 5° E. 116 poles to the center of said Mill Creek;
Thence up said creek, with the center current thereof about
70 rods to the point of intersection of the survey line
dividing said surveys; Thence with said survey line S. 85°
30' W. 87.10 poles to the crossing of said line and the
center line of said creek; Thence continuing with the center
current up stream to the place of beginning.

Containing 201 acres, more or less.
Three acres being in Survey 3354.
198 acres being in Survey 4066.
Fees for surveying \$10.⁰⁰
L. B. Barry, Surveyor.

95-06

application to sell Real Estate at Private Sale - Probate Court, Union County, Ohio.

Norman C. Down, Adm., of the Estate of Robert L. Woodburn, Decd. Plaintiff vs. Florence Woodburn et al. Defendants.

no. 95-06 Petition to sell Real Estate application.

The said Plaintiff represents that it would be for the best interest of the said estate, and those interested 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 for more than the appraisement and cash in full in hand on day of sale. Second, that to sell at private sale will save time and considerable expense in advertising a sale at public sale. and he therefore asks for an order authorizing him to sell said real estate at private sale.

Norman C. Down, adm., of estate of Robert L. Woodburn, deceased. The State of Ohio, Union County ss.

Norman C. Down, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.

person to before me, and signed in my presence, this 9th day of March, 1921. Mrs. L. Myers, Notary Public

Affidavit of Disinterested Persons - The State of Ohio, Union County, ss.

W. F. Arnold, and G. E. Whitney 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 and those interested therein, to sell said real estate at private sale than at public sale, as they verily believe. W. F. Arnold, G. E. Whitney

I Sworn to before me, and signed in my presence, this 9th day of March, 1921. Mrs. L. Myers, Notary Public, Martin Co., Ohio

Journal Entry: Order approving appraisement, for Private Sale, Probate Court, Union County, Ohio

Norman C. Down, Adm., of the estate of Robert L. Woodburn, Decd. Plaintiff vs. Florence Woodburn, et al. Defendants.

March, 15th 1921. Petition to sell Real Estate Order of Sale - etc.

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This day came the said Plaintiff by his attorney, and produced to the Court the report of an appraisement herein made by L. B. Barry, H. G. Southard and P. V. Burson, 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 Norman C. Down, as such Adm., proceed to sell said real estate, at private sale, for not less than \$25, 125.⁰⁰ the appraised value thereof, on the following terms, to wit, cash in full 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.

H. H. Husted, Probate Judge.

Order of Sale - Free from Debt.

The State of Ohio Union County ss. Probate Court.
 J. Norman C. Down, 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 de bonis non, with the will annexed of the estate of Robert R. Woodburn, deceased, are Plaintiff and Florence Woodburn et al, are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$25-125.⁰⁰ the appraised value thereof, the following described premises, to wit:

Situated in the County of Union, State of Ohio, Township of Paris and Survey nos. 4066 and 3354.
 Beginning at the southerly corner of the Morrow Amsine farm in the center of Mill Creek (witness an elm marked N. 60° E. 3.5 rods on the bank); thence with the southerly line of said Amsine lands and the lands of J. F. Loom N. 60° E. 245.40 poles to a stone to said Loom's lands; thence with two consecutive lines of said Loom's lands S. 5° 15' E. 77.70 poles to a stone and N. 85° E. 59.80 poles to a stone at the north-west corner of U. F. and A. C. Taylor land; thence with the west line of said land and of other lands S. 5° E. 116 poles to the center of said Mill Creek; thence up said Creek, with the center current thereof about 70 rods to the point of intersection of the Survey line dividing said Survey; thence with said Survey line S. 85° 30' W. 89.10 poles to the re-crossing of said line and the center of

95-06

said creek: thence continuing with the center current up stream to the place of beginning, containing 201 acres more or less. Thru acres being in Survey 3354.

198 acres being in Survey #4066. Said sale to be private, and to be upon the following terms: 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 Mansfield, Ohio, this 15th day of March, 1921.

W. B. Husted, Probate Judge.

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 30th day of March, 1923.

Norman C. Bourn.

Report of Sale

In obedience to the within order, I sold said premises to Charles F. Burt, for the sum of \$25725.00 said sum being the appraised value of the same.

Norman C. Bourn, admr., etc,

of the Estate of Robert L. Woodburn, Decd.

The State of Ohio, Union County, ss.

The above named, Norman C. Bourn, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property.

Norman C. Bourn.

Sworn to before me and signed in my presence this 30th day of March, 1923.

Maud Piers, Notary Public, Legal Notice.

Sale of Real Estate

In pursuance of an order of the Probate Court, of Union County, Ohio, in case no. 95-06 therein, I will offer for sale at public Auction at the north door of the Court House in said County on the 3rd day of March, 1923, at one o'clock p.m. the following described real estate belonging to the estate of Robert L. Woodburn, deceased, to-wit: Situated in the Township of Paris County of Union and State of Ohio, and part of Survey No. 4066 and 3354. Beginning at the southerly corner of the Monroe Arvins farm in the center of Mill Creek (Witness an elm marked N. 60° E. 3.5 rods on the bank): thence with the southerly line of the said Arvins lands, and the lands of J. E. Lorr, N 60° E, 245.40 poles to a stone corner to said Lorr's lands; thence with two consecutive lines of said Lorr's lands S. 5° 15' feet E. 77.70 poles to a stone, and N. 85° E. 59.80 poles to a stone at the northwest corner of N. F. and A. C. Taylor's land; thence with the west line of said land and of

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other lands, S. 5° E. 116 poles to the center of said Mill Creek; thence up the said creek with the center current thereof about 70 rods to the point of intersection of the survey line dividing said survey; thence with the said survey line S. 85° 30' west W. 98.10 poles to the re-crossing of said line and the center line of said creek; thence continuing with the center current of said creek, up stream to the place of beginning. Containing 201 acres, more or less. Three acres being in survey no. 3354, 198 acres in survey no. 4066. A said sale is for the purpose of making distribution of the proceeds received from said real estate under the provisions of the Will of said said Robert L. Woodburn, deceased. Said real estate is appraised at \$ 25-125.00 Terms of sale - cash -

Norman C. Boun, adm., its Marysville, O. W. H. L. Myers attorney for administrator, Marysville, Ohio.

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 five consecutive weeks on and next after January 31-1923, 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 3-day of March, A.D. 1923. J. M. Huber, Notary Public ^{Notary Public} ¹⁹²³

Journal Entry: Confirming Sale - In the Probate Court, Union County, Ohio,
 Norman C. Boun, Administrator No. 9506.
 of the estate of
 Robert L. Woodburn, deceased.

Filed March 30, 1923

Plaintiff

Norman Woodburn, et al.
 Defendants.

Journal Entry, Confirming Sale -

This day this cause came on to be heard on the report of Norman C. Boun, the plaintiff herein, as administrator de bonis non with the Will annexed of the estate of Robert L. Woodburn, deceased, of his proceedings under the former order of this court, and, upon the motion of the said plaintiff to confirm the sale made in obedience to said order; and, the Court having carefully examined said report, and finding the proceedings of the said plaintiff 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 the said plaintiff as such administrator execute a good

95-06

and sufficient deed, to the purchaser, Charles F. Price, for the real estate so sold, upon the said purchaser, paying to the said Norman L. Bourn, as such administrator the amount of said purchase price, in cash, full.
W. H. Husted. Judge.

10060
March 28
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E. W. Porter
attorney

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio

Hannin A Gray, Administrator
of the Estate of
Clarinda A. Alexander, Deceased,
Plaintiff.

vs.
Civil action

Hannin A Gray, Clara M. Lightly,
Charles Alexander, Drusilla Alexander, Petition
and Robert Alexander,
Defendants.

The Plaintiff represents that she is the duly appointed and qualified administrator of the estate of Clarinda A. Alexander, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is One thousand (\$1,000 -⁰⁰) Dollars, as near as they can be ascertained, that the charges of administration of said estate will amount to about Five Hundred Dollars, and that the total value of the personal estate and effects of said deceased is but Five Hundred Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Clarinda A. Alexander, died seized in fee simple of the following described real estate, situated in the County of Union State of Ohio, and in the village of Marysville town; and being part of Lot, no. (77) county, same in said village with the appurtenances thereto, the eastern lot thereof described as follows: Commencing at the north-east corner of said lot # 77, at the intersection of West 6th Street in said village with an alley; thence south along the west margin of said alley 84 feet; thence ^{West} 41 feet; thence north 84 feet to the south margin of said Sixth Street; thence east along said margin to the place of beginning, it being a strip 41 feet wide off the east side of said lot no. 77. also, one other lot or tract of land situated between said above described lot, and the one owned and occupied by Dr. Harry N. Southard, as his residence, it also being part of lot 77.

"Exhibit A"

Claim of the plaintiff herein, as Administrator of said Estate, against said estate for services

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performed for the deceased, heard, and allowed by the Court \$1,000.00

That the defendants Narciss A. Gray, Clara M. Leighley, Charles Alexander, Drucella Alexander and Robert Alexander, are the only heirs at law, and next of kin, of said decedent, having the next estate of inheritance from said Clarinda A. Alexander, deceased, in said premises, that the defendant, Narciss A. Gray, who is also the plaintiff herein, is asserting a claim against said estate by reason of the judgment and decree of this Court, which can not be paid unless said real estate is sold to pay indebtedness. The Plaintiff therefore prays, that the rights, interests and liens of said Narciss A. Gray, Clara M. Leighley, Charles Alexander, Drucella Alexander, and Robert Alexander - 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 debt, according to the statute in such case made and provided, and for all other proper orders, and relief in the premises. E.W. Porter, Attorney for Plaintiff.

The State of Ohio, Union County,

Narciss A. 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 her knowledge and belief. Narciss A. Gray, advt.

Sworn to before me - and signed in my presence, this 24 - day of March, 1923 ^{at} Edward H. Potter, Notary Public, Minn Co. Ohio.

Journal entry: In the Probate Court, of Union County, Ohio, Narciss A. Gray, administratrix of the estate of Clarinda A. Alexander, Dec'd. Plaintiff

vs. Clara M. Leighley, Charles Alexander, Drucella Alexander, and Robert Alexander, minors. Defendants.

Journal entry -

Narciss A. Gray, Clara M. Leighley, Charles Alexander, Drucella Alexander, and Robert Alexander, minors. Defendants.

Filing Petition to sell Real estate.

This day came the Plaintiff Narciss A. Gray, advt. of the estate of Clarinda A. Alexander, deceased, and presented to this Court her petition, duly verified, praying an order, for the sale of real estate of the said Clarinda A. Alexander, deceased, to pay the debts and the cost of administration of 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

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which they are required by law to answer the same, to give to each of the said defendants, and this cause is continued.

W. H. Husted, Probate Judge

Affidavit for Publication

Nannie A. Gray, Adm. of the Estate of Clarinda A. Alexander, Decd.

vs.

Affidavit for Publication

Nannie A. Gray, et al. Defendants.

Nannie A. Gray, the above named plaintiff, being duly sworn, says that Charles M. Alexander, Dornelle Alexander and Robert Alexander are minor defendants in this action, are non-residents of the State of Ohio, and service of summons cannot be made upon them in this State, and that the case is one of those mentioned in Section 11292 of the General Code of Ohio.

Nannie A. Gray, State of Ohio, Union County ss.

Nannie A. Gray, being sworn, makes oath, and says she is the plaintiff in the above entitled action, and that the facts stated herein are true as she truly believes. Edward W. Potter, Notary Public, Minn Co., Ohio.

Legal Notice

Nannie A. Gray, Adm. of the estate of Clarinda A. Alexander, deceased. Plaintiff vs. Nannie A. Gray, et al. Defendants, Probate Court, Union County, Ohio.

Charles M. Alexander, Dornelle Alexander and Robert Alexander, a minor, who resides at Santa Fe Spring California, will take notice that Nannie A. Gray, adm. of the estate of Clarinda A. Alexander, deceased, on the 28 day of March, 1923, filed her 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 did seized in fee simple of the following described real estate to wit: situated in the village of Marysville, County of Minn. and State of Ohio, and being part of La lot, No. Seventy-seven (77) in said village with the appurtenances thereto. The prayer of the petition is for the sale of real estate to pay debts and charges, aforesaid. Charles M. Alexander, Dornelle Alexander and Robert Alexander, a minor, 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 28 day of April, 1923.

Nannie A. Gray, administratrix

E. W. Potter attorney, May 30 - 1923 -

The State of Ohio, Union County ss. Villagers of Marysville. Personally appeared before me, John B. Shearer.

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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 30th 1923 in The Marysville Evening Tribune a paper of general circulation
John B. Shearer.

Sworn to before me, and signed in my presence, this 5th day of May, 1923. J. M. Hauber, Notary Public ^{Ohio} Fees, \$14.⁸⁷.
Wainor

Probate Court, Union County, Ohio.

Warrior A Gray, adex., of
The Estate of
Blairinda A. Alexander, deced.

vs.
Warrior A. Gray, et. al.
Plaintiff
Defendants

The undersigned party Defendant, to the Petition in the above entitled action, do each of us, hereby waive the issuing and service of summons, and, voluntarily enter our appearance, as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same - May 11th 1923.

Blair M. Laughlin,

Filed for appraisement.

Probate Court, Union County, Ohio.

Warrior A Gray, adex., of the
estate of, Blairinda A.
Alexander, deceased.

vs.
Warrior A Gray, et. al.
Plaintiff
Defendants

Journal entry
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 Blairinda A. Alexander, deceased. It is therefore ordered

and adjudged by the Court that the said premises be appraised free of doubt, by the oaths of Rella M. Howard, H. E. Conright, and Burt M. Laughlin,

Judicious and disinterested freeholders of the vicinity whom, the Court, hereby appoint for that purpose, so that they return their proceedings to this Court for confirmation.

W. H. Husted, Probate Judge

Order of appraisement

The State of Ohio, Union Co., ss. } Probate Court.

To Harrie A. Gray, as Adm^r. of the estate of
Clarina A. Alexander, 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 Adm^r of the estate of Clarina A. Alexander, deceased, are Plaintiff and Harrie A. Gray, et. al. are Defendants, you are Commanded by Justices of Rolla M. Howard, W. E. Conkright, and Bush M. Loughlin, judicious disinterested men of the vicinity, not of kin, to the petitioner who are Justices 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 donor, situated in the County of Union, State of Ohio, and in the village of Marysville, and being part of Lot No. 77, Security-Seven, in said village with the appurtenances, to-wit, the eastern lot thereof described as follows: Commencing at the north-east corner of said lot No. 77, at the intersection of West Sixth Street in said village with an alley; thence south along the west margin of said alley 84 feet thence west 41 feet; thence north 84 feet to the south margin of said street; thence east along said margin to the place of beginning, it being a strip 41 feet wide, off the east side of said lot No. 77.

One other lot or tract of land, situated between said above described lot, it being a part of said lot No. 77, and the lot now owned by Dr. Harry G. Southard, and occupied by him as his residence.

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 14-day of May, 1923.

W. H. Hasted, Probate Judge

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 thereto attached.

Dated the 14-day of May, 1923. Harrie A. Gray, Adm^r.

Oath of Appraisers.

The State of Ohio, Union County.

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.

Rolla M. Howard, W. E. Conkright, Bush M. Loughlin *Appraisers*

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Sworn to before me, and signed in my presence, this 14. day of May, 1923. ~~Edmund~~ Edward H. Porter, Notary Public, Union County, Ohio.
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 (\$2000-) Dollars for the 41 feet wide, described in said first named tract; and Forty-five hundred (\$4500-) for said second tract described therein. Given under our hands, this 14 day of May, 1923. W. E. Bonbright, Roller W. Howard, Bert M. Langeline
Application to Sell at Private Sale -
Probate Court, Union County, Ohio.

Harris A. Gray, as Adm^r of the estate of Clarinda A. Alexander, Deceased.
vs. Plaintiff.
Harris A. Gray, 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. Because - It will save the cost of advertising.
 2. " " can be sold for the appraisement, whereas it might sell for 2/3 of appraisement, may, if offered at public sale.
 3. " time will be saved, as much as a purchaser at private sale, and, at the appraisement, has already been procured. and, she therefore asks for an order authorizing her to sell said real estate at private sale.
- Harris A. Gray, adm^r of estate of Clarinda A. Alexander, Deceased.

The State of Ohio, Union County ss.
Harris A. Gray being duly sworn, says that the various matters set forth in the foregoing application are true as she arily believes.
Harris A. Gray
Sworn to before me, and signed in my presence, this 15 day of May, 1923. ~~Edmund~~ Edward H. Porter, Notary Public, Union County, Ohio.
Affidavit of Disinterested Persons.

The State of Ohio, Union County, ss.
William M. Goff, W. M. Wolgamot, and John H. Kinkade 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 whatsoever in the matters therein referred to, and, that it will be more for the interest of the said estate to sell at private sale, than at public sale, and, for the reasons

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heretofore given herein, as they truly believe.

William M. Hoff, W. M. Wolgamuth, John B. Hinckade,
known to before me, and, signed in my presence, this 15th
day of May, 1923 ^{per} Edward H. Porter, Notary Public, Union Co., Ohio
Journal Entry: Order approving appra. for Private Sale -
Probate Court, Union County, Ohio.

Marrion A. Gray, admr., of

May, 14th 1923 -

The Estate of

Clarinda A. Alexander, dec'd.

Marrion A. Gray et al, Defendants

Order of Sale -

This day came, the said Plaintiff, by her attorney, and
produced to the Court, the report of an appraisement
herein made, by H. E. Conkright, Rella M. Howard, and Burl
M^o Loughlin, in pursuance of a former order of this Court;
and it appearing upon examination, that said report
is in all respects true 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 Marrion A. Gray, as such, admr.,
proceed, to sell said real estate, free of debt, 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.

W. H. Husted Probate Judge -
Order of Sale - Free of Debt

The State of Ohio, Union Co. -

To Marrion A. Gray, admr., of the estate of Clarinda A. Alexander,
deceased. Absent;

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 admr., of the estate of
Clarinda A. Alexander, dec'd are Plaintiff and, Marrion A. Gray,
et al, are Defendants, you are commanded to proceed ac-
cording to law, to sell at private sale, for not less than
the appraised value, thereof, free of debt, the following
described premises, to wit: Situate in the County of Union,
State of Ohio, and, in the Village of Marysville, and, being
part of Du. lot, No. 77, seventy seven, in said Village with the
appurtenances thereto, the eastern lot thereof described
as follows: Commencing at the north east corner of
said lot, No. 77, at the intersection of West Sixth Street
in said Village with an alley; thence south along the
West margin of said alley 84 feet; thence West.

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41 feet; thence north 84 feet to the south margin of said Sixth Street; thence east along said margin to the place of beginning, it being a strip 41 feet off the east side of said Lot No. 77. Also one other lot, or tract of land, situated between said above described lot, it being a part of said Lot, No. 77, and the lot now owned and occupied by, Dr. Harry H. Southard as his residence. Said sale to be free of charge, 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 Mansfield, Ohio, this 15th day of May, 1923 *Edw. W. Husted Probate Judge*

Return

To the Probate Court of Union County, Ohio:
In obedience to the foregoing order, I have caused the same to be duly executed, and will duly appear by the proceedings hereto attached. Dated the 16th day of May, 1923.
Nannie A. Gray, admx.

Report of Sale

In obedience to the within order, I sold part of said premises, 41 x 84 above described, on the 16 day of May, 1923, to William Farrow, thus leaving the middle lot above described unsold, for the sum of Two thousand (\$2000) dollars - said sum being the appraised value of the same. Nannie A. Gray, admx.,
Dated the 16 day of May, 1923.

The State of Ohio Union County. The above named, Nannie A. 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 she could get for said property.
Nannie A. Gray, admx.

Sworn to before me, and signed in my presence, this 16 day of May, 1923 *Edw. W. Husted Notary Public in and for the State of Ohio*
Journal Entry: Probate Court, Union County, Ohio -
Nannie A. Gray, admx. of
Estate of Clarinda A. Alexander, Decd.,
May 16 - 1923.

Plaintiff

Nannie A. Gray et al. Defendants
This day this cause coming on to be heard - on the report of Nannie A. Gray, admx. of the estate of Clarinda A. Alexander, decd. - of her proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm sale - made in obedience to said order; the Court, having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being

approving and
orders confirming sale -

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 said name, ad Gray, as, such administrator in said part of said Lot 77 containing 84 feet or an alley in said real estate to the purchaser William Farrow. It is further ordered that this proceeding be continued as to the remaining tract of land.

W. H. Husted Probate Judge

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 Filed
 Nov. 3-1923
 E. W. Porter
 atty.

Order of Sale - Fara of Down.
 The State of this Union County: Probate Court.
 To Narciss A. Gray, admx. of the estate of
 Clarinda A. Alexander, Deceased. Grieving:
 In obedience to an order and decree of the Probate Court within and for said County, made this day, in certain cause, wherein you as, executrix of the estate of Clarinda A. Alexander, Deceased, am Plaintiff and, Narciss A. Gray et al. are defendants, you are commanded to proceed, according to law, to sell at private sale, for not less than \$2500 - The appraised value, thereof four of down. The following described premises, to wit: Situated in the County of Union, State of Ohio, and in the village of Marysville, and being part of In lot no. (77) security seven in said village with the appurtenances thereto, the middle lot thereof described as follows:
 all that part of Lot no. 77, located on West Sixth Street on the south thereof, remaining after 50 feet were sold off the west side of thereof to Dr. H. H. Southard and 41 feet sold off the east end thereof to William Farrow. Said sale to be four of down. 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, this 2- day of November, 1923
 W. H. Husted Probate Judge

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 2 day of Nov - 1923.
 Narciss A. Gray - admx -
 Report of Sale -
 In obedience, to the within order, I sold said premises, on the 3- day of November, 1923, to E. W. Porter at being the middle subdivision of said Lot, No. Security-seven for the sum of Forty-five hundred (\$4500) Dollars -

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 Miles D. Myers, Esq.
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said sum being the appraised value of the same.

Hannie A. Gray, advx.

Dated the 2-day of Nov., 1923.

The State of Ohio, Union County.

The above named Hannie A. 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 she could get for said property.

Hannie A. Gray - advx.

Sworn to before me, and signed in my presence, this 2-day of November, 1923.

Edward W. Potter, Notary Public, Union Co., O.

Journal entry, Probate Court, Union County, O. November, 3-1923.

Hannie A. Gray, as advx.

of the Estate of
Clarinda A. Alexander, Dec'd.

Proceeding to Sell Real Estate.

Plaintiff

Confirming Sale.

Hannie A. Gray, et al.

Defendants.

This day this cause coming on to be heard, on the return of Hannie A. Gray, advx., of the estate of Clarinda A. Alexander, deceased, of her 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 Hannie A. Gray, as, such Administratrix, make, to the purchaser, R. H. Potter, a good and sufficient deed, for the premises so sold.

It is further ordered, that this proceeding be recorded, and, that said advx., pay the costs herein taxed at \$ - -

W. H. Husted Probate Judge

10110	Petition To Sell Real Estate	
Filed	Errett Epps, advx., of the	In the Probate Court, Union Co., Ohio,
April 26-	Estate of Millie Epps, deceased,	No. 10110
1923,	Plaintiff	
Milo D. Myers,	Sarah E. Epps, Etta Burroughs,	Petition
attorney,	Medford Epps, Errett Epps,	to
	Russell Edwards, Ethel Vance,	Sell Real Estate,
	Edward Bely and The Livingston	
	Co. Trustees of Geneva Co., New York	
	Defendants	

Now comes the plaintiff Errett Epps and represents that he is the duly appointed, qualified, and acting

10110

administrator of the estate of Willis Epps, deceased, and that he was appointed as such, by the probate court of Union County, Ohio, on the 3-day of March-1923. That the said Willis Epps, died leaving debts due, as near as can be ascertained at this time, in the sum of \$431.40 and that the costs of administration of his estate will amount to about \$500- and that he died leaving no personal property, but that the said Willis Epps, died seized in fee simple of the following described real-estate situated in the county of Union, State of Ohio, and Township of Allen, and part of Survey # 3157, and bounded, and described as follows, to-wit:

Tract No. 1. Beginning at a stone in the road at the crossing and at the north-easterly corner to Survey No. 2981, and south-west corner of E. P. Williams' land, and running with the westerly line of said E. P. Williams' land, N. 49° W. and in the road, 71 rods to the south-east corner of James Jones' land; thence S. 53³/₄° W. 130¹/₂ rods to James Miles' east line; thence S. 36¹/₂° E. 69 rods to the southerly line of said Survey No. 3157; thence with the said line N. 53³/₄° E. 147 rods to the place of beginning, containing 60 acs. more or less.

Tract No. 2. Beginning at the south-west corner of Miller Warners land, in the Allen Center Grant Road, and running south 44³/₄° E. 45¹/₂ rods to a stone, one corner to Smith Beddings and Co. land; thence N. 58³/₄° E. 90 rods to a stone, corner to said Smith Beddings land; thence N. 44³/₄° W. 45¹/₂ rods to a stone and in the south line of said Smith Beddings Co. line; thence S. 58³/₄° W. 90 poles to the place of beginning, containing 25 acs. more or less.

Tract No. 3. Beginning at a stake south-west corner to a 20-acre lot conveyed to Daniel Dearduff; thence S. 49° E. 39¹/₄ poles to a stone in the line of William Epps land; thence N. 53³/₄° E. 85³/₅ poles to a stone in the center of the road; thence N. 49° W. 39¹/₄ poles to a stone in the center of the road; another corner to the said Dearduff's land; thence with the south line of said Dearduff's land, S. 53³/₄° W. 83³/₅ poles to the place of beginning - containing 20 acs. more or less.

Tract No. 4.

Beginning at a stone in the Holy Cross and Epps site at the north-east corner of said E. Epps' land; thence N. 51° 40' E. 42.40 poles to a stone; thence S. 37° E. 75.50 poles to a stone; thence S. 53° W. 42.40 poles to a stone in the south-east corner of Sarah Epps' land; thence N. 36° W. 75.50 poles to the place of beginning.

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Containing 20 acres, more or less.
 Further, the said plaintiff says, that it is necessary to sell said real estate to pay the indebtedness of the said deceased, and the costs and expenses of administering said estate. That the said decedent died leaving the defendant Sarah E. Epps, his widow, who is entitled to dower in said premises; and the following named children and grand-children, who are entitled to and have the next estate of inheritance from the said Willis Epps, deceased, in said premises, to-wit:

- The defendant, Etta Burroughs, a daughter.
- The defendant Medford Epps, a son - being the plaintiff, Emmett Epps - ^{son}
- The defendant Lancelo Edward, a daughter.
- The defendant Ethel Vance, a daughter, and
- The defendant Edward Betty, a grand-son, who is a son of Laura Betty, deceased, who was a daughter of the said Willis Epps, deceased.

That the defendants The Livingston County Trust Company of Geneva, New York, has or claims to have and hold a mortgage lien against the said real estate herein described. Further, the plaintiff represents, that the time of year is at hand, for planting crops, that the said real estate cannot be sold, for a while or for at least sixty days or more, and that at that time it will be time to harvest some of the crops that may be now planted on said real estate or that are growing thereon; that there is about 50 acres that should be seeded to oats or planted in corn, that to allow said real estate to lie idle and uncultivated will be a damage thereto, effect the sale thereof and to the disadvantage of the creditors of the said deceased, and the plaintiff believes that it will be for the best interest of all the parties interested that the court appoint a receiver for the purpose of managing said real estate until the same can be sold. Wherefore, the plaintiff prays, that the dower of the said Sarah E. Epps, in said real estate may be assigned and set off to her, that the defendant, The Livingston County Trust Company of Geneva, New York, be required to set up, their lien, or be forever barred in the premises, that a Receiver be appointed to take charge of and manage said real estate until the same can be sold, and that your petitioner may be authorized and ordered to sell said real estate according to the statute in such cases made and provided.

Emmett Epps, adm., of the estate of Willis Epps, deceased.

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By Miss L. Ingers his attorney,
 State of Ohio, Union County, ss.
 Ervitt Epps, being duly sworn, says that he is the
 plaintiff herein, and that the facts stated and the
 allegations made, and contained in the foregoing
 petition are true as he believes. Ervitt Epps.

Known to before me, and signed in my presence, this 24
 day of April, 1923. *Wm. D. Piers, Notary Public.*

Journal Entry: In the Probate Court, Union County, Ohio,
 No. 10110

Ervitt Epps, administrator
 of the estate of
 Willis Epps, Deceased.
 Plaintiff

v.
 Sarah E. Epps, et al. Defendants. Journal Entry.

This day came the plaintiff Ervitt Epps, as administrator
 of the estate of Willis Epps, deceased, and presented to this
 court his petition, duly verified, praying for an order
 for the sale of the real estate of the said Willis Epps,
 deceased, to pay the debts, and the costs of administer-
 ing said estate of said decedent, and further praying
 that a receiver be appointed to take charge of, manage,
 and rent the said real estate during the pendency
 of the sale thereof. Whereupon, and the court

being fully advised in the premises, it is ordered, by the
 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 required by law, to answer,
 thereto, be given to each of the defendants, and, if
 further appearing to the court, that it will be to the
 advantage of the creditors and all parties interested in
 said estate, that the said real estate, not be idle,
 that the same be farmed, in the usual method
 of farming, and that a receiver be forthwith ap-
 pointed to take charge of said real estate and manage
 the same, and see that crops are planted thereon,
 cultivated and, if necessary harvest during the
 pendency of this action. Therefore, it is hereby

suggested, and decreed by the court, that Frank Collier,
 sheriff, of this County, be, and he is hereby appointed
 receiver herein, and, as such, he is hereby ordered to
 proceed, forthwith to take charge of the real estate
 described in the plaintiff's petition, and to care for,
 manage, plant, cultivate, harvest and do such and
 everything that he may find necessary in the premises,
 including the employment of necessary help, or the
 making of leases for share cropping said real estate;
 that he enter into a bond in the sum of \$2,000
 for the faithful discharge of his duties. W. D. Piers, Judge.

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Assurance of Widow.

In the Probate Court, Union County, Ohio.
Ernest Epps - Administrator of the Estate of Willis Epps, Deceased. vs. Plaintiff

Sarah E. Epps et al. Defendants

Now comes, the defendant, Sarah E. Epps, and says, that she is the widow of Willis Epps, deceased, and that she was --- years of age on the 21-day of April, 1923, and, that as a widow she is entitled to dower in the real estate described in said Plaintiff's petition.

That she consents to the sale of said real estate as prayed for in the said Plaintiff's petition, and hereby waives the assignment of dower in said premises, any and all homestead rights therein, or any interest in the interest and profits derived from said real estate, and elects to take from the proceeds of said sale, in money, the value of any interest of whatsoever nature she may have in said premises, wherefore, this defendant prays, that the said premises, be sold and, that any interest she may have therein of what ever nature be released, and that the Court order that from the proceeds of said sale that her interest be paid to her, in money, in the sum of that the Court may direct.

Sarah E. Epps, Defendant

State of Ohio, Union County, ss.

Sarah E. Epps, being first duly sworn, says that the facts stated and the allegations made and contained in the foregoing are true as she believes.

Sarah E. Epps -

sworn to before me, and signed in my presence, this 25th day of April, 1923. Maud Pyrus, Notary Public

Wainor

In the Probate Court, Union Co., Ohio.

Ernest Epps, Administrator of the Estate of Willis Epps, Deceased vs. Plaintiff

Sarah E. Epps et al. Defendants

The undersigned, hereby waives the issuing and service of summons, and process, in the foregoing case, and hereby enters our appearance herein, and consents to the sale of said real estate as prayed for in said Plaintiff's petition.

Lucille Edwards -

In the Probate Court, Union County, Ohio.
Ernest Epps - Administrator of the Estate of Willis Epps, decd. Plaintiff, vs. Sarah E. Epps - et al. Defendants

Wainor

10110 The undersigned waives the issuing and service of summons, and process, in the foregoing cause, and hereby enters our appearance, herein, and consent to the sale of said real estate as prayed for in said plaintiffs petition.

Waiver.

In the Probate Court, Union County, Ohio
no. 10110.

Ernest Epps, admr. of the
Estate of Willis Epps, Deceased.

v. Plaintiff

Sarah E. Epps, et al.

Defendants.

Waiver.

We, the undersigned, do hereby waive the issuing and service of summons, and process, in the foregoing cause, and hereby enter our appearance, herein, and consent to the sale of said real estate as prayed for in said plaintiffs petition, and waive time.

Waiver.

In the Probate Court, Union County, Ohio
no. 10110.

Ernest Epps, admr. of the
Estate of Willis Epps, deceased.

v. Plaintiff.

Sarah E. Epps, et al. Defendants.

Waiver.

We, the undersigned, do hereby enter our appearance, herein and waive the issuing and service of summons, and process, in the foregoing cause, and consent to the sale of said real estate as prayed for in the plaintiffs petition.

Ernest Epps, Sarah E. Epps, Ethel Vance, Medford Epps.

Waiver.

In the Probate Court, Union County, Ohio,

Ernest Epps, admr. of the Estate
of Willis Epps, deceased.

v. Plaintiff

Sarah E. Epps, et al. Defendants.

Waiver.

We, the undersigned, do hereby waive the issuing of summons and the service of process, in the above entitled cause, and do hereby voluntarily enter our appearance herein.

The Livingston E. Trust Co., by J. F. Andrews, agt.

Cross-Petition

In the Probate Court, Union County, Ohio,

Ernest Epps, admr. of the
Estate of Willis Epps, deceased.

v. Plaintiff

Sarah E. Epps, et al. Defendants.

no. 10110

Cross-Petition.

Now come, the Livingston County Trust Company of New York, and says that on the 15. day of April 1918, the defendant, Sarah E. Epps, and her husband, Willis Epps,

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deceased, made and delivered to J.W. Wadsworth, James W. Wadsworth, Jr. and Mrs. L. S. Olmstead, Trustees, their certain promissory note of that date, which note is described as follows, to wit:

\$4900.⁰⁰ Marysville, O. Apr. 15, 1918.

Apr. 15, 1923. we promise to pay to the order of J.W. Wadsworth, Jas. W. Wadsworth, and Mrs. L. S. Olmstead, Trustees. Forty nine Hundred Dollars. at the Commercial Bank, Kenton, O. value Received, with eight percent interest after maturity, payable annually, with U.S. exchange. This note is secured by mortgage on 105-acres of land in Allen Township, Union County, Ohio. P.O. address, Marysville O. Willis Epps - 989 Jerome - Sarah E. Epps.

That on the 21-day of January 1922, for a valuable consideration the said trustees duly assigned, endorsed, and transferred said note to this defendant, and that it is now the owner and holder thereof, and that there has been made no payments thereon, that said note is now past due and that there is due this defendant thereon the sum of \$4900.⁰⁰ with interest thereon at 8% annum from the 15-day of April, 1923.

Second Cause of action.

For a second cause of action, this defendant says, that on the 15-day of April 1918, that the said Willis Epps deceased, and his wife, Sarah E. Epps made and delivered to the said J.W. Wadsworth, Jas. W. Wadsworth, Jr. and Mrs. L. S. Olmstead, Trustees, their certain promissory note of that date of which the following is a copy:

\$134.75 Marysville, O. Apr. 15, 1918.

Apr. 15, 1922. we promise to pay to the order of J.W. Wadsworth, Jas. W. Wadsworth Jr., and Mrs. L. S. Olmstead, Trustees One hundred thirty-four, and ⁷⁵/₁₀₀ Dollars, at the Commercial Bank, Kenton, O. value received with 5% interest after maturity, payable annually, with U.S. exchange.

This note is secured by mortgage on 115 acres of land in Allen Township, Union County, Ohio. Willis Epps, P.O. address Marysville O. Sarah E. Epps.

That on the 21-day of January, 1922, for a valuable consideration the said trustees assigned, endorsed and transferred said note to this defendant, and that it is now the owner and holder thereof, and that there has been no payments thereon, that said note is now past due, and that there is due this defendant thereon the sum of \$134.⁷⁵ with interest thereon at 8% per annum, from the 15-day of April 1923.

Third Cause of action.

For a third cause of action, this defendant says

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on the 15-day of April 1918, the said Willis Epps, deceased, and his wife, Sarah E. Epps, made and delivered to the said J. W. Wadsworth, Jas. W. Wadsworth Jr. and Wm. L. S. Olmstead trustees their certain promissory note of that date, of which the following is a copy:

134⁷⁵ Mansville, O. Apr. 15th 1918.

Oct. 15, 1922. we promise to pay to the order of J. W. Wadsworth, Jas. W. Wadsworth Jr. and Wm. L. S. Olmstead Trustees, One Hundred, Thirty-four ^{and} 75/100 Dollars at the Commercial Bank, Kenton, O. value received with 8% interest after maturity payable annually with N.Y. exchange. This note is secured by mortgage on 105 acres of land in Allen Township Union County, Ohio. P. O. address, Mansville, O. Willis Epps, Sarah E. Epps.

That on the 21-day of January, 1922, for a valuable consideration the said trustees assigned, endorsed and transferred said note to this defendant, and that it is now the owner and holder thereof, and that there has been no payment thereon; that said note is now past due ^{and} that there is due this defendant thereon the sum of \$140.⁷⁵ with interest thereon at 8% per annum, from the 15th day of April 1923.

Fourth Cause of Action.

For a fourth cause of action this defendant says that on the 15-day of April 1918, the said Willis Epps, deceased, and his wife, Sarah E. Epps, made and delivered to the said J. W. Wadsworth, Jas. W. Wadsworth Jr. and Wm. L. S. Olmstead trustees their certain promissory note of that date of which the following is a copy:

134⁷⁵ Mansville, O. Apr. 15th 1918.

Apr. 15, 1923. we promise to pay to the order of J. W. Wadsworth, Jas. W. Wadsworth Jr. and Wm. L. S. Olmstead Trustees, One Hundred, Thirty-four ^{and} 75/100 Dollars at the Commercial Bank, Kenton, O. value received with 8% interest after maturity, payable annually with N.Y. exchange. This note is secured by mortgage on 105 acres of land in Allen Township Union County, Ohio.

P. O. address Mansville, Ohio, Willis Epps, Sarah E. Epps.

That on the 21-day of January, 1922, for a valuable consideration the said trustees assigned, endorsed and transferred said note to this defendant, and that it is now the owner and holder thereof, and there has been no payment thereon, that said note is now past due, ^{and} that there is due this defendant thereon the sum of \$134.⁷⁵ with interest thereon at 8% per annum of the 15th day of April 1923.

Fifth Cause of Action.

For a fifth cause of action the said The Livingston County Trust Company of Geneva, New York, says that it adopts

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the whole of its first, second, third and fourth causes of actions herein set forth, in full, as if herein re-written in full, and makes them a part of this its fifth cause of action and says, that the said Willis Epps, deceased, and his wife Sarah E. Epps on the 15-day of April 1918, in order to secure the payment of the four promissory notes aforesaid, and the interest that may accrue thereon, made, executed and delivered to the said J. W. Wadsworth, Jas. W. Wadsworth Jr. and Mrs. L. S. Plinstead, trustees their certain mortgages deed of that date, and thereby conveyed to the said Trustees or their assigns the real estate as set forth and described in the petition of the plaintiff filed herein, and being Tracts No. 1, 2, & 3 as in said petition described, containing 155 acres more or less.

That on the 16-day of April 1918, at 10:40 o'clock a.m., the said mortgage deed, was delivered to the recorder of Union County, Ohio, for record, and was by him duly recorded therein on the 24th day of April, 1918, in Vol. of mortgages No. 74, pp. 74-75.

That on the 21-day of January, 1922, said Trustees for a valuable consideration assigned said mortgages to this defendant, and that by reason thereof it is now the owner and holder of said mortgage deed.

That no part of the said notes or interest thereon has been paid, that by reason thereof the said mortgage deed given to secure the payment thereof is the first and best lien on said real estate, and that there is a total sum due this defendant of \$5320.⁴² with interest thereon at 5% per annum, from the 15-day of April, 1923.

Wherefore, this defendant, The Livingston County Trust Company of Seneca, New York, prays that said premises be sold as prayed for in the plaintiffs petition, and that its lien be declared to be the first and best lien on said real estate, and that out of the proceeds of said sale, that it be paid the sum of \$5320.⁴² with interest thereon at 5% per annum, from the 15-day of April, 1923.

The Livingston Co. Trust Co. of Seneca, New York, by Mrs. L. Myers its attorney.

State of Ohio, Union County, ss.
Miles L. Myers, being first duly sworn, according to law, says that he is an attorney at law, and the attorney for the Livingston County Trust Co., of Seneca, New York, and is duly authorized in the premises, and that the facts stated and the allegations made and contained in the foregoing are true, as he believes. Miles L. Myers.
Subscribed to before me, and signed in my presence, this 12-day of June, 1923.
Grand Jurors.
Notary Public

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Bond -

Know all men by these presents, that Mr. Everett Epps, ^{and} Lula Epps are both and firmly joined unto the State of Ohio in the sum of Eleven thousand - six 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 28 day of July, 1924. The condition of the above obligation is such that whereas the above named Everett Epps was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, administrator of the estate of Willis Epps, deceased, and whereas, the said Everett Epps, 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 28 day of July 1923, made an order requiring said Administrator to execute a bond according to the statute in such cases made and provided.

Now, if the said Everett Epps, administrator, shall account for all the further assets arising from 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.

Everett Epps. Lula Epps.

This Bond approved in open Court, this 28 day of July, 1923. W. H. Hackett, Probate Judge.

Journal entry: In the Probate Court, Union County, Ohio, Everett Epps, Administrator of the Estate of Willis Epps, deceased. vs. Plaintiff. Journal entry.

Sarah E. Epps, et al. Defendants.

This day this cause came on to be heard 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 estate of the deceased; and upon the answer of the defendant, The Livingston County Trust Company of Keuroers New York, and the widow Sarah E. Epps, and the Court, being fully advised in the premises, find that all the defendants herein have been legally served with summons, and process, or have entered their appearance, herein in writing; and are in default for answer or demurrer. Excepting the said Trust Company, and the said widow, and the Court, further find that the said Sarah E. Epps, widow of the said Willis Epps.

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deceased, in her answer claims the assignment of her dower, in said premises, in metes and bounds, rents, or profits, and asks that the same be sold clear and free of her said dower interest, and that the court set off to her out of the proceeds of the sale such sum as may be just and reasonable in lieu of her said dower interest therein; and the court further find that the allegations of the said petition are true, and that it is necessary to sell the real estate in the petition described as prayed for therein.

The Court further finds that the real estate in the petition described was appraised by W. B. Evans, Frank L. Cross, and Otto Pofing, appraisers of the personal estate of the said deceased, that is, the 100-acre, more or less, as described in the plaintiff's petition was by said appraisers appraised at \$5000.00 and the 20-acre described in the plaintiff's petition was appraised at \$5000.00.

The court further finds that the said administrator at the time of his appointment and qualifications such gave bond in the sum of \$5000.00. Therefore it is hereby ordered that the said appraisement be approved and confirmed, and further ordered that no additional appraisement be required, and it is further ordered that the said Emmett Epps, as such admin., enter into a bond, in the sum of \$11600.00 as required by law. It is further ordered that the said admin. proceed to advertise said premises for sale, at the door of the Court House for four consecutive weeks in a newspaper of general circulation in said county, and that he sell the same on good cause - being shown for cash for not less than the appraised value, and the said plaintiff is ordered to make return to this court of his proceedings immediately after such sale.

Legal Notice - Sale of Real Estate.

In pursuance of an order of the Probate Court of Union County, Ohio, I, the undersigned, will offer for sale at public auction at the north door of the Court House, on the 17 day of November 1923, at one o'clock P.M., the following described real estate belonging to the estate of said Willis Epps, deceased, in case # 10110 of said Probate Court, situated in Township of Allen - county of Union and State of Ohio, and part of Survey # 3151.

First Tract: Beginning at a stone in the road at the crossing and at the north easterly corner of Survey # 2981 and southerly corner of (E. P. Williams heirs land, and running with the westerly line

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of said E. P. Williams' heirs land, N 49° W. and in the
 road 7 1/2 rods to the south east corner of James
 Jones' land: thence S. 53 3/4° W. 130 1/2 rods to James Miles
 east line; thence S. 36 1/2° E. 69 rods to the southerly line
 of said survey no. 3151; thence with the said line N 53 3/4°
 E. 147 rods to the place of beginning, containing 60 acres,
 more or less.

Second tract: Beginning at the southeast
 corner of Miller Wagners land in the Allen Center gravel
 road, and running south 44 3/4° E. 45 1/2 rods to a stone
 one corner to Smith Beddings and Co land; thence N. 58 3/4°
 E. 90 rods to a stone corner to said Smith Beddings
 land; then N. 44 3/4° W. 45 1/2 rods to a stone and in
 south line of said Smith Beddings Co. line; thence S. 58 3/4°
 W. 90 poles to the place of beginning, containing 20 acres
 more or less.

Third tract: Beginning at a stake south-
 west corner to a 20 acre lot conveyed to David
 Dearduff; thence S. 49° E. 39 1/2 poles to a stone in the
 line of William Epps' land; thence N. 53 3/4° E. 85.35 poles
 to a stone in the center of the road; thence N. 49°
 W. 39 1/4 poles to a stone in the center of the road;
 another corner to the said Dearduff's land; thence with
 the south line of said Dearduff's land, S. 53 3/4° W. 83.35
 poles to place of beginning, containing 20 acres more or
 less.

Fourth tract: Beginning at a stone in the
 Holy cross and Epps Pike at the north east corner of E.
 Epps' land; thence S. 1° 40' E. 42.40 poles to a stone;
 thence S. 37° E. 75.55 poles to a stone; thence S. 3° W.
 42.40 poles to a stone in the south east corner of Sarah
 Epps' land; thence N. 36° W. 75.55 poles to the place
 of beginning, containing 20 acres more or less.

Said tracts, no. 1-2- & 3. Combined at \$5000-
 Tract no. 4 appraised at \$8000. Terms of sale cash.
 Ervath Epps - adm. of estate of Matias Epps - dec'd. by Les L. Myers, attorney,
 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 Oct. 17-1923, in the Marysville Tribune, a newspaper
 of general circulation in the county aforesaid.

John H. Shearer
 sworn to before me, and signed in my presence, this 17
 day of Nov. 1923. J. M. Huber, Notary Public, Fees, \$6.58

Order of Sale - Free from Dower
 The State of Ohio, Union County. Probate Court.
 T. Ervath Epps, 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 administrator of the

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estate of, Willis Epps, deceased, and Plaintiff and Sarah E. Epps, et al. are Defendants. You are Commanded, to proceed according to law, to sell at public sale, for not less than the appraised value thereof free from the dower of Sarah E. Epps, widow of Willis Epps, deceased, the following described premises to wit:

Situated in the county of Union, State of Ohio, and Township of Allen and part of Surrency # 3157.

Beginning at a stone in the road at the crossing and at the north-easterly corner of Surrency # no. 2951, and south-west corner of E. P. Williams' heirs land, and running with the westerly line of said E. P. Williams' heirs land N. 49° W. and in the road, 71 rods to the south-east corner of Jas Jones' land; thence S. 53° 3/4° W. 130 1/2 rods to James Miles' east line; thence S. 36 1/2° E. 69 rods to the southerly line of said Surrency no. 3157; thence with the said line N. 53° 3/4° E. 1147 rods to the place of beginning, containing 60 acrs. more or less.

Tract No. 2 Beginning at the south-west corner of Miller Warner's land in the Allen Center Gravel Road, and running south 44° 3/4° E. 48 1/2 rods to a stone, one corner of Smith Beddings Co. land; thence N. 58° 3/4° E. 90 rods to a stone corner to said Smith Beddings land; thence N. 44° 3/4° W. 45 1/2 rods to a stone and in the south line of said Smith Beddings Co. line; thence S. 58° 3/4° W. 90 poles to the place of beginning, containing 25 acrs. more or less.

Tract no. 3. Beginning at a stake south-west corner to a 22 acre lot conveyed to Daniel Drorduff; thence S. 44° E. 39 1/4 poles to a stone in the line of Median Epps land; thence N. 53° 3/4° E. 55-3/5 poles to a stone in the center of the road; thence N. 49° W. 39 1/4 poles to a stone in the center of of the road; another corner to the said Drorduff's land; thence with the south line of said Drorduff's land, S. 53° 3/4° W. 83 3/5 poles to the place of beginning, containing 20 acrs. more or less.

Tract no. 4. Beginning at a stone in the hollow and Epps pike at the North-east corner of said E. Epps' land; thence N. 51° 41' E. 42.40 poles to a stone; thence 37° E. 75.50 poles to a stone; thence S. 53° W. 42.40 poles to a stone in the south-east corner of Sarah Epps land; thence N. 36° W. 75.50 poles to the place of beginning, containing 20 acrs. more or less.

Said sale to be public, and to be upon the following terms 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.

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N. 53 3/4°
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Witness my signature and the seal of said Probate Court, at Mansfield, Ohio, on the 28th day of July, 1923.

W. H. Studied Probate Judge ^{Read}
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 thereto attached, Dated Nov. 24-1923.

Errett Epps-

Report of Sale-

In obedience to the within order, I sold, on the 17th day of November, 1923, to John H. Miller and Emma Miller tracts 1-2-+3, for \$3375.00 and to Lula Epps, tract no. 4, for the sum of Five hundred and thirty-five and ^{no}/₁₀₀ dollars, said sum being the appraised value of the same.

Errett Epps.

Dated the 24th day of November, 1923.

The State of Ohio, Union County.

The above named Errett Epps, 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.

Errett Epps.

Shown to him in, and signed in my presence, this 24th day of November, 1923.

Journal entry, confirming sale.

In the Probate Court, Union County, Ohio.

Errett Epps, Adm. of the Estate of Willis Epps, Decd.

v. Plaintiff

Sarah E. Epps, et al.

Defendants

No. 10110

Journal entry

confirming sale.

This day, this cause came on to be heard, upon the report of the administrator of the estate of Willis Epps, deceased, of his proceedings under the order of sale and the former order of this Court, and upon the motion of the said plaintiff to confirm the sale made in obedience to said order; and the Court, having carefully examined the report of said sale, and finding the proceedings of the said plaintiff thereunder in all respects true and correct, and being satisfied that the 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 the said plaintiff execute a good and sufficient deed for tracts no. 1, 2, 3 as described in the plaintiff's petition to John H. Miller and Emma Miller, the purchasers thereof, upon the

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said purchasers, paying to the said plaintiff the purchase price therefor. It is further ordered, that the said plaintiff execute a good and sufficient deed for tract no. 4, as described in the said plaintiffs petition to Lula Epps, the purchaser, thereof, upon her paying to the said plaintiff the purchase price therefor. and it is further ordered, that the plaintiff as such administrator out of the proceeds of said sale, pay the costs herein taxed at and, that this case be recorded. W. H. Husted Probate Judge

10135- Files

July 20, 1923 E. W. Porter attorney.

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

Laura A. Conklin, adx. of.

The Estate of Sanford W. Conklin, Decd. Plaintiff

no. 10135

Civil action

vs. Clara A. Conklin, J. M. E. Harriott The Union Central Life Insurance Company of Cincinnati, Ohio, and The Ostrander Banking Company of Ostrander, Ohio.

Petition to sell Real estate.

Petition.

Defendants.

The Plaintiff represents that she is the duly appointed and qualified administrator of the estate of Sanford W. Conklin, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is Eighteen thousand Dollars, as set out as they can be ascertained "Exhibit A". To Union Central Life Insurance Company, 1st Mt'g \$ 7500.00; The Union Central Life Insurance Company 2nd Mt'g \$ 6000.00; The Ostrander Banking Co. \$ 4000.00 and in, that the charges of administration of said estate will amount to about Eight thousand Dollars (\$ 8000.00); and that the total value of the personal estate and effects of said deceased is but Forty eight hundred, thirty-six and 2/100 Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Sanford W. Conklin died seized in fee simple of the following described real estate, situated in the County of Union State of Ohio, and in the Township of Millcreek, to wit: Being part of Survey # 5609, and bounded, and described as follows: Beginning at a Stone in the Watkins and Delanor Road, and in the north-east corner, of the lands of Enock Peissal; thence with said road south 85° West 73 poles to a stone with brick under it; thence south 5° east with the Bell Travel Road, 174 poles to a lime stone with tile under it;

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thence north $85\frac{1}{2}^{\circ}$ East 104.79 poles, to a stone in the south west corner of said Piersol's lands: thence north $15\frac{1}{4}^{\circ}$ west 177.51 poles to the beginning containing 96.82 acres of land also one other tract of land situated in said Township, County and State, and bounded and described as follows: Being part of Survey No. 5609, and 2996, commencing at a stone in the south easterly corner to Survey No. 2996: thence with the easterly line of said Survey north 6° west 108 poles to a stake witness an ash north $5-2^{\circ}$ East 18 feet: thence south 85° west 73.75 poles to a stone in the Asa Smart line: thence with his line south 6° East 109 poles to a stone in the south line of Survey No. 2996: thence with said line south $83\frac{1}{2}^{\circ}$ west 45 poles to a small ash tree: thence south 3° east 55 poles to the center of the Delamar, and Watkins gravel Road: thence with said gravel road, north 84° East 71.56 poles to the corner of Enock Piersol's land: thence with his line and the center of said gravel road, north $85\frac{1}{2}^{\circ}$ East 73.50 poles to the east line of survey No. 5609: thence with said survey line north 27° west 163 poles to the place of beginning, containing $9\frac{1}{2}$ acres of land, more or less, 50 acres in Survey No. 2996, and $46\frac{1}{2}$ acres in Survey No. 5609, excepting therefrom 15 acres and 35 poles conveyed by Richard Clark to Asa Smart, January 23- 1884 leaving 8 acres and 40 poles hereby conveyed.

Plaintiff 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, and that the amount of said appraisement is \$11,000.00. The said decedent died leaving the defendant, Clara A. Conklin his widow who is entitled to dower in said premises: that the defendant Jewell E. Conklin, is the only heir-at-law and next of kin of said decedent, having the next estate of inheritance from said Sanford M. Conklin, deceased, in said premises, that the defendants, The Union Central Life Insurance Company, and The Ostrander Banking Company, claim to have mortgage liens on said property. The Plaintiff therefore prays that the dower of said Clara A. Conklin in said premises may be assigned and set off to her unless she file her answer therein, and consent that the same may be sold free from her said dower, homestead and other rights she or said defendant Jewell E. Conklin, may have therein; that the rights, interest and liens of said defendants, The Union Central Life Insurance Company and said The Ostrander Banking Co- may be fully determined, adjusted and protected according to equity, and that your petitioner may be authorized and ordered

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to sell said real estate free from said debt,
according to the statute in such case made and
provided and for all other proper orders and relief in
the premises. E. W. Porter, attorney for Plaintiff.

The State of Ohio, Union County.

Clara A. Conklin, 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. Clara A. Conklin, admx.,

known to before me, and signed in my presence, this
2-day of July, 1923 ^{at} Edward W. Porter, Notary Public, Union Co., Ohio
Journal entry: In the Probate Court of Union County, Ohio,
Clara A. Conklin, admx.,
of the estate of Sanford M. Conklin Dec'd.
Plaintiff

July, 18-1923
No. 10135-

Clara A. Conklin, June E. Hearnote,
The Union Central Life Insurance
Company of Cincinnati, Ohio and,
The Ostrander Banking Company of
Ostrander, Ohio.

Journal entry,
Filing Petition to
Sell Real Estate.

This day came Defendants.

The Plaintiff Clara A. Conklin, admx.,
of the estate of Sanford M. Conklin deceased, and,
presented to this Court her petition duly verified praying
an order for the sale of real estate of the said
Sanford M. Conklin 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. W. H. Husted, Probate Judge.

Answer to Cross-Petition

In the Probate Court, Union County, Ohio
Clara A. Conklin, admx.,
of the estate of Sanford M. Conklin, Dec'd.
Plaintiff

No. 10135

Filed Oct. 18.
1923.

Clara A. Conklin, et al.
Defendants

Filed Oct. 18, 1923
answer, and,
Cross-Petition.

Now comes the Union Central Life Insurance Company,
a corporation and duly incorporated and having its
principal place of business in Cincinnati, Ohio; and for
a just cause of action says, that on the 11 day of March,
1921, Sanford M. Conklin, now deceased, and Clara A.
Conklin, his wife, made, executed and delivered to the
said, The Union Central Life Insurance Company,

10135- paid.

Second cause of action.

For a second cause of action the said The Union Central Life Insurance Company here adopts the whole of its first cause of action, herein set forth, in full, as if herein re-written, in full, and makes it a part of this its second cause of action and further says, that the said Sanford M. Conklin and Clara A. Conklin on the 11- day of March, 1921, in order to secure the payment of the said promissory note aforesaid, and the interest thereon, made, executed and delivered to the said The Union Central Life Insurance Company their certain mortgage deed of that date, and thereby conveyed to the said Insurance Company, its successors, and assigned the following described real estate situated in the Township of Mill Creek, County of Union and State of Ohio, and a part of Surveys, No. 5609 and 2996.

Beginning at a stone in the southeasterly corner to Survey (No. 2996: thence with the easterly line of said survey north 6° west 108 poles to a Stake witness and back north 52° East 18 feet thence south 85° west 73.75 poles to a stone in the Asa Smart line: thence with his line south 6° East 109 poles to a stone in the south line of survey No. 2996: thence with said line south 83 1/2° west 45 poles to a small ash tree: thence south 3° East 55 poles to the center of the Delaware and Watkins Grant Road: thence with said gravel road north 84° East 71.56 poles to the center of Eruch Pissol's land: thence with his line and the center of said gravel road north 85 1/2° East 73.50 poles to the east line of said survey # 5609: thence, with said survey line north 27° west 63 poles, to the place of beginning, containing 96 1/2 acres of land, more or less.

50 acres in Survey No. 2996, and 46 1/2 in Survey # 5609. Excepting, therefore, 15 acres, and 35 poles conveyed by Richard Leask to Asa Smart, January 23-1814, leaving 81 acres and 45 poles hereby conveyed.

That the said mortgage deed was filed for record with the county recorder of Union County, Ohio, at 11:10 o'clock, a. m. on the 15- day of March, 1921, and was by him on the 17- day of March, 1921, recorded in Mortgage record, No. 84 on page 527 of said record, that by reason, thereof the said mortgage was then and is now the first and best lien on the real estate described herein, and being one of the tracts described in the plaintiff's petition and

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sought to be sold by her as admx. of the estate of the said Sanford M. Conklin, deceased.

Third cause of Action.

For a third cause of action the said The Union Central Life Insurance Company, says that on the 14 day of March, 1921, Sanford M. Conklin, now deceased, and Clara A. Conklin, his wife, made, executed and delivered to the said The Union Central Life Insurance Company, their 21 certain promissory notes of that date, each being for the sum of \$680.⁶⁷, excepting the first note which was for the sum of \$266.⁷⁷ which was due and payable on the 1 day of October, 1921, and one each of the remaining notes being payable on the 1 day of October, each and every year thereafter, to and including the 1st day of Oct. 1941.

That serial nos. 1 and 2 of said notes have been paid, and that each of said notes remaining unpaid, being serial nos. 3 to 21 inclusive, or 19 notes, are exempt, as to year of maturity and serial number as per the following copy, to-wit:

\$680.⁶⁷ Marysville, Ohio, March 14 - 1921.

on the first day of October 1923, for value received, I promise to pay to the order of the Union Central Life Insurance Company of Cincinnati Ohio, at the Home office of said company in Cincinnati Ohio, six hundred eighty and ⁶⁷/₁₀₀ with interest at the rate of 8 per centum per annum, after maturity, until paid. If this

note is sent to the Ostrander Banking Co. at Ostrander, Ohio, or to any other Bank for collection, I agree to pay exchange, and collection expenses, and this note shall not be deemed paid until the money is actually received by said Company. This note is secured by a mortgage

of even date. The right is reserved to prepay at any time at the Home office of said company in Cincinnati Ohio, by discounting it at the rate of 6% interest compounded annually, provided all prior notes have been paid. No. 1163-3 Serial No. 3 Sanford M. Conklin Clara A. Conklin

149 Pennms.

That the said The Union Central Life Insurance Company is now the owner and holder of said nineteen promissory notes, and that there are no indorsements thereon.

That said serial note no. 3, for the sum of \$680.⁶⁷ was due on the 1 day of October 1923, and that there is now due, the said The Union Central Life Insurance Company thereon the said sum of \$680.⁶⁷ with interest thereon at 8% per annum, from the 1 day of Oct. 1923.

That the remaining 18 notes being serial nos. 4 to 21 inclusive, are each for the sum of \$680.⁶⁷ are not yet due, that they were made upon the

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amortization plan, and, that by reason thereof, there was on the 1-day of October, 1923, owing the said The Union Central Life Insurance Company the balance of the principal represented by said eighteen notes the sum of \$7101.10 with interest on said sum at the rate of 6 1/2% per annum, from the 1-day of October, 1923, and until paid.

Fourth Cause of action

For a fourth cause of action the said The Union Central Life Insurance Company here adopts the whole of its third cause of action herein set forth, in full, as if herein re-written, in full, and makes it a part of this its fourth cause of action, and further says that the said Sanford M. Conklin, and Clara A. Conklin on the 14-day of March, 1921, in order to secure the payment of the said promissory aforesaid, and the interest thereon, made, executed and delivered to the said The Union Central Life Insurance Company their certain mortgage deed of that date, and, thereby conveyed, to the said Insurance Company, its successors and assigns, the following described real estate situated in the township of Mill Creek, county of Union and State of Ohio, and part of Survey #5609.

Beginning at a stone in the west line and Delaware Grant Road, and in the north-west corner of the lands of Enock Pirozol; thence with said road south 85° west 73 poles to a stone with brick under it; thence south 5° east with the Bell Grant Road 174 poles to a limestone with tile under it; thence north 85 1/2° east 104.79 poles to a stone in the south-west corner of said Pirozol's land; thence north 15 1/4° west 147.5-1 poles to the beginning, containing 96.82 acres of land, more or less.

That the said mortgage deed was filed for record with the county recorder of Union County, Ohio, at 11:05 o'clock, A. M. on the 15-day of March, 1921, and, was by him on the 17-day of March, 1921, recorded in mortgage record, No. 84, p. 527.

That by reason thereof the said mortgage was then, and is now the first and best lien on the real estate described above, and being one of the tracts described in the plaintiff's petition, and, sought to be sold by her as administratrix of the estate of the said Sanford M. Conklin, deceased. Wherefore, the said The Union Central Life Insurance Company prays that its said mortgage be declared, and decreed, by the Court, to be the first and best lien on said real estate

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described in the said plaintiff's petition, ought to be sold, and, that if sold, that it be ordered, by the Court, that out of the proceeds of said sale, that its claim now due, in the sum of \$1225.21, with interest thereon at 8 percent per annum from the 1-day of October 1923, be first paid and, that its claim not yet due, in the sum of \$12,781.98 with interest thereon at 6 1/2 percent per annum from the 1-day of October, 1923, be first paid with costs herein expended for such order and further relief in the premises as may be just and equitable.

The Union Central Life Ins. Co. by Mrs. L. Myers, its attorney State of Ohio, Union County, ss.

Mrs. L. Myers, being first duly sworn, says, that he is an attorney at law, and, the duly authorized attorney for the Union Central Life Insurance Company, a Corporation, and a non-resident of Union County, Ohio, and, that this action is founded, on instruments in writing for the unconditional payment of money, and, that said instruments in writing are in his possession, and, that he believes the facts stated in the allegations made and, contained in the foregoing in substance and in fact are true.

Mrs. L. Myers, sworn to before me, and, signed in my presence this 16-day of October 1923, *Maund Myers, Notary Public* Union of Widow.

Probate Court, Union County, Ohio.
No. 10135-
Proceedings to Sell Real Estate

Clara A. Bouklier, admx.,
of the estate of,
Sanford M. Bouklier, Decd.
vs. Plaintiff

Filed
July 20, 1923.

Clara A. Bouklier, et al.
Defendants.

Widow.

And, now comes, Clara A. Bouklier one of the defendants in the above entitled cause and voluntarily enters her appearance herein, and, for answer to the petition in this case filed, says, that she is the widow of said Sanford M. Bouklier, deceased, and, as such, is entitled to dower in the premises described, in said petition, that her age is --- years, and, she freely consents to said sale as prayed for, and, waives the assignment of dower in said premises, by indenture 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 ascertained, and, paid her in lieu thereof out of the proceeds of the sale, such sum of money as, the Court, deems the just and reasonable, value of her dower interest in said real estate.

Clara A. Bouklier,

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Filed
July 20, 1923.

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The State of Ohio, Union County,
Clara A. Conklin, being duly sworn, says that the statements in the foregoing answer are true, as she verily believes.
Clara A. Conklin,
Sworn to before me and signed in my presence, this 18th day of July, 1923. Edward H. Porter, Notary Public, Union Co., Ohio.

Wainor

Probate Court, Union County, Ohio,

no. 10135-

Clara A. Conklin, administratrix,
of the Estate of Sanford M. Conklin, Dec'd,
vs. Plaintiff

Filed July 20, 1923.

Clara A. Conklin, et al. Defendants, Wainor.

The undersigned parties, Defendant to the Petition in the above entitled action, do each of us, hereby waive the issuing and service of summons, and, voluntarily enter our appearance, as such, Defendants. And, we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

Jules Herrick,
Wainor

Probate Court, Union County, Ohio,

no. 10135-

Clara A. Conklin, administratrix,
of the Estate of Sanford M. Conklin, Dec'd,
vs. Plaintiff

Filed Nov 24/23

Clara A. Conklin, et al. Defendants, Wainor.

The undersigned parties defendant to the Petition in the above entitled action, do each of us, hereby waive the issuing and service of summons, and, voluntarily enter our appearance, as such, Defendants, and, we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

November, 21 - a. d. 1923. The Ostrander Banking Company of Ostrander, Ohio, by F. E. Parsons, Cashier, application to Sell Real Estate at Private Sale -

Probate Court, Union County, Ohio,

no. 10135-

Clara A. Conklin, administratrix,
of the Estate of Sanford M. Conklin, Dec'd,
vs. Plaintiff

application

Filed Feb 26-1924

Clara A. Conklin et al. Def'd's

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. Because, at private sale, it must sell for as much as the appraisement, whereas, at public sale it might be sold for two-thirds of the appraisement only,
2. Because it saves the costs of advertising
3. " " " " time.

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4. Because a purchaser at the appraisement has already been procured, and she therefore asks for an order authorizing her to sell said real estate at private sale.

Elara A. Conklin, admx., of the Estate of Sanford M. Conklin deceased, The State of Ohio, Union County.

Elara A. Conklin, being duly sworn, says that the various matters set forth in the foregoing application are true as she verily believes.

Edwards H. Potter, Notary Public, Union County, Ohio, 26 day of February, 1924. Affidavit of Disinterested Person.

The State of Ohio, Union County. E.H. Patton, J.R. Herriott, and L.J. Gummer, being duly sworn, says that they know the facts set forth in application to which this affidavit is attached: that they have no interest whatsoever in the matters therein referred to.

Edwards H. Potter, Notary Public, 26 day of February, A.D. 1924. Order of Sale - Free of Duty

Issued Feb 26, 1924

The State of Ohio, Union County, Probate Court. To Elara A. Conklin, admx. of the estate of Sanford M. Conklin deceased, Executrix.

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 admx. of the estate of Sanford M. Conklin deceased, are Plaintiff and Elara A. Conklin et al. are Defendants, you are commanded to proceed according to law, to sell at private sale for not less than \$21,000.00 the appraised value thereof free of the duty of Elara A. Conklin, widow of Sanford M. Conklin, deceased, the following described premises to wit: Situated in the County of Union, State of Ohio, and in the Township of Milcrest, and being part of Survey No. 5609, and bounded and described as follows: Beginning at a stone in the Watkins and DeLanor Road, and in the north-west corner of the lands of Enoch Pissol; thence with said road, south 85° West 73 poles to a stone with brick under it; thence south 5° east with the Bell Road 174 poles to a lime stone with the tile under it; thence north 85 1/2° East 104.79 to a stone in the south-west corner of said Pissol's lands; thence north 15 1/4° West 177.51 poles to the beginning, containing 96.82 acres of land. Also own other tract of land situated

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in said Township County and State, and, bounded, and described as follows: Being part of Survey no. 5609 and 2996 commencing at a stone in the south-eastly corner to Survey no. 2996; thence with the easterly line of said Survey north 6° west 108 poles to a stake witness an ash. North 52° east 18 feet; thence south 80° west 73.75 poles to a stone in the Asa Smart line; thence with his line south 6° east 109 poles to a stone in the south line Survey no. 2996; thence with said line south 88 1/2° west 45 poles to a small ash tree; thence south 3° east 55 poles to the center of the Delaware and Watkins Grant Road; thence with said Grant Road north 84° east 71.56 poles to the corner of Enosh Pirolo's land; thence with his line and the center of said Grant Road north 88 1/2° east 73.50 poles to the east line of Survey no. 5609; thence with said Survey line north 27° west 63 poles to the place of beginning, containing 96 1/2 acres of land, more or less.

50 acres in Survey no. 2996, and 46 1/2 acres in Survey no. 5609, excepting therefrom 15 acres, and 30 poles conveyed by Richard Clark to Asa Smart, January 23-1884, leaving 81 acres, and 40 poles hereby conveyed.

Said sale to be free of duty, and to be upon the following terms: Cash on delivery of deed.

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 26-day of February, 1924.

Wm. H. Husted, Probate Judge - Return.

10135-

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-day of Feb- 1924.
Clara A. Conklin, admx.

10135-

Returned Feb. 27, 1924

Report of Sale.
In obedience to the within order, I sold said premises on the 27-day of February, 1924, to Lewis H. Conklin for the sum of Tenity - one thousand one hundred dollars, paid sum being the appraised value of the same.
Clara A. Conklin, admx.

Dated the 27-day of February, 1924.
The State of Ohio, Union County.
The above named, Clara A. Conklin, as admx. of the estate of Sanford W. Conklin, deceased, being duly sworn, say 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

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price for said property, and that said sale is for the highest price. etc. Could get for said property.

Clara A. Conklin, (admx.)

Know to before me, and signed in my presence, this 27-day of February, 1924 ~~at~~ Edward H. Porter, Notary Public, Union County, Ohio.

10135

Journal Entry:
Clara A. Conklin, admx. of
The Estate of Sanford M. Conklin, Decd.
v
Plaintiff

Probate Court, Union County, Ohio.
February 26-1924
no 10135

Feb. 26-1924.

Clara A. Conklin et al. Defendants
This day, this cause came on to be heard 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 Clara A. Conklin, widow of said deceased; and the Court, being fully advised in the premises finds that all the defendants herein have been legally served with process, and that the Union Central Life Insurance Co., has entered its appearance, herein by answer and cross-petition; and that all have been notified of the pendency and prayer of the petition as prescribed by law. And the Court further finds, that Clara A. Conklin, widow of the said Sanford M. Conklin, deceased, claims 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 a 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 petition described to pay the debts of the deceased, and the costs of administration.

The Court further finds that the real estate in the petition described was appraised by the appraisers of the personal estate at Twenty-one thousand Dollars (\$21,000.00) and the Court also finds that the bond heretofore given by the plaintiff as admx. of the estate of Sanford M. Conklin, deceased, is sufficient. It is therefore ordered, that further appraisement and additional bond, be dispensed with.

and, it further appearing to the Court, that it would be to the interest of the said estate to sell the real estate described in the above petition at private sale, it is now ordered that said Clara A. Conklin, as such administratrix proceed to sell said real estate at private sale at not less than the appraised value thereof in the following terms: cash on delivery of deed. W. H. Foster, Probate Judge.

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Feb. 27, 1924

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Filed
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Journal entry:

Probate Court, Union County, Ohio.
February 27th 1924

Clara A. Conklin, adm. of,
The Estate of Sanford M. Conklin, Decd.
Plaintiff

vs.
Clara A. Conklin, et al. Defendants. Confirming sale.

This day this cause coming on to be heard on the return of Clara A. Conklin adm. of the estate of Sanford M. Conklin deceased, of her 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 Clara A. Conklin, as such adm., make to the purchaser, Lewis H. Conklin, a good and sufficient deed for the premises so sold. It is further ordered, that this proceeding be recorded, and that said adm. pay the costs herein - taxed at \$-- within ten days -
W.H. Husted, Probate Judge

10175-
Filed
Sept. 24,
1923.
John L. Longway
att'y.

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

E. H. Patton, adm. of,
The Estate of Casper C. Nicol, Decd.
Plaintiff

vs. 10175
Civil action

vs.
Louise Nicol, widow,
Florida M. Nicol, ans. Henry E. G.
Nicol, Pearl E. F. Nicol, Walter H. O.
Nicol, Luther L. Nicol, Herbert
J. C. Nicol, Victor F. W. Nicol, ans.
Kernit L. L. Nicol. The Buckeye
State Building and Loan Company, of
Columbus, Ohio. Defendant.

Petition to Sell Real Estate
Petition.

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Casper C. Nicol late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is Seventeen thousand (\$17,000.00) Dollars, as near as they can be ascertained mortgage on farm six thousand (\$6,000.00) Dollars, and other personal accounts, that the charges of administration of said estate will amount to about Five hundred (\$500.00) Dollars; and that the total value of the personal estate and effects of said deceased, is but thirty-eight hundred (\$3800.00) Dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said

10175

Casper. to Nicol. died seized in fee simple of the following described real estate situated in the County of Union State of Ohio, and in the Township of Union to wit: Being part of Survey no. 6602. and being all of lots numbered one and two of the subdivision of the estate of William Blasco M^c Donnell, deceased, as made by B. A. Fay a plat of which is recorded in Volume. 39. page 120 of the Dead records of Union County, Ohio.

Beginning at a stone two rods and a bar oak corner to John Mitchell's land; thence with a line of said Mitchell's land, and the line of R. G. Morse's land north 8° East 167.54 poles to a stone and brick; thence north 82° West 82.20 poles to a stone and brick, thence south 8° West 190.74 poles to a stone and brick in the line of said John Mitchell's land; thence with said line north 82 1/4° East 85.44 poles to the beginning, containing ninety two (92) acres, more or less.

also the following premises part of Survey 6602. and bounded and described as follows: Beginning at a stone in the east line of George Nicol's land; thence with the east line of said land south 12° W. 15.20 poles to a stake in the center of the Strong Grant Road; thence with the center of said grant road north 73° East 7.60 poles to a stone; thence north 19° west 13.32 poles to the beginning, containing thirty hundredths of an acre (30/100 acres) more or less.

Excepting the following premises part of Survey no. 6602 conveyed by George Nicol and wife to John George Bishop, and bounded and described as follows: Beginning at a stone in the south east corner of George Nicol's land (or in the south line of Survey no. 6602; thence with said Survey line south 85° 30' west 28.40 to a stone at the northeast corner of Emmanuel Bishop's land; thence with the east line of said land, produced north 12° west 11.20 poles to an iron rod in the center of the Strong Grant Road; thence with the center of said grant road north 73° East 31.60 poles to a stake in the east line of said Nicol's land; thence with the east line of said land south 12° west 8.48

poles to the beginning, containing eighty-five hundredths (85/100) of an acre (more or less). Plaintiff represents that said real estate was appraised in accordance with the order of the Probate Court, Union County, Ohio, by the appraisers of the personal estate of said decedent, and that the amount of said appraisement is Fifteen Thousand (\$15,000.00) Dollars.

The said decedent died leaving the defendants Louise Nicol, his widow who is entitled to dower in said premises; that the defendants Frieda M. Nicol, Harry E. G. Nicol, Pearl E. F. Nicol, Pearl E. F. Nicol, Walter B. C. Nicol, Luster L. L. Nicol, Herbert J. C. Nicol,

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The following Union County lots of the estate of Mrs. B.A. Hay days 120 but out of said north 8° north 82° south 8° line of said north 82 1/4 city Tract (92) is part of as follows: George land center of the said grant line; Thence containing or less. No. 6602 your Bishop. ing at a land Par. with said to the northeast, East line to an iron with the poles to a d; Thence Mat. 8.48. hundredths indiff represents dancs, with co. by the at. and that thousand aving is entitled to Freida, Pearl E.F. J.C. Nicol.

10175-

Victor F. W. Nicol and Kermit L. L. Nicol, are the only minor children and legal representatives of said decedent, having the next estate of inheritance from said Casper C. Nicol, deceased, in said premises, that the defendants, The Buckeye State Building and Loan Company of Columbus, Ohio claim to have a mortgage on said premises. The Plaintiff therefore prays that the dower of said Louise Nicol in said premises may be assigned and set off to her; that the rights, interests and liens of the said The Buckeye State Building and Loan Company, may be fully determined, adjusted and protected according to equity, and that your petition may be authorized and ordered to sell said real estate, at the appraised value of Fifteen Thousand (\$15,000.00) Dollars, as set forth in the Inventory, free from said dower, according to the Statute in such case made and provided, and for all other proper orders and relief in the premises.

John L. Longhrey, attorney for Plaintiff.

The State of Ohio Union County,

E. H. Baltan, admr., 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. E. H. Baltan, administrator

Brought before me and signed in my presence, this 12 day of June 1923. John L. Longhrey, Notary Public, Probate Court, Union County, Ohio

E. H. Baltan admr. of the estate of Casper C. Nicol, dec'd. Plaintiff vs. Louise Nicol, Defendants

Issue summons for said Louise Nicol, widow, and Freida M. Nicol, Harry E. Nicol, Pearl E. F. Nicol, Victor H. O. Nicol, Luther L. L. Nicol, Kermit J. C. Nicol, Victor F. W. Nicol, and Kermit L. L. Nicol, all minors, except first named, and also serve their mother Louise Nicol; as their next friend, there being no guardian appointed to the Sheriff of said county, returnable according to law.

John L. Longhrey, Plaintiffs Attorney

10175-

Journal Entry: In the Probate Court of Union County, Ohio. E. H. Baltan, admr. of the Estate of Casper C. Nicol, dec'd. Plaintiff vs. Louise Nicol, widow et al, Defendants.

June 12 1923. Journal Entry.

Filing Petition to Sell Real Estate

This day came the Plaintiff E. H. Baltan, admr. of the estate of Casper C. Nicol, deceased, and presented to this Court his petition duly verified, praying an order for the sale of real estate of the said Casper C. Nicol.

10173

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. W.H. Husted, Probate Judge.

Summons.

The State of Ohio, Union County. Probate Court.
To the Sheriff of said County:
You are hereby commanded, to notify Louise Nicol, widow of Casper C. Nicol, deceased, and mother of the within named minors and the following named who are minors to wit: Luida M. Nicol, Harry E. Nicol, Pearl E. F. Nicol, Wilbur H. Nicol, Luther L. Nicol, Herbert J. C. Nicol, Victor F. H. Nicol, and Hermit L. L. Nicol, making service of this summons upon said minor and also upon the guardian or father or if neither guardian or father can be found then upon the mother or the person having the care of said minor or with whom they live, that on the 24th day of September 1923, E. H. Hutton, administrator of the estate of Casper C. Nicol, 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 27th day of October 1923, said petition will be taken as true and an order granted accordingly. Said Sheriff will make due return of this writ on the 8th day of Oct. 1923.

Witness my hand and the Seal of said Court this 15th day of October, 1923. Witness my hand, and the seal of said Court, this 25th day of Sept. 1923. W.H. Husted, Judge and Ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Union County.
Received this writ Sept. 25-- 1923, at 3 o'clock P.M., and on the days and in the manner hereinafter named, I served the same, on the within named defendants, Sept. 25- 1923 on Louise Nicol the mother of the within named minors and upon each of the said minors to wit as follows: Luida M. Nicol, Harry E. Nicol, Pearl E. F. Nicol, Wilbur H. D. Nicol, Luther L. L. Nicol, Herbert J. C. Nicol, Victor F. H. Nicol, and Hermit L. L. Nicol and also served on the mother as the minor next friend, there being no Guardian, and the father being deceased, and said mother having the care of said child whom the said minors

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10175- resides. Frank Collins Sheriff Union County, Ohio,
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 Widow of Sumner
 Probate Court, Union County, Ohio,
 No. 10175-
 E. H. Hatton, admr. of
 Casper B. Nicol deceased,
 Plaintiff
 vs.
 Louise Nicol et al. Defendants, Widow

We, the undersigned parties defendant to the Petition in
 the above entitled action, do each of us, hereby waive
 the issuing and service of Summons, and voluntarily
 enter our appearance as such Defendants, and we
 do hereby consent to the sale of the Real Estate
 described in the petition in said action according
 to the prayer of the same. September 25-1923
 The Buckeye B. & L. Co. by Wilson W. Pactor, attorney,
 Answer of Widow,
 Probate Court, Union County, Ohio,
 No. 10175-

E. H. Hatton, admr. of
 The Estate of
 Casper B. Nicol, deceased,
 Plaintiff
 vs.
 Louise Nicol et al. Defendants,
 Answer of Widow,
 Probate Court, Union County, Ohio,
 No. 10175-

And now comes Louise Nicol one of the defendants
 in the above entitled cause and voluntarily enters
 her appearance herein, and for answer to the
 petition in this case filed, says that she is the
 widow of said Casper B. Nicol, deceased, and as such
 is entitled to her dower in the premises described
 in said petition, that her age is 36 years, and
 she freely 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 her dower estate therein and that the value
 of such dower estate may be accorded and paid her in
 kind thereof out of the proceeds of the sale, such
 sum of money as the Court deems the just and
 reasonable value of her dower interest in said
 real estate.
 Louise Nicol,
 The State of Ohio, Union County.

Louise Nicol, being duly sworn, says that the state-
 ments in the foregoing answers are true, as she verily
 believes,
 known to before me, and signed in my presence, this
 10-day of January, 1924
 E. H. Hatton, Notary Public, Union Co., Ohio

10175

application for appointment of Guardian ad litem.
Probate Court, Union County, Ohio.

To the Hon. W. H. Husted, Judge of said Court:

The undersigned, E. H. Hutton, administrator make application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case. The defendants Freida M. Nicol, Harry E. G. Nicol, Paul E. F. Nicol, Wilbur H. O. Nicol, Luther L. L. Nicol, Robert J. C. Nicol, Victor F. W. Nicol, and Kermit L. Nicol, the age of fourteen years and has been duly served with summons herein.

The undersigned suggests that Louise Nicol, who is a suitable person be appointed as such Guardian ad litem. Respectfully, E. H. Hutton, admin.

Probate Court, Union County, O. Jan. 15-1924

E. H. Hutton, admin. of
Casper C. Nicol, Deceased.

No. 10175

vs. Plaintiff
Louise Nicol, et al. Defendants.

Appointment of
Guardian ad litem.

This day E. H. Hutton, admin. of Casper C. Nicol, 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, Freida M. Nicol the age of 14 years and has been duly and legally served with summons herein.

It is ordered that Louise Nicol, be and she hereby is appointed guardian for the suit for said minor defendant.

and now comes the said Louise Nicol and in open Court accepts said appointment.

W. H. Husted, Judge

10175

Journal entry: Order approving app. and for Bond.

E. H. Hutton, Admin. of
Casper C. Nicol, deceased.

Probate Court, Union County, Ohio
January, 24-1924

vs. Plaintiff
Louise Nicol, et al. Defendants.

Orders for Bond.

This day came the said Plaintiff by his attorney and appraisement being dispensed with, and the minority appraisement being adopted, \$15,000.00. It is further ordered that said admin. execute within five days to the State of Ohio, a bond, with sufficient freehold sureties, to be approved by the Court, in the sum of \$10,000.00 conditioned according to law, and this cause is continued.

W. H. Husted Probate Judge

10175

Bond

Bond

Know all Men by these Presents; That Mr. E. H. Hutton, Phillip Bishop, J. M. Fox, are held and firmly bound unto the State of Ohio, in the sum of Ten Thousand (\$10,000.00) Dollars, for the payment of which we hereby jointly

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and severally bind ourselves, our heirs, executors and administrators, signed by us, and, dated at Marysville, Ohio, this 24. day of January, 1924. The condition of the above obligation is such, that whereas, the above bound, E. H. Hatten was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio Administrator of the estate of Casper L. Nicol, deceased.

And, whereas, the said E. H. Hatten as such admin., has filed a petition in said Probate Court, asking for the sale of certain real estate of said decedent, described in said petition; and, whereas said Court, on the 24. day of January, 1924, made an order requiring said E. H. Hatten to execute a bond according to the statute, in such cases made and provided.

Now if the said E. H. Hatten 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.

E. H. Hatten, Phillip Bishop, J. M. Fox,

This Bond approved, in open Court, this 24. day of Jan. 1924.
W. H. Husted, Probate Judge

Affirmation of Guardian ad litem,
Probate Court, Union County, Ohio

E. H. Hatten, admin. of
Casper L. Nicol, deceased,
vs Plaintiff
Louise Nicol, et al. Defendants
Minor Defendants.

and, now comes the said Freida M. Nicol, Harry E. G. Nicol, Paul E. F. Nicol, Wilbur H. O. Nicol, Lester L. L. Nicol, Herbert J. C. Nicol, Victor F. W. Nicol and Kermit L. L. Nicol, the minor defendants to the petition in said cause, by Louise Nicol, their Guardian ad litem hereof, for appointed in said cause by said Court, and for answer to said petition deny all the material allegations herein contained, prejudicial to said minor defendants.

They further say, that they are of tender years and not acquainted with the law in such cases, and, therefore pray the Court, to protect their rights in this cause, and for such relief as may be just.

Dated this 10. day of January, 1924.
Louise Nicol, Guard. ad. litem, Freida M. Nicol, Harry E. G. Nicol, Paul E. F. Nicol, Wilbur H. O. Nicol, Lester L. L. Nicol, Herbert J. C. Nicol, Victor F. W. Nicol, and Kermit L. L. Nicol.

Journal Entry
Probate Court, Union County, Ohio

10173

E. H. Hatton, admr.,
of Casper, Nicol, Deceased.

February, 5th 1924

Plaintiff
Louise Nicol, et al. Defendants.

Order for Private Sale - etc.

This day, this cause came on to be heard upon the petition, evidence and testimony of E. H. Hatton, admr., of Casper, Nicol, deceased, 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 Casper Nicol, 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 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 Casper, Nicol, 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 Louise Nicol to sell the real estate described in the petition at private sale. It is therefore further ordered, that said E. H. Hatton as such admr., 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. said petitioner is ordered to make return to this Court immediately after such sale is made. And this cause is continued.

W. H. Husted, Judge.

Application to Sell Real Estate at Private Sale -

E. H. Hatton, admr., of
Casper, Nicol, Deceased
Plaintiff

Probate Court, Union County, Ohio,
No. 10173

Louise Nicol et al. Defendants

Application

The said Plaintiff represents that it would be for the best interest of the said E. H. Hatton, to sell the real estate described in the petition in this case at private sale, for the following reasons: Situated in the County of Union, State of Ohio, and in all Township of Union, to wit: Being part of Survey # 6602, and being all of lots numbered one and two of the subdivision of the estate of William Glasco M^cDonnell, deceased, as made by B. A. Fay, a plat of which is recorded, in Volume 39 page 120 of the Deed records of Union County, Ohio, Beginning at a stone two rods and a bar oak corner to John Mitchell's land; thence, with a line of said Mitchell's land, and the line of R. G. Moses, S^o East 167.57 poles, to a stone and brick; thence north 82^o West 82.20 poles to a stone and

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brick in the line of said John Mitchells land; thence
with said line north 82¹/₄° East 85.44 poles to the
beginning containing ninety-two (92) acres, more or
less. (also the following premises, part of survey 6602,
and bounded and described as follows: Beginning at a
stone in the East line of George Nicols land; thence, with
the east line of said land, South 12° W. 15.20 poles to
a stake in the center of the Strong Grant Road; thence,
with the center of said Grant Road North 73° East 7.60
poles to a stone; thence north 19° west 13.32 poles to the
beginning, containing thirty hundredths of an acre (30/100)
acres, more or less. Excepting the following premises part
of survey No. 6602, conveyed by George V. Nicol and wife E. George
Bishop and bounded, and described as follows: Beginning
at a stone in the south east corner of George Nicols
land, and in the South line of survey No. 6602; thence
with said survey line South 85° 30' West 28.40 poles
to a stone at the northeast corner of Emanuel Bishops
land; thence with the east line of said land, produced
North 12° West 1/2° poles to an iron rod in the center
of the Strong Grant road; thence with the center of said
Grant road, North 73° East 31.60 poles to a stake in
the east line of said Nicols land; thence, with the East
line of said land, South 12° West 8.48 poles, to the
beginning. Containing (.85) eighty-five hundredths,
of an acre more or less, and he therefore asks for
an order authorizing him to sell said real estate
at private sale - E. B. Ballou, Adm. of Casper, C. Nicol, Dec'd.

The State of this Union County,
E. B. Ballou, being duly sworn, says, that the various
matters set forth in the foregoing application are true, as
he verily believes. E. B. Ballou.

Sworn to before me, and signed in my presence, this
24. day of January, 1924. J. L. Longberry,
Notary Public, Union Co., Ohio

Affidavit of Disinterested Persons -
The State of this Union County:
A. F. Elliott and Herman Braun, being duly sworn, says,
that they know the facts set forth in the application to
which this affidavit is attached; 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 - A. F. Elliott, Herman Braun,
Sworn to before me, and signed in my presence, this 2-
day of Feb 1924 E. B. Ballou, Notary Public, Union Co., Ohio,

10175

Answer and Cross Petition of
 The Buckeye State Building and Loan Company
 E. H. Patton, adm'r in trust vs. 10175

of Casper. C. Nicol, Deceased.
 Plaintiff
 vs.
 Louise Nicol, et al. Defendants.

Answer and Cross Petition of the
 Buckeye State Building and Loan Company

The Buckeye State Building and Loan Company is a Corporation duly organized and existing under the laws of the State of Ohio, and having its principal place of business in the City of Columbus, Franklin County, Ohio.
 First cause of action.

On January 24-1921, Casper Nicol and Louise Nicol executed and delivered to this defendant their certain promissory note of which the following is a true and correct copy.

Straight Loan.

\$6,000.00 Columbus, O., Jan., 24-1921.
 On or before five (5) years after date, or when full payment is demanded as hereinafter provided for, for value received, I, we, or either of us, promise to pay to the Buckeye State Building and Loan Company of Columbus, Ohio, the sum of Six Thousand Dollars (\$6000-) with interest at the rate of 6 1/2 per cent. per annum, payable semi-annually on or before the 24 day of July, and January 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. If this note is not paid when due; or if any installment of interest hereon is not paid when due, or within 30 days thereafter; or if the maker hereof, or the owner of the real estate mortgaged to secure the payment of this note with the interest, or any one for them, fails to keep all taxes and assessments levied on said real estate or on this note or the mortgages securing it paid as they become due and payable; or fails to keep the premises so mortgaged insured in some reliable fire insurance company acceptable to said Company in a sum of not less than \$ --- with all policies delivered promptly to said company, each containing a clause providing that the loss, if any, shall be payable to said Company according to its mortgage interest; or fails to keep the buildings on said real estate in good and proper repair; then and on such default in whole, or in part, all of 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 of this note; and said Company or owner may enforce the repayment of all

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said indebtedness, including all accrued interest ^{accrued} money expended for taxes, insurance and assessments as provided for in said mortgage according to law.

This note shall, at the option of said company become due, and payable in full, and said mortgage enforceable - should no change occur in the ownership of said real estate or any part thereof without the written consent of said company.

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. Witness my hand, Louise Nicol.

Rev. stamps attached.

This defendant is now the owner and holder of said note on which there is payable the sum of six thousand forty-six and 58/100 Dollars (\$6046.⁵⁸) with interest from March 7-1924, as per the terms of said note; which said sum, with said interest and costs this defendant claims.

Second cause of action.

This defendant adopts and makes a part of its second cause of action each, and all of the allegations of its first cause of action, the same as if fully re-written herein, and further says, that on January 24-1921, to secure the payment of the note set out in the first cause of action herein, Casper Nicol and Louise Nicol, 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 Union, County of Union in the State of Ohio, and described as follows: Being part of Survey no. 6602, and being all of lots numbered 1- and 2, of the subdivision of the estate of William Glasco M^cDonnell, deceased, as made by B. A. Fay, a plat of which is recorded, in volume, 39, pages 120, of the deed Records of Union County, Ohio. Beginning at a stone, two Elms and a bar oak, corner to John Mitchell's land; thence with a line of said land and the line of R. G. Morse's land, north 8° east 167.54 poles to a stone and brick; thence north 82° west 87.20 poles to a stone and brick; thence south 8° west 190.74 poles to a stone and brick in the line of said John Mitchell's land; thence with said line north 82 1/4° East 85.44 poles to the beginning, containing ninety two (92) acres, more or less.

Also the following premises part of survey, 6602, ^{and} bounded and described as follows: Beginning at a stone in the east line of George Nicol's land; thence with the east line of said land, south 12° N. 15.20

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poles to a stake in the center of the Strong Grant Road; thence with the center of the said Grant Road, north 73° East 7.60 poles to a stone; thence north 19° West 12.32 poles to the beginning, containing thirty hundredths of an acre ($30/100$ ac.) more or less. (Excepting the following premises part of Survey No. 6602, conveyed by George Nicol, and now to John George Bishop, and bounded and described as follows: Beginning at a stone in the south east corner of George Nicol's land, and in the south line of Survey No. 6602, thence with said survey line south 85° 30' West 28.40 poles to a stone at the north east corner of Emanuel Bishop's land; thence with the east line of said land, produced, north 12° West 1.20 poles to an iron rod in the center of the Strong Grant Road; thence with the center of said Grant Road north 73° East 31.60 poles to a stake in the east line of said Nicol's land; thence with the east line of said land south 12° West 8.48 poles to the beginning, containing eighty-five hundredths ($85/100$) of an acre, more or less.

Said mortgage is conditioned as follows:

Provided, nevertheless, and these presents are upon these conditions: That the said mortgagors have executed and delivered to the said mortgagee, their one certain promissory note of even date herewith due as, hereinafter mentioned and, in amounts as follows:

\$6000.00 due on or before five years from the date hereof:

Together with the interest thereon at the rate of $6\frac{1}{2}$ per cent, per annum payable semi-annually on or before the 24th day of July and January 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 mortgagee.

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, or against this mortgage or the debt secured, by it 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 mortgagee in a sum of not less than \$---, with the loss, if any, payable to said mortgagee as its mortgage interest may appear; and to keep said policy of insurance in the possession of said mortgagee until this mortgage is fully paid.

That if the said mortgagors, their heirs and assigns

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shall fail to pay promptly as they or their heirs become due, and payable, said taxes, insurances, assessments or other charges, that may be levied against said property, or, against this mortgage or the debt secured by it. 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 5% 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 stipulated conditions, then these presents shall be void."

Said mortgage was filed for record with the Recorder of Union County, Ohio, on January 24-1921, at 2:25 o'clock P.M. and was thereafter by him recorded in Book 78, page 280 of the Mortgage Records of said County, and, is now, the first and best lien on the said real estate.

This defendant prays, that upon a sale of the said real estate its rights herein may be protected; its said mortgage declared to be the first and best lien on said real estate, and that its said claim be first paid out of the proceeds of said real estate; and, that it may have all other and further relief to which it may be entitled either in law or in equity.

Wilson and Rector, Attys. for the Buckeye State Building and Loan Company.

State of Ohio, Franklin County, ss.

Fred C. Rector, being first duly sworn, says that he is one of the duly authorized attorneys for the Buckeye State Building and Loan Company, a corporation, and that the facts stated and allegations contained in the foregoing answer and cross petition are true as he verily believes.

Fred C. Rector
known to before me, and, subscribed in my presence this 1st day of March, 1924. Arthur Hyde, Notary Public
in and for Franklin County, Ohio.

Tax fees -

Order of Sale - True from Dorr.
The State of Ohio, Union County, } Probate Court,
Union County. }

10175-

To E. H. Hutton, administrator of Casper C. Nicol. 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 Louise Nicol 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 Louise Nicol widow of Casper C. Nicol, deceased,
 the following described premises to wit:

Being part of Survey No. 6602, and being all of lots
 numbered one and two of the subdivision of the estate
 of William Glasco M^c Donnell, deceased, as made by
 J. B. A. Fay, plat of which is recorded in Volume 39,
 page 120, of the Deed records of Union County, Ohio,

Beginning at a stone two stone and a bar oak
 corner to John Mitchell's land; thence with a line of said
 Mitchell's land and the line of R. G. Moses north 8° East
 167.54 poles to a stone and brick; thence north 82°
 East 87.20 poles to a stone and brick in the line
 of said John Mitchell's land; thence with said line
 north 82 1/4° East 85.44 poles to the beginning con-
 taining evenly two (2) acres, more or less.

also the following premises part of Survey 6602 and
 bounded and described as follows: Beginning at a
 stone in the east line of George Nicole's land; thence
 with the east line of said land, south 12° W. 15.20
 poles to a stake in the center of the Sheny Grant
 Road; thence with the center of said Grant Road north
 73° East 7.60 poles to a stone; thence north 19°
 West 13.32 poles to the beginning, containing thirty
 hundredths of an acre (30/100) acres, more or less.

Excepting the following premises part of Survey No. 6602
 conveyed by George Nicol and wife to John George Bishop
 and bounded and described as follows: Beginning
 at a stone in the South East Corner of George Nicole's
 land, and in the South line of Survey #6602. Thence with
 said Survey line south 85° 30' West 28.40 poles to a stone
 at the northeast corner of Emanuel Bishop's land; thence with
 the east line of said land produced north 12° West 1.20
 poles to an iron rod in the center of the Sheny Grant
 Road; thence with the center of said Grant Road north
 73° East 31.60 poles to a stake in the east line
 of said Nicole land; thence with the East line of said land
 South 12° West 8.48 poles to the beginning, containing
 eighty-five hundredths (85/100) of an acre, more or less.

Said sale to be cash, and to be upon the following terms
 Cash, Fifteen Thousand (\$15,000) Dollars.
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Meeting; Probate day, in a sure Plaintiff Commauded for not on the deceased. all of lots be estate made by volume 39 ty, Ohio, in bar out in of said to 8° East, north 82° the line said line my com- 6602 and up at a land; Thence N. 15.20 Grand Road North the 190 thirty ss. way no 6602 George Bishop in my orge nickel ce with to a stone; Thence with west 1.20 Grand road North east line 1 said land 4. Containing r. less. ing terms ings to this

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Court. forthwith upon execution of this order. Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 5-day of February, 1924.
W. H. Hustled Probate Judge
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-day of March, 1924.
E. H. Hatton, admn. of estate of Casper C. Nicol, decd.
Report of Sale

In obedience to the within order, I sold said premises on the 3-day of March, 1924, to Louise Nicol for the sum of Fifteen Thousand, (\$15,000.00) Dollars said sum being the appraised value of the same.
E. H. Hatton, admn. of the estate of Casper C. Nicol, deceased

Dated the 3-day of March, 1924.
The State of Ohio, Union County,
The above named E. H. Hatton admn. of the estate of Casper C. Nicol, 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.
E. H. Hatton admn. of estate of Casper C. Nicol, decd. sworn to before me, and signed in my presence, this 3-day of March, 1924.

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Journal Entry: Probate Court, Union County, Ohio, March 4th 1924.
E. H. Hatton admn. of the Estate of Casper C. Nicol, deceased. Plaintiff
Louise Nicol et al. Defendants | order, confirmation, Distribution, etc.

This day this cause came on to be heard on the report of E. H. Hatton, administrator of Casper C. Nicol of his proceedings under the former order of this Court, 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 Casper C. Nicol, in said real estate, to the purchaser Louise Nicol, and now this cause coming on further

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Guardians Petition to Sell Real Estate.
Probate Court, Union County, Ohio.
W.C. Morrison, Guardian, Plaintiff
vs.
His Ward,
Charles Norris,
Jay Norris
Ira Morrison
Sarah Jelliff

Petition to Sell Real Estate
Defendants. Petition

The Plaintiff represents that he is the duly appointed and qualified Guardian of Charles Norris of the age of 45 years residing in Chestnut Township Union County Ohio and that it is necessary to sell the real estate of the said Charles Norris to pay his debts and provide for his support and maintenance. Said Charles Norris has no personal estate which has come to the knowledge of the petitioner.

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 Chestnut, Ohio: One-fifth undivided interest of the following described tract of land: Beginning at a stone at the intersection of the Langstaff Road, and the Van Bant road, thence with the center of the Van Bant road N. 8 1/2 E. 114 poles to a stone south-west corner to Thomas Cunningham's land; thence with the south line of said land S. 77 1/2 E. 40 8/10 poles to a stone; thence south 8 1/2 W. 111 poles to a stone in the center of said Langstaff road; thence with the center of the same N. 81 W. 40 poles to the beginning containing 28.12 acres more or less, being the same land set off and assigned to Elizabeth C. Norris, as her dower in case no. 4874 in Court of Common Pleas Union County, Ohio, J. B. Norris, v. Elizabeth C. Norris, et al.

Also a tract of land, containing about thirteen (13) acres of land, which was set off and assigned to her in case no. 4874, viz. J. B. Norris v. Elizabeth C. Norris, law Record, 24 Page, 558. of the Records of the Court of Common Pleas of Union County, Ohio.

For a more particular description reference is hereby had to said records. Said real estate is worth annually has made no return.

That said plaintiff has received no rents from the real estate of his ward. That the sale of said real estate therefore prays, that said Jay Norris, Sarah Jelliff, and Ira Morrison and also Charles Norris, may be made 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. W.G. Morrison Guardian

The State of Ohio, Union County, W.G. Morrison

The State of Ohio, Union County, W.G. Morrison 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. W.G. Morrison

sworn to before me, and, signed in my presence, this
17-day of January, 1924. W.H. Husted Probate Judge.

Journal Entry: In the Probate Court of Union County, Ohio,
W.G. Morrison Guardian of Charles Norris, Lunatic, Plaintiff
Charles Norris, Jay Norris, et al. Defendants. January, 17- 1924
base no. Journal Entry, Filing

Petition to Sell Real Estate.

This day came the Plaintiff W.G. Morrison, Guardian of
Charles Norris, and, presented to this Court, his petition
duly verified, praying an order for the sale of real
estate of the said Charles Norris, Lunatic, to pay his
debts and provide for his support and maintenance,

Whampoa, 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. W.H. Husted, Probate Judge

Waiver

Probate Court, Union County, Ohio

W.C. Morrison, Guardian of
Charles Norris, Plaintiff

Jay Norris, Sarah Jolliff, et al. Defendants.

Waiver of Summons and
Consent to Sell.

We, the undersigned heirs of the next estate of inheritance
of Charles Norris parties defendant, to the petition in the
above entitled action, do, each of us, hereby waive the issuing
and service of summons, and, voluntarily enter our ap-
pearance, as, such defendants, and, we do hereby con-
sent to the sale of the Real Estate described in the
petition in said action according to the prayer of the
same. January, 17-1924. W.C. Morrison, Jay Norris, Sarah E. Jolliff.

Summons on Petition to Sell Real Estate

The State of Ohio, Union County, Probate Court.

To D.W. McQuirk, Supt.

Please notify Charles Norris
that on the 17-day of January, A.D. 1924, W.G. Morrison
Guardian of Charles Norris, 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 for the reason, it will be to the best interest of said ward, and that unless they answer by the 16-day of February 1924, said petition will be taken as true, and an order granted accordingly. Said J^r Pritchard will make due return of this writ on the 29-day of January 1924.

Witness my hand and the Seal of said Court. This 17-day of January 1924 W. H. Husted, Probate Judge - The State of Ohio, Franklin County.

T. W. H. Pritchard Supt. being duly sworn, say that on the 19-day of January 1924, I served this writ by delivering a copy thereof personally to the following persons, to-wit: Charles Norris a patient in the Columbus State Hospital. W. H. Pritchard Supt.

Done to and before me, and signed in my presence. This 19-day of January 1924 J. Hines, Notary Public.

Journal Entry: Probate Court, Union County, Ohio.

W. G. Morrison, Guardian of Charles Norris, Plaintiff v. Charles Norris, et al. Defendant.

Order of appraisement.

This day this cause came on to be heard upon the petition and the court being duly advised in the premises finds that all the defendants herein have been duly and legally served with process, etc., 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 there is no one entitled to dower in said premises, and the court being satisfied that it is necessary to sell the real estate of said Charles Norris described in the petition to defray the necessary living expense of his said ward. It is ordered that Guy Bruner, J. T. Johnson, and W. G. Davidson three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, be and they thereby are appointed to appraise said lands, at their true value in money. 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 16-day of March - 1924, and this cause is continued.

W. H. Husted, Probate Judge

Order of appraisement.

The State of Ohio, Union County, ss.

Probate Court.

To W. G. Morrison, Guardian of Charles Norris. Greeting:

In obedience to an order and decree of the Probate

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County within and for said County, made this day in a certain cause wherein you as guardian of Charles Norris are plaintiff, Jay Norris, Isaac Harrison et al. are Defendants you are commanded that by the oaths of Guy Kramer, J. T. Johnson, and W. G. Davidson, 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: One-fifth undivided interest in the following described tract of land: Beginning at a stone at the intersection of the Langstaff road and the Van Sant road; thence with the center of the Van Sant road, N. 8 1/2° E. 114 poles to a stone south west corner to Thomas Cunningham's land; thence with the south line of said land S. 77 1/2° E. 40 3/100 poles to a stone; thence south 8 1/2° W. 111 poles to a stone in the center of said Langstaff road; thence with the center of the same N. 81° W. 40 poles to the beginning, containing 28.12 acs. more or less, being the same land set off and assigned to Elizabeth C. Norris, as her dower in Case No. 4874, in Court of Common Pleas, Union County, Ohio, J. B. Norris, vs. Elizabeth Norris et al. Also a tract of land, containing about thirteen (13) acs. of land, which was set off and assigned to her in Case No. 4874, viz J. B. Norris, vs. Elizabeth Norris, et al. Law record 24 Payne 538, of the records of the Court of Common Pleas of Union County, Ohio. For a more specific description, reference is hereby had to said records. 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 Marietta, Ohio, this 16 day of February A.D. 1924.

W. H. Husted, Probate Judge
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 day of March, 1924.
W. S. Harrison, Edwardian

Oath of appraisers.
The State of Ohio, Union County,
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.
Guy Kramer, J. T. Johnson, W. G. Davidson, Appraisers.
Sworn to before me, said, signed in my presence.

This 8 day of March - 1924. Arthur Fleisher, Notary Public.
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 Five Hundred and Forty-five dollars. Given under our hands, this 8-day of March, 1924. Guy Craver, J. L. Johnson, W. G. Davidson, Appraisers
Application to Sell Real Estate at Private Sale -
Probate Court, Union County, Ohio.

W. G. Hornison, Guardian of
Charles Norris Plaintiff.

Jay Norris, et al. Defendants Application

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

1. Said land is an undivided part of a farm, and is not set off so that bidders would care to buy it.
2. The 13 acres are back off the road with no outlet to road and would not be desirable for bidders.
3. The petitioner can sell the premises described in the petition to Ina Hornison for the full appraised amount, and he therefore asks for an order authorizing him to sell said real estate at private sale.

W. G. Hornison, Edu. of Charles Norris.

The State of Ohio, Union County.

W. G. Hornison, being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.
W. G. Hornison.

Sworn to before me, and signed in my presence
this 12-day of March, A. D. 1924. A. E. Fackler, Notary Public.
Affidavit of Disinterested Person.

The State of Ohio, Union County.

O. D. Cook, and C. A. Rudolph - 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 Charles Norris to sell said real estate at private sale than at public sale - as he verily believes.

O. D. Cook, C. A. Rudolph -

Sworn to before me, signed in my presence, this 18 day of March, 1924
A. E. Fackler, Notary Public, Union County, Ohio.

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

W. G. Hornison, Guardian of Plaintiff
Charles Norris - Plaintiff
no -
Jay Norris, et al - Defendants

Order Confirming app. Ordering Sale

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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 guardian 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 interest of said Charles Norris and all parties interested therein that said real estate be sold at private sale.

It is thereupon by the Court ordered that said W. G. Morrison, guardian, 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 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.

W. H. Husted Probate Judge.

Order of Sale.

The State of this Union County, ss. Probate Court.
To W. G. Morrison, Guardian of Charles Norris, 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 Charles Norris are Plaintiff and, Jay Norris 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 any widow of record, the following described premises, to wit: one fifth undivided interest in the following described tract of land: Beginning at a stake at the intersection of the Langstaff road and the Van Sant road; thence with the center of the Van Sant road, N. 8 $\frac{1}{2}$ E. 114 poles to a stone south west corner to Thomas Cunningham's land; thence with the south line of said land, S. 77 $\frac{1}{2}$ E. 40 $\frac{1}{2}$ poles to a stone; thence south 8 $\frac{1}{2}$ W. 111 poles to a stone in the center of said Langstaff road; thence with the center of the same, N. 81 W. 40 poles to the beginning,

containing 28.12 acres more or less, being the same land set off and assigned to Elizabeth C. Norris, as her dower in case no. 4874 in Court of Common Pleas, Union County, Ohio J. B. Norris vs. Elizabeth C. Norris, et al. Also a Tract of land containing about thirteen (13) acres of land, which was set off and assigned to him in case no. 4874 viz. J. B. Norris v. Elizabeth C. Norris, Law Rec. 24 Pg. 5-58 of the records of the Court of Common Pleas of Union County, Ohio. For a more specific description reference is hereby had to said records. Said sale to be private 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 Court, this 25 day of March, 1924. W. G. Morrison Probate Judge -

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 28 day of March, 1924.

W. G. Morrison.

Report of Sale.

In obedience to the within order, I sold said premises on the 27 day of March, 1924 to Ira Morrison for the sum of Five Hundred and Forty five dollars (\$545.00) said sum being the appraised value of the same. W. G. Morrison.

Dated the 28 day of March, 1924

The State of Ohio, Union County, ss.

The above named W. G. Morrison Guardian of Charles Norris 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. W. G. Morrison.

Done to before me, and signed in my presence, this 28 day of March, 1924, W. G. Morrison Probate Judge

Journal entry Probate Court, Union Co. Ohio, March 28 - 1924.

W. G. Morrison as Guardian of Charles Norris Plaintiff

Proceeding to Sell Real Estate Confirming Sale

Jay Norris et al. Defendants.

This day this cause coming on to be heard on the return of W. G. Morrison Esq., of the estate of Charles Norris, in testament 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 W. G. Morrison as such Guardian make to the purchaser, Isa Morrison a good, and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said Guardian pay the costs herein taxed at \$13 - within ten days.

W. H. Husted Probate Judge

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Filed
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John H. Spitz
attorney

Petition for Sale of Real Estate to Pay Debts.
C. G. Rhodes, admr. of the Estate
of C. G. Rhodes, deceased.
Plaintiff
vs
Walter Rhodes, Mrs Lewis Aurine,
Mrs Lewis Smart, Mrs Laurence Bellom,
and Mrs Thomas Smith
Defendants.

Probate Court, Union County, Ohio,
no. 10176
Civil action
Petition to Sell Real Estate
Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the Estate of C. G. Rhodes, late of Liberty Township Union County, Ohio, deceased; that the amount of debts due from the deceased, is
Five thousand, six hundred and sixty seven 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 the total value of the personal estate and effects of said deceased, is but one hundred and ten dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said C. G. Rhodes died seized in fee simple of the following described real estate, situated in the County of Union, State of Ohio, and in the township of Liberty, to wit:
Beginning at an iron stake in the center of the Raymond gravel pike of the West line of Mary O'Brien's land, S. W. corner following O'Brien land, line N. 11° E. 97.45 poles to an Iron stake corner of Mary O'Brien's and Chas. Argo's land; thence N. 78 3/4° W. 38 poles to an Iron stake corner of Chas. Argo's land; thence S. 10° W. 75.17 poles to an Iron stake in the center of the Raymond gravel Road; thence with the center of said road, S. 47 3/4° E. 42.66 poles, to the place of beginning, containing 20 acres, more or less, located in Survey No. 3463, and 12472. All of said tract of land, being in the possession of C. G. Rhodes, except the following described premises, located in Survey No. 12472, Beginning at an Iron stake in center of pike of West line of Mary O'Brien's land, S.W. corner, following O'Brien's land line N. 68 1/4°

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West 7.81 rods to an iron stake; thence South $36\frac{3}{4}$ N. 21.75 rods to an iron stake; thence S. $47\frac{3}{4}$ E. 20.12 rods to an iron stake; thence with the center of the pike N. 11° E. 28.84 rods to the place of beginning, containing about $2\frac{3}{4}$ acres, more or less. Being the same premises conveyed to C. E. Jackson by C. G. Rhodes, in 1916, and recorded in Vol. 116, Page 23, also the following described premises located in the Township of York, County of Union and the State of Ohio, being described as follows:

Being part of Survey No. 3234.

Beginning at a stone with pieces of brick under it in the center of the York Center and Newton Branch Road and South East corner of F. L. Kegert's Lot, bought of Township trustees; thence W. $2\frac{1}{2}^{\circ}$ W. with the center of said road, $12\frac{3}{4}$ poles to a stone with glass under it; thence East at a right angle with said road, $12\frac{3}{4}$ poles to a stone with earthenware under it; thence S. $2\frac{1}{2}^{\circ}$ E. $12\frac{3}{4}$ poles to a stone with earthenware under it; thence N. $12\frac{3}{4}$ poles to the place of beginning, containing one acre.

Exhibit "A"

Debts of the Estate of C. G. Rhodes.

1. Taxes, Union County	\$ 38.50
2. Doctor bills, Dr. Thompson	50.00
3. Williard Winters, (undertaker)	381.55
4. John Robb (Fence)	42.00
5. Raymond Elevator (Posts)	16.00
6. Georgiana Rhodes (notes)	1500.00
7. Gevener Rhodes " "	500.00
8. Lawrence Rhodes " "	3000.00
9. Raymond, Deposit Bank (note)	150.00
Total 5388.05	

Plaintiff 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 and that the amount of said appraisement is on 1st tract Forty five hundred and sixty six dollars, appraisement on second tract is three hundred dollars.

The said decedent died leaving the defendant - his widow - that the defendants Walter Rhodes, Mrs Lewis Aurine, Mrs Lewis Smith, Mrs Lawrence Bellows, and Mrs Thomas Swick, are the only heirs and next of kin of said decedent, having the next estate of inheritance from said C. G. Rhodes, deceased, in said premises, and the Plaintiff therefor prays, that your petitioner may be authorized and ordered to sell said real estate, without said dower, according to the statute in such case made and provided, and for all other proper orders and

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ratify in the premises. John W. Dailly, atty. for Plaintiff.
 The State of Ohio, Union County,
 C. O. Rhodes, 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.
 C. O. Rhodes.

Sworn to before me, and signed in my presence, this
 24. day of Sept. 1924 ^{24th} John W. Dailly, Notary Public, Union Co., Ohio
 Journal Entry: In the Probate Court of Union County, Ohio,
 C. O. Rhodes, Adm. of the Estate of C. O. Rhodes, deceased,
 Plaintiff
 vs.
 Walter Rhodes, Mrs Lewis Aurvine,
 Mrs Lewis Bismark, Mrs. Lawrence Bellows,
 and Mrs Thomas Smith,
 Defendants.

Supt. 24 - 1923,
 Case no. 10176

Journal entry
 Filing Petition to Sell
 Real Estate.

This day came the Plaintiff C. O. Rhodes, administrator
 and presented to this court his petition, duly verified,
 praying an order for the sale of real estate of the
 said C. O. Rhodes, 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.

W. H. Husted, Probate Judge
 Recorder

In the Probate Court, Union County, Ohio.
 To the Clerk, C. O. Rhodes, administrator of C. O. Rhodes vs. Walter Rhodes et al.
 Issue summons in the above entitled cause, directed
 to the Sheriff of Franklin County, Ohio, for the defendants Mrs
 Lewis Aurvine, 232 N. Terrace Ave., Columbus, Ohio, and Mrs
 Lawrence Bellows 1292 Cambridge Boulevard, Columbus, Ohio,
 endorse "Proceedings to sell land of C. O. Rhodes by the
 administrator, to pay debts" and make return according
 to law. Issue summons - also, directed to the Sheriff
 of Marion County, Ohio, for the defendant Mrs Thos Smith
 225 West Fairground Ave., Marion, Ohio, endorse, "
 Proceedings to sell land of C. O. Rhodes by the administrator
 to pay debts" and make return according to law.

John W. Dailly atty. for admin-
 Wairor

Probate Court, Union County, Ohio

C. O. Rhodes, adm. of the estate of
 C. O. Rhodes - deceased -
 vs.
 Plaintiff

no. 10176

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Walter Rhodes, et al. Defendants.

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for the purpose of paying debts, and, that unless they answer by the 10 day of November, 1923, said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due return of this writ on the 22-day of Oct. 1923. Witness my hand and the seal of said Court, this 12-day of October 1923.

W.H. Husted, Probate Judge

Sheriff's Return.

The State of Ohio, Franklin County.

Received this writ, Oct. 13-1923, at 8.0'clock a.m., and pursuant to its command, I served Mrs Lawrence Billows on Oct. 15-1923, and Mrs Lewis Aurier, on Oct. 16-1923, by personally handing each of them, a true and certified copy of this writ with all the endorsements thereon.

Frank L. Holyeras, Sheriff, Franklin Co., D.

By A. Churches, Deputy.

Sheriff's Fees.

Service and Return, 75

additional names, 25

miles traveled 1.20

Postage 56 Total \$ 2.26

Summons on Petition To Sell Real Estate.

The State of Ohio, Union County.

Probate Court.

To the Sheriff of Marion County.

you are commanded to notify Mrs Thomas Smith 225 West Fairground St. that on the 25-day of Sept. 1923, C.C. Rhodes, admr. of the estate of C.Y. Rhodes 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 10-day of November, 1923, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 22 day of October 1923. Witness my hand and the seal of said Court, this 12-day of October 1923. W.H. Husted, Probate Judge

Sheriff's Return.

The State of Ohio, Marion County.

Received this writ Oct. 13-1923, at 9.0'clock a.m., and pursuant to its command, I served Mrs Thomas Smith by personally handing her, a true and certified copy with all endorsements, thereon.

F.A. Washburn, Sheriff, By James A. Deal Deputy.

The State of Ohio, Marion County.

I, James A. Deal being duly sworn, say, that on the 13-day of Oct. 1923, I served this writ by delivering a copy thereof personally to the following named

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persons, to wit: Mrs. Thomas Smith, James W. Deal -
Duron to before me, and, signed in my presence, this 13-day of
Oct. 1923. ~~Pro~~ Louis B. Mc Neal, Probate Judge, By Oscar East, Deputy
Journal entry: In the Probate Court, Union County
L. O. Rhodes, Adm. C. Y. Rhodes | no. 10176

vs. Plaintiff Bond and appraisement defenses
Walter Rhodes, et al. Defendants with Private Sale ordered.

This day this cause came on to be heard on 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, the Court, being fully advised in the
premises finds that all the defendants herein have been
legally served with process and that Walter Rhodes, Marion
Aurino, Margaret Sumak, have entered their appearance,
herein in writing and, that Mrs Lawrence Bellows, and
Mrs Thomas Smith, have been notified of the pendency
and prayer of the petition as prescribed by law, and
that all parties defendant, are in default, for answer
or demurrer, and, that all the allegations of the
petition are by them confessed to be true.

The Court, finds that the allegations of the
petition 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. The Court further finds
that the 17 acre tract of real estate in the petition
described was appraised by the appraisers of the
personal estate at \$45.66⁰⁰ and, that the one acre
tract of real estate in the petition described was
appraised by the appraisers of the personal estate
at \$300⁰⁰ and, the Court further finds that the bond
heretofore given by the plaintiff as administrator of the
estate of C. Y. Rhodes, in the amount of \$10,000⁰⁰ is
sufficient. It is, therefore, ordered, that further
appraisement and, additional bond be dispensed with.

It further appearing to the Court, that it would be
to the interest of the said estate to sell each tract
of the real estate described in the above petition
at private sale, it is now ordered, that said
L. O. Rhodes as such administrator proceed to sell
said real estate at private sale at not less than
the appraised value thereof in the following terms,
all cash in hand on date of sale.

W. Husted, Probate Judge

Order of Sale - without Dower.

The State of Ohio, Union County } Probate Court
To L. O. Rhodes, admn. of C. Y. Rhodes, dec'd: Meeting:

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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, auditor, of the estate of Wm. Rhodes, deceased, are Plaintiff and Walter Rhodes 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: Situate in the County of Union State of Ohio, and in the Township of Liberty: Beginning at an iron stake in the center of the Raymond Gravel Pike of the West line of Mary O'Brien land, S.W. Corner following O'Brien land line N. 11° E. 97.45 poles to an iron stake corner of Mary O'Brien and Chas. Argo's land; thence N. 78° 3/4' W. 39 poles to an iron stake corner of Chas. Argo's land; thence S. 10° W. 76.07 poles to an iron stake in the center of the Raymond Gravel Road; thence with the center of said road, S. 47° 3/4' E. 42.66 poles to the place of beginning, containing 20 acres more or less, located in Survey No. 3463, and 12472, all of said above tract being transferred except 2 3/4 acres located in Survey No. 12472 being described as follows: Beginning at an iron stake in center of pike of West line of Mary O'Brien land, S.W. Corner following O'Brien's land line N. 68° 7' W. 7.81 poles to an iron stake; thence South 36° 3/4' W. 21.75 rods to an iron stake; thence S. 47° 3/4' East 20.12 rods, to an iron stake; thence with the center of the pike N. 11° E. 28.84 rods to the place of beginning, containing 2 3/4 acres, more or less being the said premises conveyed to C.E. Jackson, in 1916 and recorded in Vol. 116, page 23 of record of deeds of Union County, Ohio.

Also the following described tract containing one acre, more or less, located in the Township of York County of Union and State of Ohio, being part of Survey No. 3234. Beginning at a stone with pieces of brick under it, in the center of the York and Melon Gravel Road and Southeast corner of F.L. Keyster, Lot bought of Township Trustees; thence N. 2 1/2° W. with the center of said road 12 3/4 poles to a stone with glass under it; thence E. at a right angle with said road, 12 3/4 poles to a stone with earthen ware under it; thence S. 2 1/2° E. 12 3/4 poles to a stone with earthenware under it; thence N. 12 3/4 poles to the place of beginning, containing one acre, more or less.

Said sale to be private and to be on the following terms lease in hand on date 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 12 day of

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November, 1923. ~~W.H. Husted~~ Probate Judge -
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 Nov. 12-1923.

C. O. Rhodes, admr. of C. Y. Rhodes, deceased
Report of Sale

In obedience to the within order, I sold said
premises on the 17 acre tract, on the 12 day of
November 1923 to Charles Robb and Pella Robb
for the sum of Forty seven hundred dollars. Said
sum being above the appraised value of the same.

I sold said tract containing one acre to C. L.
Thompson, on the above date for the sum of \$300.00
being the appraised value thereof.

C. O. Rhodes, admr. of C. Y. Rhodes

Dated the 12-day of November, 1923.

The State of Ohio, Union County.

The above named C. O. Rhodes 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 sale is for the
highest price the could get for each of said
property.

C. O. Rhodes, admr. of C. Y. Rhodes, Dec'd

Sworn to before me, and signed in my presence,
this 12-day of November, 1923. ~~W.H. Husted~~ Probate Judge

Journal Entry; Probate Court, Union County, Ohio, Nov. 12-1923
C. O. Rhodes, as admr. of the
Estate of C. Y. Rhodes, dec'd.
vs. Plaintiff

Confirming Sale

Walter Rhodes, et al. Defendant

This day this cause coming on to be heard on the
return of C. O. Rhodes, admr. of the estate of C. Y. Rhodes
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 C. O. Rhodes as such
admr. make to the purchaser Charles Robb and
Pella Robb a good and sufficient deed for the
premises so sold, being 17 acre tract, and make to
the purchaser C. L. Thompson, a good and
sufficient deed for the one acre tract. It is
further ordered, that this proceeding be recorded, ^{and that said}

C. O. Rhodes pay the costs \$---. ~~W.H. Husted~~ Probate Judge

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files
May 23-
1920.

In the matter of the assignment of John B. Horn and Nettie B. Horn,
Probate Court, Union County, Ohio,

Barnard L. Bluntz, assignee for
the benefit of the creditors of
John B. Horn, and Nettie B. Horn.
Plaintiff
John B. Horn, and Nettie B. Horn,
The Horn Loan Company, of
Urbana, Ohio, John E. Foster, and
Arner G. Ballinger, Defendants.

no. 10091 1/2
Petition.

Plaintiff says that on the 6 day of June, 1923, the defendants
John B. Horn and Nettie B. Horn made an assignment to
him of all their property, for the benefit of their creditors,
which deed of assignment was on the 6 day of June
1923, duly filed in the Probate Court of Union County,
Ohio, in cause No. 10091, and thereupon the plaintiff
duly qualified and entered upon his duties as such
assignee, and is still acting in said capacity.

That among the property so assigned is the
following described real estate:

Situated in the county of Union, in the State of Ohio,
and in the township of Liberty, and Survey No. 12283
and bounded and described as follows: Beginning
at a stone at the intersection of the northerly line of
said Survey No. 12283, and westerly line of James M. Robb's
land, and in the center of the Johnson grant road thence
with the westerly line of said land, and the center of
said road, S. 34° E. 83 poles to a stone (witness by three
brches, and an ash) north westerly corner to S. B. Skidmore
land; thence with the northerly line of said land S.
35° W. 100 poles to a stone witnessed by an ash and a
brush the north westerly corner of said land; thence
with the westerly line of same, S. 34° E. 81.50 poles to a
stone and corner to Joel H. Mann's land; thence with
the north westerly line of said land S. 55° W. 82.55
poles to a stone, another corner to said land; thence
N. 34° W. 68.80 poles to a stone; thence N. 56° E. 21 poles
to a stone witnessed by a red oak; thence N. 34° W.
95 poles to a stone witnessed by a forked elm, the
north westerly corner, to 31 acres of land, conveyed
by William Hurdock to James Shirk, April 3, 1877, and in
the north westerly line of said survey No. 12283; thence with
said line, N. 35° E. 160.50 poles to the beginning,
containing 122.25 acres, more or less.

Plaintiff further says that said real estate had
been appraised by the appraisers heretofore appointed in
the Probate Court of Union County, Ohio, at the sum of
Twelve thousand, Two hundred Dollars (\$12,200.00).

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Nettie B. Horn,
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The defendants
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Said plaintiff further says, that it is necessary to sell all of said real estate to pay the costs of said assignment the liens on said premises, and the general creditors of said assignors, and that there are not sufficient assets to pay said charges, and the claims against said assignors, without the sale of said real estate.

Plaintiff further says, that the said defendants, and assignors, John H. Horn, and Nettie B. Horn, were the joint owners of said real estate, and that they are husband, and wife.

Plaintiff further says, that the said defendants, The Home Loan Company of Urbana, Ohio, John E. Foster, and Amer H. Ballinger, claim to have some interest in said real estate by way of a mortgage lien.

wherefore, your petitioned prays, that said premises may be ordered sold, free, and clear from all claims of all parties to this suit, and that he may have such other and further relief as the nature of the case entitles him to.

Bernard L. Shultz, assigner for the benefit of the creditors of John H. Horn, and Nettie B. Horn.

State of Ohio, Auglaize County, ss:

Bernard L. Shultz, being first duly sworn, says that he is the assigner for the benefit of the creditors of John H. Horn, and Nettie B. Horn, and that as such assigner he is the plaintiff herein; that the statements and allegations contained in the foregoing Petition are true, as he verily believes.

Bernard L. Shultz,
sworn to before me, and subscribed in my presence, this 10-day of August, 1923.

Notary Public, Auglaize County, Ohio.
Probate Court, Union County, Ohio.

Journal Entry
Bernard L. Shultz, assigner
for the benefit of the creditors
of John H. Horn, and Nettie B. Horn.
vs. Plaintiff
John H. Horn, et al. Defendants

no. 10091 1/2
Journal entry
Petition to Sell Real Estate

This day came Bernard L. Shultz, assigner, for the benefit of the creditors of John H. Horn, and Nettie B. Horn, and filed herein his Petition as such assigner, asking for the sale of certain real estate belonging to the said John H. Horn, and Nettie B. Horn, in the Petition described, to pay the debts of said assignors, also, filed a Warrant of service of summons, and answer, duly verified by the said defendants, John H. Horn, and Nettie B. Horn, and also an entry of appearance, and Warrant of service of summons, by the defendant, The Home Loan Company.

Also, a Warrant for a summons to issue against the defendants, John E. Foster, and Amer H. Ballinger

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10091 1/2 of Bellefontaine, Ohio. It is therefore ordered, that due notice be given of the filing of said Petition, and of the time set for the hearing thereof, according to law, and that the same be set for hearing on the 24th day of September 1923, at ten o'clock, A.M. W. H. Busted Probate Judge.

Precipua.

Probate Court, Union County, Ohio,

no. 10091 1/2

Bernard L. Shultz, assignee, for the benefit of the creditors of John H. Horn, and Nettie B. Horn. Plaintiff

v-

Plaintiff

John H. Horn, et al. Defendants.

Precipua.

To the Judge, and Ex-officio Clerk of said Court:

Issue, summons in the above-entitled case, for John E. Foster, and Arner G. Gallinger, defendants, who reside at Bellefontaine, Ohio, directed to the Sheriff of Logan County, Ohio, make same returnable according to law. The costs for the service of foreign Sheriff are hereby guaranteed.

Henry and Tabynman, attys. for Plaintiff. Waiver and answer.

Probate Court, Union County, Ohio,

no. 10091 1/2

Bernard L. Shultz, assignee, for the benefit of the creditors of John H. Horn, and Nettie B. Horn. Plaintiff

v-

Plaintiff

John H. Horn, Nettie B. Horn, et al. Defendants.

waiver and answer.

Now come the defendants John H. Horn, and Nettie B. Horn, and each hereby waive the issuing and service of summons, voluntarily enter their appearance herein as such defendants, admit the allegations of the Petition to be true, and consent to the sale of the premises in the Petition described, as prayed for therein, without availing the usual time for answer, or other pleadings.

John H. Horn. Nettie B. Horn.

State of Ohio, Union County, ss:

John H. Horn, and Nettie B. Horn, being each first duly sworn, say that they are two of the defendants herein; that they are the same persons referred to as the assignors in said Petition; that the statements and allegations contained in this, their waiver and answer, are true, as they verily believe. John H. Horn, Nettie B. Horn sworn to before me, and subscribed in my presence, this 18th day of August, 1923. U. C. Knopf

Notary Public, Union County, Ohio.

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Answer and Cross-Petition of The Home Loan Co.,
Probate Court, Union County, Ohio.

Bernard L. Shultz, assignee for the
benefit of the creditors of John H. Horn
vs. Nettie B. Horn, Plaintiff.

v.

John H. Horn, Nettie B. Horn,
The Home Loan Company, of
Urbana, Ohio, John E. Foster
vs. Armer G. Ballinger, Defendants, Urbana, Ohio.

Answer and Cross Petition
of
The Home Loan Company
of
Urbana, Ohio.

Now comes, The Home Loan Company of Urbana, Ohio,
one of the defendants herein and for Answer to Plaintiff's
Petition admits the facts therein stated.

Answering further this defendant says it is a
Corporation organized under the laws of the State of
Ohio, with its principal place of business at #227
North Main St., Urbana, Ohio. By way of Cross Petition
to Plaintiff's Petition this defendant says.

First cause of action:

For a first cause of action against said defendants
John H. Horn, and Nettie B. Horn, this defendant says
that on the 5-day of October 1922, John H. Horn
and Nettie B. Horn, his wife, executed and delivered
to this defendant, their certain promissory note for the
sum of Twelve thousand five hundred dollars,
(\$12500.00) of which promissory note the following is a
true copy:

\$12500.00 Urbana, Ohio, October 5-1922.

One year after date, or on either of us, promise to pay
to the order of The Home Loan Company of Urbana, Ohio,
Twelve thousand five hundred dollars, at the office of said
company, Urbana, Ohio, with interest at 7 per cent, per
annum. Interest payable semi-annually, any
unpaid installments of interest to draw 7 per cent,

from maturity. value received real estate
John H. Horn, Nettie B. Horn. Secured by Mortgage
of even date herewith, there are no credits or endorsements on
paid note

Second cause of action:

For a second cause of action against said defendant
John H. Horn and Nettie B. Horn, this defendant, says that
on the 5 day of October 1922 John H. Horn, and Nettie B. Horn
his wife, in order to secure the payment of said note
set out in its cause of action, executed and delivered
to this defendant, their certain mortgage deed of that
date, and thereby conveyed, to this defendant, the following
real estate situate in Liberty Township, Union County,
Ohio, bounded, and described as follows:

Being part of Survey No. 12283.

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Beginning at a stone at the intersection of the northerly line of said Survey No. 12 283, and the westerly line of James M. Robb's land, and in the center of the Johnson Travel Road: thence with the westerly line of said land, and the center of said road, south 34 east 83 poles to a stone (witnessed by three beeches, and an ash) northeasterly corner to S. B. Skidmore's land; thence with the northerly line of said land south 55 west 100 poles to a stone (witnessed by an ash and beech) the north westerly corner of said land; thence with the westerly line of the same, south 34 East 81.51 poles to a stone a corner to Joel K. Mann's land; thence with the northerly line of said land, south 55 west 82.36 poles to a stone, another corner to said land; thence north 34 west 68.81 poles to a stone; thence north 56 East 21 poles to a stone (witnessed by a red oak) thence north 34 west 95 poles to a stone (witnessed by a forked elm) the north westerly corner to 31 acres of land conveyed by William Murdock to James Plunk April, 3-1877, and, in the northerly line of said Survey, No. 12 283; thence with said line north 55 east 160.51 poles to the beginning containing 122.25 acres more or less. Being the same premises conveyed by Floyd M. Simpson, and Cora C. Simpson his wife, to John W. Horn and Nettie B. Horn, husband and wife by deed, recorded in Book 126 page 245 of the Records of Deeds of Union County, Ohio. Said mortgage was left with the Recorder of Union County, Ohio, for record October 7-1922, at 8:50 a. m., and was duly recorded October 9-1922, in Book, No. page 419 of the Records of Mortgages of Union County, Ohio, and is now in full force and effect and is the first and best lien on said real estate.

Wherefore, this defendant, The Home Loan Company of Urbana, Ohio asks, that said premises be sold, and out of the proceeds arising from the sale of said real estate this defendant be paid the sum of Seven thousand five hundred dollars, (\$7,500.00) with 7 per cent. interest from October 5-1922, interest payable semi-annually, as per the terms of said note, together with this defendant's costs, The Home Loan Company, W. F. Ring, atty.

State of Ohio, Champaign County, ss
 W. F. Ring being duly sworn, says, he is the attorney for the defendant, The Home Loan Company of Urbana, Ohio, and that the facts set forth in the foregoing Answer and Cross Petition are true. W. F. Ring

Sworn to before me, by W. F. Ring, Attorney, and by him subscribed in my presence, this 17-day of August, 1923,
 Tax fee 40¢. ¹⁰⁰ Mariqua L. Livingston
 Notary Public.

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Entry: Probate Court, Union County, Ohio,
 Bernard L. Shultz, assignee
 for the benefit of the
 creditors, of John H. Horn, ^{dec.}
 Nettie B. Horn, Plaintiff
 John H. Horn, ^{dec.} Nettie B. Horn,
 The Home Loan Company, of Urbana, Ohio
 John E. Foster, ^{dec.} Amer C. Ballinger
 Defendants

Entry of appearance

Mr. the undersigned defendant in the above entitled case hereby waives the issuing and service of a summons, and voluntarily enters our appearance and consent to the sale of the real estate in the Petition described. The Home Loan Company,
 By: W. F. Ring - attorney.

Summons -

The State of Ohio, Union County, Probate Court.
 To the Sheriff of said County:
 you are commanded to notify John E. Foster ^{dec.} Amer C. Ballinger, that on the 22-day of August, 1923, Bernard L. Shultz assignee of the estate of John H. Horn and Nettie B. Horn, 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 of the said John H. Horn, and Nettie B. Horn, assignors, and that unless they answer by the 24. day of Sept. 1923, said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due return of this writ on the 3-day of September 1923, witness my hand, and the seal of said Court this 22-day of August, 1923. W. H. Hastie, Probate Judge.

Sheriff's Return

The State of Ohio, Logan County,
 Received this writ August, 23-1923, at 9.00 clock a.m., and, pursuant to its command, I served the writs named John E. Foster and Amer C. Ballinger by personally handing to each of them a true and certified copy with all endorsements thereon.

Charles J. Morley, Sheriff. By: C. C. Heards, Deputy.

Sheriff's Fees
 Service ^{and} Return. \$ 75
 additional names. 25
 Travel 16
 Postage 02 Total \$ 1.18

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Answer ^{Ans} Cross Petition

In the Probate Court, Union County, Ohio

Bernard L. Shultz, Plaintiff
John B. Horn, ^{vs}
Nettie B. Horn, et al. Defendants.

no. 10091 1/2

Answer ^{Ans} Cross Petition of
John E. Foster and Amer J. Ballinger.

Now comes this answering defendants and say for answer to the plaintiffs petition herein filed that they are not familiar with the facts set out in the petition and therefore deny them.

First Cause of action.

Now, comes these answering defendants and says that John B. Horn and Nettie B. Horn are indebted to them on a promissory note for the sum of \$1500.00 a copy of which note is hereto attached, marked exhibit "A" and made a part of this Answer and Cross Petition.

Wherefore these answering defendants prays judgment against the said John B. Horn and Nettie B. Horn, in the sum of \$1602.08 with interest from the 24-day of Sept. 1923. at the rate of 7% per annum.

Second Cause of action.

For a second cause of action, these answering defendants adopt so much of the first cause of action as is contained between the words "now comes" in the first line of the First Cause of action, to and including the words "and made a part of this Cross Petition" in the last line of the first paragraph of the First Cause of action, the same as if fully re-written herein and say that the said Defendants, John B. Horn, and Nettie B. Horn, on the 4 day of Oct. 1922, to secure the payment of said promissory note set forth in the First Cause of action herein, executed and delivered to these answering defendants, their certain mortgage deed, and thereby conveyed, to them answering defendants their heirs and assigns, the real estate described in the plaintiffs petition.

The said mortgage deed contained a condition in substance, that if the said defendants, John B. Horn, and Nettie B. Horn, should pay or cause to be paid the said promissory note, to these answering defendants, their heirs and assigns, when the same became due, with interest at 7%, then the said mortgage deed, should be void, other wise to be and remain in full force and virtue.

That on the 7-day of Oct. 1922. at 8:55 P. M. o'clock the said mortgage deed was delivered to the recorder of Union County, Ohio, and was by him duly recorder on the 9-day of October 1922. in volume 86. of the records of mortgages page 420. of said County.

Wherefore, these answering defendants pray that the Court may

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Union County, Ohio

Petition of J. Ballinger

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10091 1/2 determine the amount due them, upon said promissory note, and, under judgment therefor, that said mortgaged deed, may be foreclosed, that the said premises ordered to be sold and, the proceeds applied in payment of said debt, and for all necessary and equitable relief. Hale and McLee, attorneys for answering defendants.

State of Ohio, County of Logan, ss.

Amer J. Ballinger, being first duly sworn, deposes and says, that he is one of the defendants in the above-entitled action, and, that the allegations contained in their foregoing answer, and cross-petition are true as he verily believes. Amer J. Ballinger, sworn to before me, and, subscribed in my presence.

This 24. day of Sept. 1923 West J. McLee
Notary Public, Logan County, Ohio

Exhibit "a"

\$15-00.00

East Liberty, Ohio, October 4 - 1922,

six months after date, two or either of us, promise to pay to John E. Foster and Amer J. Ballinger or order Fifteen Hundred Dollars, at the Hamilton Bank in East Liberty, Ohio, for value received, with interest at 7% from date payable annually, and, we hereby authorize and empower any attorney at law, at any time after the above note becomes due, to appear for us, or any of us, without process, in any court of record, and, to raise the issue and service of process, and confess and consent to a judgment against us, jointly or severally or, against any of us, for the amount of said note, and, interest and costs in favor of the legal holder of said note, and to consent that said judgment bear interest at the rate of eight per cent per annum, payable annually until paid, and to release, all errors and waive all right of appeal and all right to file any petition in error.

John H. Horn, Nettie B. Horn, R.S. 39, etc.

Dated, Apr. 4 - 1923. Endorsements of John E. Foster, Amer J. Ballinger
Journal Entry: Probate Court, Union County, Ohio

Bernard L. Shultz, assignee.

No. 10091 1/2

for the benefit of the creditors of John H. Horn,

Journal Entry.

vs. Nettie B. Horn. Plaintiff

Dispensing with appointment

John H. Horn et al. Defendants

for ordering Sale

This day this cause came on to be heard, upon the Petition of the plaintiff filed for the purpose of having the real estate described, sold to pay the debt, and, the costs in the matter of the assignment of John H. Horn, and Nettie B. Horn, for the benefit

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of their creditors; also upon Return of the Summons, issued for the defendants, John E. Foster and, Arner M. Ballinger, and the answers of each of the other defendants, and the court being duly advised in the premises, finds that all the defendants herein have been legally served with process, or have entered their appearance herein in writing, and consented to the sale of said real estate, as prayed for, and that therefore all have been notified of the pendency, and prayer, of the Petition, as prescribed by law. The Court finds that the allegations of said Petition are true, that it is necessary to sell the real estate in the Petition described, to pay the debts of said assignors, and the costs of said assignment.

The Court further finds that the real estate in the petition described, was appraised by the appraisers of the personal estate, at Four Thousand Two Hundred Dollars, (\$4200⁰⁰) and the Court also finds that the bond heretofore given by the plaintiff, as assignee, is sufficient. It is therefore ordered, that further appraisement and additional Bond be dispensed with.

It is now ordered, that the said Bernard L. Shultz, as assignee, for the benefit of the creditors of the said John B. Horn, and Nettie B. Horn, proceed to advertise for sale on the premises, said real estate for four consecutive weeks, in a newspaper, of general circulation in said County, in which said real estate is situated, and he is further ordered to sell real estate at not less than two-thirds of the appraised value thereof, and on the following terms, to wit:

Cash in hand on day of sale. W. Husted Judge
Legal Notice.

In pursuance of an order of the Probate Court of Union Co. O. I will offer for sale at public auction on Saturday, the 27-day of October, 1923, at 10 o'clock A. M. on the premises, the following described real estate, Situate in County of Union in the State of Ohio, and in the Township of Liberty, and survey No. 12283, and bounded and described as follows:

Beginning at a stone at the intersection of the northerly line of said survey No. 12283 and westerly line of James M. Robb's land, and in the center of the Johnson gravel road, thence with the westerly line of said land, and the center of said road S. 34° E. 83 poles to a stone witness by three beeches and an ash northerly corner to S. P. Skidmore's land; thence with the northerly line of said land S. 55° N. 100 poles to a stone witnessed by an ash and a beech the northwesterly corner of said land; thence with the westerly line of same S. 34° E. 81.53 poles to a stone and corner to Joe H. Morris's land; thence with the

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north westerly line of said land, S. 55° W. 82.05- poles to a
stone, another corner to said land; Thence N. 34° W.
68.80 poles to a stone; Thence W. 56° E. 21 poles to a stone
witnessed by a red oak; Thence N. 34° W. 95- poles to a
stone witnessed by a forked elm, the north westerly
corner to 31 acres of land, conveyed by William Hubbard
to James Clark, April 3- 1877, and in the north westerly
line of said survey no. 12283; Thence with said line
N. 55° E. 168.50 poles to the beginning containing
122.25- acres, more or less. Said real estate is
located about 3 miles east of the village of East
Liberty. appraised at \$12220.00 Terms of sale:
cash in hand on day of sale. Bernard L. Shultz.

Assignee for the benefit of the creditors of John H. Horn
and Nettie B. Horn, deceased, Ohio, Sturtevant & Langman,
attorneys Wapakoneta, Ohio.

The State of Ohio, Union Co. 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 five consecutive
weeks on and next after Sept 27- 1923, in the
Evening Tribune, a newspaper of general circulation in
the County aforesaid. John H. Shearer.

Shown to before me, and signed in my presence this
27-day of October A. D. 1923. J. M. Huber, Notary Public, Exp. 1925

Order of Sale - no. dooms.
The State of Ohio, Union County ss, Probate Court,
To the Bernard L. Shultz, assignee for the benefit of the
creditors of John H. Horn, and Nettie B. Horn, 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
assignee of said John H. Horn and Nettie B. Horn,
are Plaintiff and John H. Horn et al. are Defendants,
you are commanded to proceed according to law,
to sell at public sale, for not less than 2/3 the
appraised value thereof, the following described
premises, to wit: Situated in the County of Union, in the State
of Ohio, and in the Township of Liberty, and Survey no. 12283,
and bounded and described as follows: Beginning at a
stone at the intersection of the northerly line of said survey
no. 12283, and westerly line of James M. Robb's land, and in
the center of the Johnson grant road, Thence with the westerly
line of said land, and the center of said road, S. 34° E,
83 poles to a stone (witness by three birches and an ash)
north westerly corner to S. B. Skidmore land; Thence with
the northerly line of said land, S. 55° W. 100 poles to a
stone witnessed by an ash, and a beech, the north

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10091^{1/2} westerly corner of said land: thence with the westerly line of same S. 34° E. 81.50 poles to a stone and corner to Fort H. Mann's land: thence with the north westerly line of said land S. 55° W. 82.55 poles to a stone, another corner to said land: thence N. 34° W. 68.80 poles to a stone: thence N. 56° E. 21 poles to a stone witnessed by a red oak: thence N. 34° W. 95 poles to a stone witnessed by a forked elm. the north westerly corner to 31 acrs. of land conveyed by William Murdoch to James Shirk, April. 3- 1877. and in the north westerly line of said survey, no. 2283: thence with said line N. 55° E. 160.50 poles to the beginning containing 122.25 acrs. more or less. Said sale to be upon the premises, 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, of Union County, Ohio, this 27-day of September 1923. *W.H. Husted*, Probate Judge

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Confirmation
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Return.
Under 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-day of October, 1923.

Bernard L. Shultz assignee
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 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 27-day of October 1923, 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 10 o'clock, a.m., I attended on the premises and offered said real estate for sale, free of the dower estate of Nettie B. Horn, therein, when the Home Loan Company of Urbana, Ohio, bid to pay for the same the sum of Eight Thousand, thirty four (\$8,340) dollars, which being the highest and best bid that was offered, and being more than 2/3 the appraised value of said premises, I then and there sold the same to The Home Loan Company of Urbana, Ohio, for that sum.

Bernard L. Shultz, assignee

Dated the 27-day of October, 1923.

Journal Entry: Probate Court, Union County, Ohio.
Bernard L. Shultz assignee, for the benefit of the creditors of John B. Horn, and Nettie B. Horn, vs. John B. Horn, et al. Plaintiff Defendants
approving sale, and ordering Distribution
This day, this cause came on to be heard upon the Report of the public sale of the property described in the

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Confirmation

Petition herein: and, there appearing to be no objections to the sale, it was submitted to the Court upon such return of sale, whereupon, the Court finds, after due, and careful examination of the same, that the said sale has been duly, and legally made, in conformity to law, and the former orders of the Court, whereupon, it is ordered, that the same, be and is hereby approved and confirmed. And, it is further ordered, that the said Bernard L. Shultz, as assignee, for the benefit of the creditors of John H. Horn, and Nettie B. Horn, make to the purchaser, The Home Loan Company of Urbana, Ohio, a good and sufficient deed, for the premises, so sold, upon his payment of the purchase price, and it is further ordered, that cancellation be entered on the record in the office of the Recorder of Union County, Ohio, where the mortgages hereinafter referred to are recorded, being the mortgages of the defendant, The Home Loan Company, of Urbana, Ohio, and, the defendants, John E. Foster, and Arner H. Ballinger, said mortgages being recorded in the Records of mortgages, in the office of the Recorder of Union County, Ohio, in Volume 86, at page 1420, Mortgage Records of said County, and, the Court, coming now to the distribution of the proceeds of said sale, amounting to Eight Thousand, one, Hundred thirty-four dollars (\$8,134.00) it is ordered, that said assignee, out of said moneys, pay:

First: To the Treasurer, of this County, the taxes, penalties and interest thereon, against said property, to wit: the sum of - \$191.85

Secondly: Costs and expenses, incurred in the sale, of said land, and, in the matter of said assignment, as follows:

- a - Probate Court costs, amounting to 57.58
- b - To Bernard L. Shultz, assignee, for the services rendered, by the said Bernard L. Shultz, as such assignee, in the sale of said property, and for premium on his bond - 118.00
62.50
- c - To Stearns & Langman, attorneys - legal services rendered, in the sale, of said property, and, in the matter of said assignment. 282.00

Thirdly: To the Home Loan Company of Urbana, Ohio, on the note and mortgage set forth in its cross-petition, herein the sum of - 7422.07

to be applied on the amount which is due, to the said The Home Loan Company, from the said John H. Horn, and Nettie B. Horn. W. H. Husted Probate Judge

O. K. H. Perry atty. for defendant. The Home Loan Co -

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Filed
June 20-1923
Don Aiken
attorney.

Petition for Sale of Real Estate to Pay Debts.
Probate Court, Union County, Ohio,
Earl Judy, ^{and} J. L. Wilcox, administrators
de bonis non, with the Will annexed,
of Michael W. Judy, deceased.
Plaintiffs

vs.
10113
Civil action

vs.
Sophia Wilcox, ^{wife} J. L. Wilcox, her husband;
Frank Judy, ^{wife} Altha Judy his wife;
Bert Judy, ^{wife} Sophia Judy his wife;
Homer G. Davis, ^{wife} Pearl Davis, his wife;
Daisy Haines, ^{wife} John B. Haines, her husband;
Dale Davis, ^{wife} Mannie B. Davis his wife;
Ethel Drühl, ^{wife} Walter Drühl, her husband;
Fred Ueller un married;
Victor Ueller Jr. a minor. ^{and}
Beatrice Ueller minor, heirs at law of
Michael W. Judy, deceased.
Defendants.

Petition To
Sell Real Estate

Petition.

The Plaintiffs represent that they are the duly appointed and qualified administrators de bonis non, with Will annexed, of the estate of Michael W. Judy, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Eight Hundred Dollars, as near as can be ascertained, Funeral Expense about \$300 - Nursing about \$380.00 Doctor - about \$14- and other outstanding bills. 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 ----- Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Michael W. Judy died seized in fee simple of the following described real estate situate in the County of Union and State of Ohio, to wit:
Being in Liberty Township beginning at a stake in the center of the Marysville and Newton gravel road and in the West line of a tract of land, containing 1000 acres conveyed by Helen Masalia to Matthew Bommer November 16th 1832; thence with said line S. 10° E. 160 poles to a stake in place of 2 oaks - and a sugar tree corner to John Hunk's land; thence with the north line of said land N. 83 1/2° E. 122 poles to a stake, Northeast corner to said land, in the west line of Mary Cannon's land; thence with said line N. 10° W. 76 poles to a stake corner to said land in the center of the said Marysville and Newton gravel road; thence with the center of said road N. 65° W. 95.60 poles to the a stake south west corner to a lot of land, containing 24 1/2 acres, conveyed by M. W. Judy to Annagale Judy, April 20 - 1876; thence with

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a line of said land N. 44 1/2° E. 120.80 poles to a stake at the north west corner of said land in the center of Mill Creek: thence up the center of said creek with the meanders thereof to the northeast corner of a lot of land containing 14 1/4 acrs. conveyed by M. Judy to Barnett Barnett, on the 30 day of March 1877. thence with a line of said land S. 40 3/4° W. 58 poles to a stake corner to said land in the center of said gravel road: thence with the center of said road N. 56° W. 17.40 poles to the beginning containing 123 acrs. being part of the east survey No. 4404 in the Virginia Military District, excepting therefrom the following premises conveyed by Michael W. Judy and Sarah Jane Judy his wife to John P. Southard Aug. 13th 1888 being in Union County State of Ohio in Survey No. 4404 and bounded and described as follows: Being all of a lot of land containing three acrs. more or less and known as Sycamore Island. Beginning at a joint in the center of Mill Creek about 16 poles below stream from the easterly line of the N.Y.P. and O.P.R. and at the upper end of said Sycamore Island thence down stream with the center of the present channel of said Mill Creek to the lower end of said Island: thence upstream with the old channel of said creek to the beginning also lots no. 34, 70 and 78 as the same are known ^{to} designated in the Suddeth addition to the village of Peoria, Liberty Township, Union County, Ohio. The said decedent died leaving no widow who is entitled to dower in said premises: that the defendants Sadocia Wilcox and J. L. Wilcox; Frank Judy and Altha Judy; Bert Judy and Sophia Judy; Homer G. Davis and Pearl Davis; Daisy Haines and John H. Haines; Dale Davis ^{the} Marnie C. Davis; Ethel Duhl and Walter Duhl; Fred Miller and Victor Miller Jr. and Beatrice Miller are the only heirs at law of said decedent having the next estate of inheritance from said Michael W. Judy deceased in said premises: that the ^{petitioner} ^{is} ^{the} ^{only} ^{person} ^{entitled} ^{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.} Earl Judy. J. L. Wilcox.

The State of Ohio Logan Co. ss.
 Dow Aiken says he is attorney for 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. Dow Aiken.
 Earl Judy. J. L. Wilcox.
 Sworn to before me and signed in my presence this 19th day of June 1923. Emily Henderson, Notary Public.

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Journal Entry
 Earl Judy, Exor. J. L. Wilcox
 administrators de bonis non.
 with the will annexed of
 Michael W. Judy, Decd.
 vs.
 J. L. Wilcox, Mrs. Lodocia Wilcox, et al.
 heirs at law of Michael W. Judy, Decd.

Probate Court, Union County, Ohio.
 Case no. 10113
 Filing Petition to Sell
 Real Estate

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Journal Entry.

This day this cause came on to be heard upon the petition of the plaintiffs 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 return of summons issued, and the Court being fully advised in the premises finds that all the defendants herein have been legally served with process, entered their appearance, and that all have been notified of the pendency and prayer of the petition as prescribed by law; and the Court finds that the allegations of said petition are true and 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 Bro. V. Jewell, William T. Porter, J. L. Hamilton, three judicious and disinterested men, free holders, of the vicinity, after being first duly sworn, and upon actual view of the premises in said petition, appraise the same at its cash value free from any doubt right and return said appraisal without unnecessary delay.

W. H. Husted, Probate Judge,
 Probate Court of Union County, Ohio.

Earl Judy and J. L. Wilcox
 administrators de bonis non.
 with the will annexed of
 Michael W. Judy, Decd.
 vs.
 Lodocia Wilcox, Mrs. J. L. Wilcox,
 et al. heirs at law of Michael W. Judy, Decd.

Entry of appearance.

Now comes the undersigned defendants, hereby waive the issuance and service of summons No. 4 Darts. Real Darts

Probate Court of Union County, Ohio.

Earl Judy, Mrs. J. L. Wilcox,
 Adms. etc. of est. of Michael W. Judy, decd.
 vs.
 Lodocia Wilcox, et al.

Entry of appearance.

Defendants

10113

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Earl Judy and J.L. Wilcox
adms. of Est. of
Richard W. Judy, dec'd
v. Plaintiff

Ladocia Wilcox, et. al.
Defendants.

Entry of appearance

Now comes the undersigned defendants and hereby
waive the issuance and service of summons.

Eikel Diehl, Walter A. Diehl,
Summons.

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

Probate Court,

You are hereby commanded to notify Lida Miller, mother
of Victor Miller Jr. and Beatrice Miller, and the foregoing
named who are minors, to wit: Victor Miller and Beatrice
Miller, making service of this summons upon said minors
and also upon the guardian or father, or if neither guardian
or father can be found, then upon the mother or the
person having the care of said minors or with whom they
live: that on the 20-day of June, 1923, Earl Judy and
J.L. Wilcox adms. of the estate of M.W. Judy 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
against said estate, and that unless they answer by the
21-day of July, 1923, said petition will be taken as true,
and an order granted accordingly. Said sheriff
will make due return of this writ on the 2-day of
July 1923. Witness my hand and seal of said Court,
this 21-day of June, 1923.

W.H. Thisted, Probate Judge -
Sheriff's Return.

The State of Ohio, Delaware County,

Received this writ, June 22-1923, at 2.0'clock P.M.,
and on the days and in the manner hereinafter named,
I served the same on the within named defendants,
June 22-1923, on Lida Miller, mother of Victor Miller and
Beatrice Miller and on Victor Miller Jr. and Beatrice Miller
by personally handing to each of them a true and
certified copy of this writ with all endorsements hereon.

F. D. Harter, Delaware County, Ohio.

W. A. Harter, Sheriff
Probate Court, Union County, Ohio

Earl Judy and J.L. Wilcox adms. etc
v. Plaintiff

Ladocia Wilcox, et. al. Defendants.

As the undersigned parties Defendant to the petition in

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The above entitled action do each of us, hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such, Defendants.

And, we, do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same. June 22-1923

Frank L. Judy, Altha Judy.

Answer

Probate Court, Union County, Ohio

Earl Judy, J.L. Wilcox, adms, etc. of the estate of Michael W. Judy, decd. Plaintiffs

No. 10113

Lodocia Wilcox et. al.

Answer of Guardian

Defendants. Victor Miller Jr., Beatrice Miller, minors

now comes Lida Waller, and says that she is the duly appointed, qualified and acting guardian of the person and estate of Victor Miller Jr. and Beatrice Miller, who are the minor heirs at law of Victor Miller Sr. deceased.

Defendant further says, that she admits the allegations of the petition to be true; that her said wards are minor heirs at law of Victor Miller, deceased, who was an heir at law of Michael W. Judy, deceased. And she consents to the taking of the order asked for in the prayer of the petition asked for herein.

Said defendant further says, that her said ward's estate is subject to a dower in this defendant and as such, dower she consents to the order of Sale.

Arthur J. White, attorney for Lida Miller.

Gdn. for Victor Miller Jr. and Beatrice Miller, minors State of Ohio, Probate Court, ss.

Lida Miller, being first duly sworn, says, that the allegations contained in the foregoing answer are true as she verily believes. Lida Miller.

Sworn to before me and subscribed in my presence, this 23-day of June 1923

Arthur J. White

Application for appointment of Guardian ad Litem

Probate Court, Union County, Ohio

August 18-1923

Earl Judy, J.L. Wilcox, adms. de bonis non, etc. of estate of Michael W. Judy, decd. Plaintiffs

Lodocia Wilcox, J.L. Wilcox, her husband, Frank Judy, Altha Judy, his wife,

Bertha Judy, Sopha Judy, his wife et al. heirs at law of Michael W. Judy deceased.

Application for appointment of Guardian ad Litem to the Honorable W.H. Husted Judge of said Court.

Defendants.

The undersigned A.H. Kellebrack, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

hereby
Probate Court,
Waller, mother
of Beatrice
said minors
her guardian
or, the
whom they
Judy and
deceased,
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The defendant Victor Miller Jr. and Beatrice Miller, under the age of 14 years, and have been duly served with summons herein. The undersigned suggests that A. B. Kallefrath who is a suitable person be appointed as such Guardian ad litem.

Respectfully, Earl J. W. Husted, Probate Judge. J. L. Wilcox, Plaintiff. Journal entry, Probate Court, Union County, Ohio, Aug. 20 - 1923. No. 10113. Plaintiff vs. Defendant.

Lodica Wilcox et al. Defendants. Order for appraisement.

This day this cause came on to be heard, upon the petition 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 Michael W. Judy, deceased. It is therefore ordered, and adjudged, by the Court that the said premises be appraised free of down by the sales of George P. Jenell, son of Porter and J. L. Hamilton judicious and disinterested freeholders of the vicinity, whom the Court hereby appoint for that purpose. And that they return their proceedings to the Court for confirmation. W. H. Husted, Probate Judge.

Journal entry, Probate Court, Union County, Ohio, August 23 - 1923. No. 10113. Plaintiff vs. Defendant.

J. L. Wilcox and Lodica Wilcox his wife et al. Defendants. Appointment of Guardian ad litem.

This day Victor Miller Jr. and Beatrice Miller, minors, 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 Victor Miller Jr. and Beatrice Miller, are now the age of fourteen years, and have been duly and legally served with summons herein, and have requested for twenty days, after return of summons served upon them to apply for a guardian ad litem.

It is ordered that A. B. Kallefrath be and she hereby is appointed Guardian for the suit, for said minor defendants and now comes the said A. B. Kallefrath, in open Court, accepts said appointment. W. H. Husted, Probate Judge.

Answer of Guardian ad litem. Probate Court, Union County, Ohio, No. 10113. Plaintiff vs. Defendant.

Lodica Wilcox et al. Defendants. Answer of minor Defendants. And now comes the said Victor Miller Jr. and

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Beatrice Miller, the minor defendants to the petition in said cause by A. B. Kallepach 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, injudicial 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. August, 18th 1923. Victor Miller, Jr. Beatrice Miller.

By, A. B. Kallepach, Guardian ad litem.

Order of appraisement.

The State of Ohio, Union County, ss. Probate Court, To Carl Judy, and J. L. Wilcox, administrators, with the will annexed. 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 administrators are Plaintiff and Leticia Wilcox, et al. are Defendants, you are commanded that by the oaths of George P. Jewell, William T. Porter, and J. L. Hamilton 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 there being no person entitled to same, therein to wit:

Being in Liberty Township beginning at a stake in the center of the Mansville and Newton Gravel Road, and in the west line of a tract of land, containing 1000 acres conveyed by Helen Massie to Matthew Bommer Nov. 16th 1832; thence with said line S. 10° E. 160 poles to a stake in place of two oaks and a sugar tree corner of John Smith's land; thence with the north line of said land, N. 83 1/2° E. 122 poles to a stake north east corner to said land in the west line of Mary Connor's land; thence with said line N. 10° W. 76 poles to a stake corner to said land in the center of said Mansville, and Newton Gravel road; thence with the center of said road N. 65° W. 95.60 poles to a stake southwest corner to a lot of land containing 2 1/2 acres conveyed by M. W. Judy to Amosiah Judy, April 20- 1876; thence with a line of said land, N. 44 1/2° E. 120.80 poles, to a stake at the north west corner of said land, in the center of Mill Creek; thence up the center of said creek with the meanders thereof to the north east corner of a lot.

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of land, containing 14 1/4 acres, conveyed, by, Dr. W. Judy
 & Barnet Bennett, on the 30-day of March, 1874,
 Thence with a line of said land, S. 40 3/4° N. 5-8 poles
 to a stake corner, to said land, in the center of said
 grant road: thence with the center of said road N. 56°
 W. 17.40 poles to the beginning, containing 12 3/4 acres, being
 part of the east survey no. 4404, in the Virginia Military
 District.

Copying therefrom the following promises
 conveyed, by, Michael W. Judy and, Sarah Jane Judy, his
 wife, to John D. Southard, Aug. 13th 1886, being in Union
 County State of Ohio, in Survey No. 4404, and bounded
 and described as follows: Being all of a lot of land
 containing three acres, more or less, and known as,
 Sycamore Island, beginning at a point in the center
 of Mill Creek, about 16 poles down stream from the
 easterly line of the N. Y. P. and O. R. R. and at the
 upper end of said Sycamore Island, thence down
 stream with the center of the present channel of said
 Mill Creek, to the lower end of said Island: Thence
 up stream, with the old channel of said Creek, to the
 beginning, also lots no. 34, 70, and 78, as the

same, can known and designated in the subtitle
 addition to the village of, Beora, Liberty Township,
 Union County, Ohio.

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 day of
 August, A.D. 1922. W. Husted, Probate Judge.

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-day of Aug., 1923.

Earl Judy, J. L. Wadcox - adms - etc.

Oath of appraisers.

The State of Ohio, Union County.

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.

Er. P. Jamell, William T. Porter, J. L. Hamistaw } appraisers.

Shown to before me, and signed in my presence, this
 27-day of August, 1923. Foster C. Walker, Notary Public

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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estimate the value of said real estate at Forty-eight hundred dollars (\$4800) Lots 34, 70 & 78. At ten dollars per lot, thirty dollars.

Given under our hands, this 27 - day of August 1923.
Geo. P. Jewell, William T. Porter, J. L. Hamilton, Appraisers.
Journal entry: Probate Court, Union County, Ohio,
J. L. Wilcox vs. Earl Judy, Adm., etc. August 28 - 1923
of estate of Michael W. Judy, deceased.
Plaintiff

Ladosia Wilcox, et al. Defendants

Order of Sale.

This day came the said Plaintiff by his attorney, Mr. J. L. Wilcox, produced to the Court, the report of an appraisement herein made by George P. Jewell, William T. Porter, and J. L. Hamilton, 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 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 Earl Judy, and J. L. Wilcox as such Adm. etc. 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 petitioner is ordered to make return to this Court immediately after such sale is made - and, this cause is continued.

W. H. Husted, Probate Judge

Order of Sale - Free of Down.

The State of Ohio, Union County, Probate Court.
To Earl Judy vs. J. L. Wilcox, Adm., etc., of estate of Michael W. Judy - 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 Adm., and Plaintiff and Ladosia Wilcox 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, to wit: Being in Liberty Township, beginning at a stake in the center of the Marysville and Newlow Gravel Road, and in the west line of a tract of land, containing 1000 acres conveyed, by Peter Massie to Matthew Bormer Nov. 16 - 1832; thence with said line S. 10° E. 160 poles to a stake in place of two oaks and a sugar tree corner

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of John Furcks land: thence with the north line of said land N. 83 1/2° E. 122 poles to a stake north east corner to said lands in the west line of Mary Commons land: thence with said line N. 10° W. 76 poles to a stake corner of said land in the center of said Marysville and Newton Grove Road: thence with the center of said road N. 65° W. 95.60 poles to a stake south west corner of a lot of land containing 24 1/2 acres conveyed by M. W. Judy to Amaziah Judy April 20-1876 thence with a line of said land N. 44 1/2° E. 120.80 poles to a stake at the north west corner of said lands in the center of Mill Creek: thence up the center of said creek with the meanders thereof to the north east corner of a lot of land containing 14 1/4 acres conveyed by M. W. Judy to Barnett Bennett on the 30 day of March- 1874: thence with a line of said land S. 40 3/4° W. 58 poles to a stake corner to said land in the center of said Grand road: thence with the center of said road N. 56° W. 17.40 poles to the beginning containing 123 acres being part of the east survey no. 4404 (in the Virginia Emilean district) excepting therefrom the following conveyed by Michael W. Judy and Sarah Jane Judy his wife to John D. Southard August 13-1886 being in Union County, State of Ohio in survey no. 4404 and bounded land described as follows: Being all of a lot of land containing three acres more or less and known as Sycamore Island beginning at a point in the center of Mill Creek about 16 poles down stream from the easterly line of the N. Y. P. & O. R.R. and at the upper end of said Sycamore Island: Thence down stream with the center of the present channel of said Mill Creek to the lower end of said Island: Thence up stream with the old channel of said Creek to the beginning.

also lots no. 34-70 and 78 as the same are known and designated in the Suddeth Addition to the village of Perris, Liberty Township, Union County, Ohio

Said sale to be free of dower and to be upon the following terms, cash at time 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-day of August 1923.

W. H. Husted Probate Judge -
Return.

To the Probate Court of Union County, Ohio
In obedience to the foregoing order, I have been unable to obtain any purchaser. Tab. the appraise ment for the first tract. Dated the 17-day of January, 1924.

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Earl Judy -
Report of Sale -
Probate Court, Union County, Ohio.

Earl Judy ^{vs} J. L. Wilcox adms. etc.,
with will annexed, of the estate
of Michael W. Judy, deceased.

Plaintiff
Lodocia Wilcox, et al. Defendants.

Report of Sale -

In obedience to the within order, I sold lots nos 34-70-
and 78, as the same are known and designated
in the Suddeth Addition to the Village of Peoria,
Liberty Township, Union County, Ohio, on the 9 day of
November, 1923, to C. C. Mobley and Lucile Mobley,
his wife for the sum of \$50.00 said sum, being the
appraised value of the same.

Earl Judy, J. L. Wilcox,

Dated the -- day of November, 1923.

The State of Ohio, Logan County, ss:

I the above named Earl Judy, one of the Adms.
etc., being duly sworn say 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.

Earl Judy -
Sworn to before me and signed in my presence
this 14 day of November, 1923. ^{Emily Kouderson,}
Notary Public, Logan Co., Ohio.

Journal Entry, Probate Court, Union County, Ohio
Earl Judy ^{vs} J. L. Wilcox, adms. etc.,
J. Michael W. Judy, Decs. estate

November, 16 1923,

Plaintiff
Lodocia Wilcox, et al. Defendants

Confirming Sale -

This day this cause coming on to be heard on the
return of Earl Judy and J. L. Wilcox adms. etc., of the
estate of Michael W. Judy, deceased, of their 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, as to lots 34-70-
78 Suddeths addition to Peoria Ohio. It is
ordered that the same be and hereby is
approved and confirmed; and it is further ordered
that said Earl Judy and J. L. Wilcox as such adms.
make to the purchasers, C. C. Mobley, and Lucile
Mobley his wife, a good and sufficient deed for the
premises so sold. It is further ordered, that this
proceeding be recorded, and that said adms. etc.,
pay the costs herein at \$- - -
W. H. Husted, Probate Judge

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Journal Entry: Court of Probate Union County, Ohio.
Carl Judy, and J. L. Wilcox, administrators, et al. Journal Entry
Plaintiff.

Ladonia Wilcox, et al. Defendants.

Order to advertise and sell
Real Estate

This 17-day of January, 1924, this cause came upon to be heard upon the second and further return of the Administrators upon the order of sale heretofore on the 28-day of August, 1923, issued to them, and it appearing from said return that the first tract in said order described was not sold for want of bidders, it is ordered by the said Court that the said Admins. proceed to advertise the said premises for sale upon the premises as provided by law and that he sell the first tract as in said petition described at not less than 2/3 the appraised value thereof on the terms Cash in hand.

W. H. Husted, Probate Judge
Legal Notice

Filed
July 20
1924

In pursuance of an order of the probate Court of Union County, Ohio, I will offer for sale at public auction on the 26-day of July, 1924, at 10 o'clock, a. m. on the premises the following described real estate situated in the county of Union, State of Ohio and described as follows: Being in Liberty Township in said county beginning at a stake in the center of the Marysville and Newton gravel road, and in the west line of a tract of land, containing 1000 acres conveyed by Helen Massie to Mathew Barnett, Nov. 16, 1832; thence with said south 10° east 160 poles to a stake in place of two oaks and a sugar tree corner of John Frank's land; thence with north line of said land; north 83 1/2° East 122 poles to a stake at northeast corner of said land and the west line of Mary Connor; thence with said line 10° west 76 poles to a stake corner of said land in center of said Marysville and Newton Gravel Road thence with the center of said road north 56° west 95.16 poles to a stake south west corner of a lot of land containing 24 1/2 acres, conveyed by M. W. Judy to Amaziah Judy, April 20-1876; thence with the line of said land north 44 1/2° east 120.80 poles to a stake at the north west corner of said lands in the center of Mill Creek; thence up the center of said creek with the meanders thereof to the northeast corner of a lot of land containing 14 1/4 acres conveyed by M. W. Judy to Barnett Barnett for the 30-day of March-1877; thence with the line of said land 40 3/4° west, 58 poles to a stake corner to said lands in the center of said gravel

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Road; thence with the center of said road north 56' west 1740 poles to the place of beginning containing 123 acres, being part of the east survey No. 4404 in Virginia Military district.

Accepting therefrom the following premises, conveyed by Michael W. Judy and Sarah Jane Judy, his wife, to John D. Southard Aug. 13 - 1856, being in Union County, State of Ohio, and Survey No. 4404, and bounded, and described as follows: Being all of a lot of land containing 3 acres, more or less and known as sycamore island, beginning at a point in the center of Mill Creek, about 16 poles down stream from the easterly line of the N.Y. & O. R.R. and at the upper end of said sycamore island; thence down stream with the center of the present channel of said Mill Creek, to the lower end of said island; thence up stream with the old channel of the old creek to the beginning which land is situated on the public road leading from Peoria to Marysville and in close proximity to said village of Peoria. appraised at \$5000 - Terms of Sale cash in hand. Earl Judy, J. L. Wilcox, adms. etc. By Dowdell ^{att'y.} Jan. 23 - 1924 -

The 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 four consecutive weeks on and after Jan. 23 - 1924, in the weekly Marysville Tribune a newspaper of general circulation, John B. Shearer.

Done to before me - and signed in my presence, this 16 day of February, 1924. J. M. Kuebel, Notary Public, Printers Fee \$ 21.57.

Order of Sale - Free of Doubt.

The State of Ohio, Union County, Probate Court.
To Earl Judy and J. L. Wilcox, adms. etc., of estate of Michael W. Judy: Executors,
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 administrators are Plaintiff and Lodocia Wilcox et al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than the appraised value thereof the following described premises, to wit:

In the County of Union, in the State of Ohio, and in the Township of Liberty and bounded, and described as follows: being in Liberty Township in said County, beginning at a stake in the center of the Marysville and Newton Grant road, and in the west line of a tract of land containing one thousand acres conveyed by Helen Massie to Matthew Dormer, November 16 - 1832; thence with said line south 10' E. 160 poles to a stake in

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place of two oaks, and a sugar tree corner of John
 Funk's land: Thence with the north line of said land North
 $83\frac{1}{2}^{\circ}$ E. 122 poles to a stake northeast corner of said
 land, and the west corner of Mary Conner: Thence with
 said line 10° N. 76 poles to a stake corner of said land in
 the center of said Maryville and Newton gravel road:
 thence with the center of said road, North 56° W. 95.16
 poles to a stake southwest corner of a lot of land, containing
 $24\frac{1}{2}$ acrs. conveyed by M. W. Judy to Amaziah Judy, April
 20 - 1876: Thence with the line of said land, North $44\frac{1}{2}^{\circ}$
 E. 120.91 poles, to a stake at the northwest corner of said
 lands, in the center of Mill Creek: Thence up the center of said
 creek, with the meanders, thereof to the north east corner
 of a lot of land containing $14\frac{1}{4}$ acrs. conveyed by M. W.
 Judy to Barnett Bennett in the 30 - day of March, 1877:
 thence with the line of said land, $40\frac{3}{4}$ W. 5-8 poles to a
 stake corner to said lands, in the center of said gravel
 road: Thence with the center of said road, North 56°
 N. 17.40 poles to the place of beginning, containing 123 acrs.
 being part of the east survey no. 4404 in Virginia Military
 District: Excepting therefrom, the following premises
 conveyed by Richard W. Judy and Sarah Jane Judy, his wife
 to John D. Southard, Aug. 13 - 1886 being in Union County,
 State of Ohio, and Survey no. 4404, and bounded and described
 as follows: being all of a lot of land, containing three
 acrs. more or less, and known as Sycamore Island,
 beginning at a point in the center of Mill Creek about
 16 poles down stream from the easterly line of the N. Y. P.
 & O. R. and at the upper end of said Sycamore Island:
 thence down stream with the center of the present channel
 of said Mill Creek, to the lower end of said Island: Thence
 up stream with the old channel of the old creek to
 the beginning, which land is situated on the public
 road leading from Peoria to Maryville and in close
 proximity to said village of Peoria.

Said sale to be at the farm, and to be upon the following
 terms: Cash in hand. 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 Maryville, Ohio, this 17 - day of - January, 1924.

W. H. Husted, Probate Judge -
 Return.

To the Probate Court of Union County, Ohio.

In obedience to the following order, I have caused the
 same to be duly executed, as I will fully appear by the
 proceedings hereto attached, Dated the 26 - day of Feby., 1924.
 Earl Judy. J. L. Wilcox.

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Confirmation

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Oct. 1 - 1923
 Roy Allen
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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, Tribune, a newspaper, printed and of general circulation in Union County, Ohio, when said real estate is situate, for at least four consecutive weeks prior to the 26. day of Feb. 1924, 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 10 o'clock a. m., I attended at the farm and offered said real estate for sale free of down estate -- no down -- therein, when Ora M. Meyers bid to pay for the same, the sum of, Five thousand seven hundred dollars, which being the highest and best bid that was offered, and being over 75% of the appraised value of said premises, I then and there sold the same to Ora M. Meyers for that sum.

Earl Judy, J. L. Wilcox

Dated the 26. day of February, 1924.

Journal Entry: Probate Court, Union County, O. Feb. 26 - 1924

Earl Judy, ^{admr.} J. L. Wilcox, as, admr. de bonis ^{Proceedings} to
non. ^{with} will annexed, of. | Sell Real estate.
Michael W. Judy, Deceased.

Confirmation

Plaintiff
Lodica Wilcox et al. *Defendants*
This day this cause coming on to be heard, on the return of Earl Judy and J. L. Wilcox, Admr. de bonis non, with the will annexed, of the estate of Michael W. Judy, deceased, of their proceedings and sale of farm of 119 acns, 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 Earl Judy and J. L. Wilcox, as such Administrators make to the purchaser, Ora M. Meyers a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, ^{and} that said Admr., pay costs herein.
W. H. Huselid Probate Judge

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Oct. 1 - 1923
Roy Allen
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Petition for Sale of Real Estate to Pay Debts
Probate Court, Union County, Ohio.

C. B. Ervots, Admr. of the estate,
of Andrew J. Ervots, Deceased,
vs. *Plaintiff*

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by the
Feb. 1924.

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Oct. 1 - 1923
Ray Allen
att'y.

Petition for Sale of Real Estate To Pay Debts.
Probate Court, Union County, Ohio,
No. 10178.

l. B. Everts, administrator of
the estate of Andrew J. Everts deceased,
Plaintiff

Civil action

v.

Julia Everts, W. A. Everts,
Emma Seaman, Helen Drumm,
E. O. Everts, Leila Drumm,
O. M. Everts, Lora Sedley,
H. B. Everts, Lydia Plummer,
Edith Kowser, Lester Sedley,
Carl Drumm, Andrew Sedley,
Glyde Drumm, Ruby Sedley,
Madge Pettigrew,
Lara Drumm, Evert Sedley,
Jessie Anderson,
Blanchard Drumm,
Stanley Drumm,
Kills Drumm,
Earnest Drumm

Petition to
Sell Real Estate.

Petition

Defendants.

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Andrew J. Everts late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is about Five Hundred Dollars, as near as they 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 -- nothing -- dollars being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Andrew J. Everts died seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and in the Township of Blairtown town; Being part of survey No. 1391, the Virginia Military District and in Blairtown Township, Union County, Ohio, Beginning at a stone and stake in the middle of the Richwood and Sumnerville Road; thence along said road, N. 62° E. 32 poles to a stone and stake; thence N. 28° W. 28 poles to a stake; thence S. 62° W. 32 poles to a stake and stone; thence S. 25° E. 25 poles to the place of beginning, containing five (5) acres.

Plaintiff 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, and that the amount of said appraisement is one thousand Dollars. The said

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decident died leaving defendant Julia Ervts his widow who is entitled to dower in said premises; that the defendants, W. A. Ervts, Emma Seaman, O. E. Ervts, O. M. Ervts, H. B. Ervts, Edith Koser, Carl Drum, Clyde Drum, Madge Pettyman, Sam Drum, Josie Anderson, Blanchard Drum, Stanley Drum, Willis Drum, Ernest Drum, Helen Drum, Lila Drum, Lora Sedley, Lydia Plummer, Lester Sedley, Andrew Sedley, Ersk Sedley, and Ruby Sedley, or, their heirs of said decident, having the next estate of inheritance from said Andrew J. Ervts, deceased, in said premises, that the defendant the plaintiff therefore prays that the dower of said Julia Ervts in said premises may be assigned and set off to her; that the rights, interests and liens of the said W. A. Ervts, Emma Seaman, O. E. Ervts, O. M. Ervts, H. B. Ervts, Edith Koser, Carl Drum, Clyde Drum, Madge Pettyman, Sam Drum, Josie Anderson, Blanchard Drum, Stanley Drum, Willis Drum, Ernest Drum, Helen Drum, Lila Drum, Lora Sedley, Lydia Plummer, Lester Sedley, Andrew Sedley, Ersk Sedley, and Ruby Sedley, may be fully determined, adjusted, and protected according to equity, and that your petitioner may be authorized and ordered to sell said real estate including said dower according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

F. Le Roy Allen, attorney for Plaintiff

The State of Ohio, Union County,

C. B. Ervts, adur., 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.

C. B. Ervts, adur.,

known to before me, and signed in my presence. This 1 day of Oct. A. D. 1923,

F. Le Roy Allen, Notary Public
 in the Probate Court, of Union County, Ohio.

October 1 - 1923

- C. B. Ervts, adur. Plaintiff
- Julia Ervts, W. A. Ervts,
- Emma Seaman, O. E. Ervts,
- O. M. Ervts, H. B. Ervts, Edith Koser,
- Carl Drum, Clyde Drum,
- Madge Pettyman, Sam Drum,
- Josie Anderson, Blanchard Drum,
- Stanley Drum, Willis Drum, Ernest Drum,
- Helen Drum, Lila Drum, Lora Sedley,
- Lydia Plummer, Lester Sedley, Andrew Sedley,
- Ersk Sedley, Ruby Sedley.

Defendants.

Case No. 10178
 Journal Entry

Trinity Petition to
 Sell Real Estate.

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This day came the Plaintiff C. B. Ervts, adur., of the

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estate of Andrew J. Ervots, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Andrew J. Ervots, 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.

W. Husted

Probate Court, Union County, Ohio.

C. B. Ervot, ad. adm. Plaintiff } vs.

Julia Ervot, et al. Defendants } Wainor.

We, the undersigned parties, Defendant, to the Petition in the above entitled action, do each of us hereby waive the issuing and service of summonses and voluntarily enter our appearance as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same. Oct. 1- 1923.

- W. B. Ervot; Samuel B. Drum; Mrs. Josephine D. Anderson;
- Blyde A. Drum; W. A. Ervot; Emma Deaman; Edith Houser;
- Olin Ervot; E. O. Ervot; Julia Ervot; Carl S. Drum;
- J. M. Houser; Ola Ervot; Edith Ervot; Laura Sedley;
- Elva A. Ervot; Madge B. Prettyman; O. L. Prettyman;
- Faustine W. Drum; A. E. Drum; Gerald C. Anderson;
- Willis Drum; Lida E. Drum; Charles D. Plummer;
- Lydia Plummer; J. H. Deaman.

Drummond.

The State of Ohio, Union County, Probate Court.

To the administrator of the estate of Andrew J. Ervot Deceased.

You are commanded to notify Andrew Sedley; Lester Sedley; Stanley Drum; Trilla Drum; Blanchard Drum; Helen Drum; Ernest Drum; Alva Drum; Ruby Sedley; Ervot Sedley, that on the 1-day of Oct. 1923, C. B. Ervot, ad. adm. of the estate of Andrew J. Ervot, 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 3rd day of November, 1923, said petition will be taken as true, and an order granted accordingly.

Said administrator will make due return of this writ on the 10-day of November, 1923.

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Witness my hand and the seal of said Court this 1-
day of October 1923 ^{W.H. Husted, Probate Judge}

The State of Ohio, Union County.

J. C. B. Ervitt, being duly sworn, says, that on the
2-day of October 1923, I served this writ by delivering
a copy thereof personally to the following named
persons, to-wit: Andrew Ledley; Lester Ledley; Stanley
Drum; Trila Drum; Blanchard Drum; Helen Drum;
Ernest Drum; Alva Drum; Ruby Ledley; Ersk Ledley;
C. B. Ervitt.

Done to before me and signed in Presence, this 10-
day of October 1923. F. De Roy, Allen, Notary Public ^{Read}

Mr. The undersigned defendants named herein,
do each of us, acknowledge due and legal service of
the within summons: Andrew Ledley; J. N. Ledley; Lester
Ledley By J. N. Ledley; Stanley H. Drum; Trila M. Drum;
Blanchard Drum; Helen Drum; Ernest Drum;
Alva Drum; Ruby D; Ersk Ledley by J. N. Ledley.

Application to Sell Real Estate at Private Sale
Probate Court, Union County, Ohio.

C. B. Ervitt, adur., of
the State of Ohio, Decis,
vs. Plaintiff application.

Julia Ervitt, et al. Defendants

The said Plaintiff represents that it would be for
the best interest of the said defendants Julia Ervitt
et al. to sell the real estate described in the
petition in this case at private sale - for the
following reasons: Estate is small and there by
save the costs of public sale. And he therefore
asks for an order authorizing him to sell said
real estate at private sale C. B. Ervitt adur.,
The State of Ohio, Union County.

C. B. Ervitt, adur., being duly sworn, says, that the
various matters set forth in the foregoing application are
true as he verily believes. C. B. Ervitt

Done to before me - and - signed in my presence
this 3- day of November, 1923 ^{W.H. Husted, Probate Judge}
affidavit of Disinterested Person

The State of Ohio, Union County

Robert P. Allen, being sworn, says, that he knows
the facts set forth in the application to which
this affidavit is attached: That he has no interest
whatsoever in the matters therein referred to, and
that it will be more for the interest of the said
Julia Ervitt et al. to sell said real estate at
private sale than at public sale - as he verily
believes.
Robert Allen -

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known to before me, and signed in my presence. This 3rd day of November, 1923. ~~W.H. Husted~~ W.H. Husted, Probate Judge. Journal Entry: Probate Court, Union County, O. November 3rd 1923. The matter of the estate of {authorizing Private Sale} Andrew J. Ervts.

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 real estate at private sale; it is therefore ordered, that C.B. Ervts. as adm., of said estate proceed to sell said real estate at private sale, for not less than \$1000.00 the appraised value thereof, said appraisement made at the time of the appraisement of the estate of Andrew J. Ervts. additional appraisement dispensed with.

It is further ordered, that said sale be made upon the following terms, to-wit: -- Cash -- It is further ordered, that said C.B. Ervts. make return of proceedings herein, within -- days from this date, and forthwith after such sale is made, and this cause is continued, W.H. Husted, Probate Judge

Application for appointment of Gdn., ad litem.

C.B. Ervts., adm., Plaintiff
Julia Ervts., et al., Defendants

Probate Court, Union County, Ohio.
November 3-1923 application
for appt. of Gdn. ad litem.

To the Hon. W.H. Husted, Judge of said Court:
The undersigned C.B. Ervts. makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case. The defendants Helen Drumm, Stanley Drumm, Ernest Drumm, Blanchard Drumm, Ruby Sedley, Andrew Sedley, Sister Sedley, over the age of 14, and Ersk Sedley, Frieda Drumm, under the age of 14 yrs., and have been duly served with process herein, and have neglected for the period of twenty days to after the service of summons upon them to make application for appointment of a gdn., ad litem.

The undersigned suggests Richard C. Thrall, who is a suitable person, be appointed as such Guardian ad litem.

Respy. C.B. Ervts. Adm.

Journal Entry: Probate Court, Union County, O. November 3-1923. C.B. Ervts., adm., Plaintiff No. 10178.

Julia Ervts., et al., Defendants Appt. of Guardian ad litem

This day C.B. Ervts., adm., appeared, in open Court and made application for the appointment

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of a Guardian ad litem for the minor defendants
in this case, and it appearing to the Court
that the defendants Helen Drum, Stanley Drum,
Ernest Drum, Blanchard Drum, Ruby Sedley, Andrew
Sedley, Lester Sedley over the age of 14 years, Ervth
Sedley and Trilla Drum, under the age of 14 yrs.,
and have been duly and legally served with summons
herein, and that Helen Drum, Stanley Drum,
Ernest Drum, Blanchard Drum, Ruby Drum,
Andrew Sedley, and Lester Sedley have neglected
to make application for the appointment of a
guardian ad litem for a period of twenty days
after service of summons, it is ordered that Richard
C. Thrall be, and he hereby is appointed Guardian
for the suit, for said minor defendants.
and now comes the said Richard C. Thrall, and in
open Court, accepts said appointment.

W/Husted, Probate Judge
Ansurr of Guardian ad litem,
Probate Court, Union County, Ohio.

C.B. Ervts. Adur., Plaintiff No. 10178
Julia Ervts. et al. Defendants. Ansurr of, Minor Defendants
and now comes the said Helen Drum, Stanley
Drum, Ernest Drum, Blanchard Drum, Ruby
Sedley, Andrew Sedley, Lester Sedley, Ervth Sedley
and Trilla Drum, the minor defendants to the
petition in said cause, by Richard C. Thrall, their
Guardian ad litem, heretofore appointed in said
cause, by said Court, and for ansurr to said
petition, deny all the material allegations herein
contained, prejudicial to said minor defendants,
They further say, that they are of tender years
and not acquainted with the laws in such cases,
and they therefore pray the Court, to protect their rights
in this cause, and for such relief as may be
just. Dated this 3-day of November, 1923.

Helen Drum; Stanley Drum; Ernest Drum; Blanchard
Drum; Ruby Sedley; Andrew Sedley; Lester Sedley; Ervth
Sedley and Trilla Drum, by Richard C. Thrall, Guardian ad litem.

Order of Sale

The State of Ohio Union County Probate Court
To C.B. Ervts, adur., of the estate of Andrew J. Ervts, deif. ^{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, administrator
of the estate of Andrew J. Ervts, deceased, are Plaintiff
and Julia Ervts, et al. are Defendants, you are
Commanaded to proceed according to law, to sell at

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private sale for not less than \$1000 - the appraised value
 amount for of the donor of Julia Ervts. widow of Andrew J.
 Ervts. deceased, the following described premises, to wit:
 Situated in the County of Union, State of Ohio, and Township
 of Blairtown and bounded and described as follows:
 Being part of Survey # 1391, in the Virginia Military
 District, Beginning at a stone and stake in the middle
 of the Richmond and Sumnerville Road; thence along said
 road, north 62° E. 32 poles to a stone and stake; thence
 N. 28° W. 28 poles to a stake; thence, S. 62° W. 32 poles to a
 stake and stone; thence, S. 28° E. 25 poles to the place of
 beginning. Containing five (5) acres. Said sale to be for
 the donor and to be upon the following terms: Cash in
 hand on day of sale, for full amount. 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 1- day of
 December, A. D. 1923. W. H. Husted Probate Judge
 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- day of December, 1923
 C. B. Ervts. Adm.

Report of Sale.
 In obedience to the within order, I sold said premises
 on the 1- day of December, 1923, to Wierford Sedley and Jesse
 E. Sedley for the sum of One Thousand ^{and no/100} Dollars,
 said sum being the appraised value of the same.
 Dated, Dec. 1- 1923. C. B. Ervts. Adm.

The State of Ohio, Union County.
 The above named, C. B. Ervts. administrator of the
 estate of Andrew J. Ervts. 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. C. B. Ervts. - Adm.

Sworn to before me, and signed in my presence, this 1-
 day of Dec. 1923. W. H. Husted Probate Judge

Journal Entry: Probate Court, Union County, Dec. 1- 1923.
 C. B. Ervts. Adm. of estate of Andrew J. Ervts. deceased.
 Plaintiff

Julia Ervts. et al. Defendants. Confirming Sale -
 This day, this cause coming on to be heard on the return of
 C. B. Ervts. administrator of the estate of Andrew J. Ervts. decd.
 of his proceedings and sale under the former order
 of this Court; the Court having carefully examined

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Oct. 1-1923
 E. W. Porter
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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 C. B. Ervots as such, admin., make to the purchaser, Milford Sedley and, Jesse E. Sedley, a good and sufficient deed, for the premises so sold. It is further ordered, that this proceeding be recorded, and that said C. B. Ervots pay the costs herein at \$ ---.

W. H. Husted, Probate Judge.

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Filer

Oct. 1-1923
E. W. Porter
attorney.

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio

No. 10179

Civil Action

Agnes G. Dodger, Administratrix
of the estate of Thomas J. Dodger, Decd.
Plaintiff

v.

Agnes G. Dodger,
Emma Elliott,
John C. Dodger,
Homer L. Dodger,
Sara Louise Dodger, a minor,
D. W. Cournee, Guardian of,
Russel Dodger, Cournee,
Irving Mitchell Cournee,
James Morrison Cournee,
W. Charlotte Cournee, minor, ^{4w.}
The Federal Land Bank of Louisville, Ky.
Defendants.

Petition to Sell Real Estate.

Petition.

The Plaintiff represents that she is the duly appointed and qualified administratrix of the estate of Thomas J. Dodger, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is nine thousand thousand Dollars, vs. near as they can be ascertained including a mortgage on the real estate, calling for the sum of five thousand five hundred, and, the interest thereon, that the charges of administration of said estate will amount to about fifteen hundred Dollars; and, that the total value, of the personal estate and effects of said deceased, is but, seven thousand Dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Thomas J. Dodger, died seized in fee simple of the following described real estate, situated in the County of Union, State of Ohio, and in the Township of Jenner town: Being part of Survey, No. 5766 and 5417, Beginning at a large elm, and ash, the original north-easterly corner of said Survey, No. 5417, and in the

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the north-westerly line of Survey No. 5166; thence with said line south 60° west 7 poles to three small water ashes, one dead. Corner to 50 acres of land, formerly owned by Elias Reynolds; thence with said Reynolds' line and the line of lands, formerly owned by John H. Dodge, south 36 $\frac{3}{4}$ ° east, 094.32 poles to a water ash; thence south 57 $\frac{3}{4}$ ° W. 219.22 poles to a stone in the line of lands, formerly owned by Conrad Bugel; thence with said Bugel's line north 35 $\frac{1}{2}$ ° west 90.40 poles to a stake in the line of said Survey No. 5166; thence with said survey line north 60° east 87.72 poles to a stake corner to lands conveyed by Thomas J. Dodge, and wife to Homer T. Dodge; thence with a line of said Homer T. Dodge's land, north 47° 30' east 144.90 poles to a post in the line of said Survey No. 5447; thence with said Survey line south 30° 15' east 34.30 poles to the place of beginning, containing 140.75 acres, more or less.

Also one other tract of land, situated in said Township, County, and State, and part of U. M. Survey, No. 5166 and beginning at a stake southerly corner to Survey No. 5724; thence with the southerly line of said Survey No. 5724 (true meridian course) N. 60° E. 176 poles to a stake with two hickories north-easterly corner to Survey No. 5166; thence with the easterly line of said Survey No. 5166, S. 32° E. 45 $\frac{49}{100}$ poles to a stake in the center of Sugar Run Ditch (witness a soft maple S. 60° W. 75 feet); thence S. 60° W. 176 poles to a stake (witness a black hickory S. 80° 14 feet); thence N. 32° W. 45.44 poles to the beginning containing fifty acres, being in Survey, No. 5166.

Plaintiff 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, and that the amount of said appraisal is sixteen thousand twenty-two and 50/100 (\$16,022.50) Dollars.

The said decedent, died leaving the defendant, Agnes S. Dodge, his widow, who is entitled to dower, in said premises. That the defendants, Emma Elliott, John C. Dodge, Homer T. Dodge, Sara Louise Dodge, Russell Dodge, Corvise, Irving Mitchell, Corvise, James Millburn Corvise, and Charlotte Corvise, are the only heirs at law, and next of kin of said decedent, having the next estate of inheritance from said Thomas J. Dodge, deceased, in said premises, that the defendants The Federal Land Bank of Louisville Kentucky, claims to have some lien upon said above described real estate.

The Plaintiff therefore prays, that the dower of said Agnes S. Dodge, in said premises, may be assigned and set off to her, that the rights, interests, and liens of the said Emma Elliott, John C. Dodge, Homer T. Dodge, Sara Louise Dodge, Russell Dodge Corvise, Irving Mitchell

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Course, James Milburn Course, and Charlotte Course, and the said The Federal Land Bank of Louisville Kentucky, may be fully determined, adjusted, and protected, according to equity, and that your petitioner may be authorized and ordered, to sell said real estate from the down estate of said Agnes G. Dodge according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

Agnes G. Dodge, Administratrix E. W. Potter et al.

The State of Ohio, Union County, Agnes G. 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.

Agnes G. Dodge - known to inform me, and signed in my presence, this 1-day of October 1923 at Edward W. Potter, Notary Public, Union Co., Ohio Journal entry; in the Probate Court, of Union County, Ohio.

Agnes G. Dodge, adex. of the Estate of Thomas J. Dodge, Decd. Plaintiff

Monday, October 1-1923 No- 10179

Agnes G. Dodge, Emma Elliott, John C. Dodge, Homer T. Dodge, Sara Louise Dodge (a minor) D. W. Course, Esq., of Russell Dodge Course, Irving Mitchell Course, James Milburn Course, and Charlotte Course, minors, and The Federal Land Bank of Louisville Ky. Defendants.

Journal entry

Filing Petition to Sell Real Estate

This day came the Plaintiff Agnes G. Dodge, adex., of the estate of Thomas J. Dodge, deceased, and presented to this Court, her petition, duly verified, praying an order for the sale of real estate of the said Thomas J. Dodge, 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.

W. H. Husted, Probate Judge.

Summons on Petition to Sell Real Estate

The State of Ohio, Union County, ss.

To Agnes G. Dodge, adex.

You are commanded, to notify Agnes G. Dodge, Emma Elliott, John C. Dodge, Homer T. Dodge, Sara Louise Dodge, a minor, D. W. Course, Esq., of Russell Dodge Course, Irving Mitchell Course, James Milburn Course, and Charlotte Course, minors - that on the 1-day of October

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1923. Agnes G. Dodger, administratrix of the estate of Thomas J. Dodger, 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 purpose of paying debts, and the costs of administration. That unless they answer by the 17th day of November, 1923, said petition will be taken as true, and an order granted accordingly.

you will make due return of this writ on the 29th day of October A.D. 1923. Witness my hand and the seal of said Court, this 16th day of October, A.D. 1923.

W. H. Husted, Probate Judge
Return,

The State of Ohio, Union County, ss.

I, Agnes G. Dodger, being duly sworn, says that on the 16th day of October 1923, I served this writ by delivering a copy thereof personally to the following named persons, to wit: Sara Louise Dodger, a minor, also upon Agnes G. Dodger her mother, she having no guardian, her father being dead.

Agnes G. Dodger,
Known to inform me, and signed in my presence, this 20th day of October 1923, *Edward W. Porter, Notary Public, Union Co. O.*

That the undersigned defendants named, herein, do each of us acknowledge due and legal service of the within summons.

Agnes G. Dodger
Sara Louise Dodger
Kerner F. Dodger
Emma Elliott
John C. Dodger

Summons, on Petition to sell Real Estate.

The State of Ohio, Union County, Probate Court.
To the Sheriff Summit County.

You are hereby commanded to notify Russell Dodger Counsel, Irving Mitchell Counsel, James Milburn Counsel, and Charlotte Counsel who are minors, making service of this summons upon said minors, and also upon the guardian D.H. Counsel, 360 Litchfield Road, Akron, Ohio, or the father or if neither guardian or father can be found, then upon the mother, or the person having the care of said minors, or with whom they live; that on the 1st day of October A.D. 1923, Agnes G. Dodger, administratrix of the estate of Thomas J. Dodger, 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 paying debts, and that unless they answer by the 17th day of November, 1923, said petition will be taken as true, and an order granted accordingly.

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Said sheriff will make due return of this writ on the 29th day of October 1923. Witness my hand and the seal of said Court this 16th day of October 1923. W. H. Husted Probate Judge

Sheriff's Return

The State of Ohio, Summit County

Received this writ Oct. 17-1923, at 11:30 o'clock a.m. and on the days in the manner hereafter named, I served the same on the within named defendants: Oct. 27-1923 on Russel Dodge, Comrse, Irving Mitchell Comrse, James Miltburn Comrse, Charlotte Comrse, who are minors, and also on Oct 27-1923, on D. W. Comrse, the father of the said minors, they having no legally appointed guardian.

John Mavor, Sheriff

H. B. Kilbot, Deputy Sheriff

Answer of Widow

Probate Court, Union County, Ohio

Agnes G. Dodge, Adm^r

No. 10179

Thomas J. Dodge, deceased

Plaintiff

Agnes G. Dodge, et al. Defendants. Answer of Widow

and now comes Agnes G. Dodge, one of the defendants in the above entitled cause, and voluntarily enters her appearance herein, and for answer to the petition in this case filed, says that she is the widow of said Thomas J. Dodge, deceased, and as such is entitled to her dower in the premises described in said petition, that her age is 53 years, and she freely 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 her dower estate therein, and that the value of such dower estate may be allowed, and paid her, in lieu thereof out of the proceeds of the sale, such sum of money as the Court deems the just and reasonable value of her dower interest in said real estate. Agnes G. Dodge

The State of Ohio, Union County

Agnes G. Dodge, being duly sworn, says that the statements in the foregoing answer are true, as she verily believes. Agnes G. Dodge

Known to before me, and signed in my presence,

this 30th day of Oct. 1923. Edward W. Potter, Notary Public, Union Co. O.

Wairor

Probate Court, Union County, Ohio

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Agnes G. Dodyn, Adm^r of Estate of Thomas J. Dodyn, deceased. Plaintiff

NO. 10179

Agnes G. Dodyn, et al. Defendants. Waiver
We, the undersigned, parties Defendant, to the Petition in the above entitled action, do each of us, hereby waive the issuing and service of Summons, and, voluntarily enter our appearance as such, Defendants. And, we do hereby consent to the sale of the Real Estate described in the petition, in said action according to the prayer of, the same. Dec. 4 - 1923.

The Federal Land Bank of Louisville Ky. by
W. L. Rogers - Its General Counsel
Answer ^{to} Cross-Petition, of

Agnes G. Dodyn, Adm^r of the estate of Thomas J. Dodyn, Decd. Plaintiff

The Federal Land Bank of Louisville.
In the Probate Court, of Union County, Ohio,
Answer, and Cross-Petition

Agnes G. Dodyn, et al. Defendants The Federal Land Bank of Louisville
how comes the Federal Land Bank of Louisville, one of the parties defendant in the above, entitled cause, and by way of, answer to the petition of plaintiff, admits that plaintiff is the duly appointed, qualified and acting administrator of, the estate of, Thomas J. Dodyn, deceased, and, that the personal estate of said decedent is insufficient to pay his debts; that said decedent, died owning the real estate described in said petition, and, that it will be necessary to sell said real estate to pay decedent's debts. This answering defendant claims a lien against said real estate, but, it is not familiar with the other matters set out in said petition for which reason, it denies each and every allegation therein contained which may be prejudicial to it, and, which is not herein specifically admitted.

Cross-Petition.

This answering defendant says, that it is a corporation organized and existing under the provisions of an act of Congress approved July, 17 - 1916, and, known, as, the Federal Farm Loan Act, with power to sue, and to sued, contract and, be contracted with, and, among other things to engage in the business of loaning money, and, to accept notes as evidence of such loans, secured by first mortgage liens on real estate and, the improvements thereon located in the State of Kentucky, Indiana, Ohio, Tennessee,

Trust Cause of action

For a cause of action this answering defendant says, that on March 20 - 1922, in the ordinary course,

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of its business, it made a loan to plaintiff's decedent, Thomas J. Dodge (then in full life, but now deceased), and to Agnes Dodge, his wife, defendant herein, in the sum of \$5500, and that as evidence of such loan the said Thomas J. Dodge, and Agnes Dodge, his wife, made, executed and delivered to this answering defendant their own certain promissory note of that date in the principal sum of \$5500, and bearing interest at the rate of 6% per annum, from date payable in sixty five semi-annual installments of \$192.50 each, on the first day of March, and September of each and every year, and one final payment of \$160.52 on September 1st 1955; a copy of which note together with all of the endorsements thereon is hereto attached and marked "Exhibit #1." This answering defendant says that it is the owner and holder of said note, and that there remains unpaid on the principal thereof the sum of \$5444.¹⁷ together with 6% interest thereon from September 1-1923.

Second Cause of action

For a second cause of action this answering defendant says that it adopts all of the allegations contained in the first cause of action above, as if rewritten herein, and in addition thereto says that in order to secure the payment of the promissory note above described, the said Thomas J. Dodge, (then in full life, but now deceased) and Agnes Dodge, his wife made, executed and delivered to this answering defendant their certain mortgage deed dated March 20-1922, and then and there conveyed to this answering defendant, its successors, and assigns, the following described real estate ^{to wit:} situated in the County of Union, State of Ohio, Townships of Jerome, ^{the} being part of surveys nos. 5166, and 5417, beginning at a large elm, and also the original north-easterly corner of said survey no. 5417, and in the north-westerly line of survey no. 5166; thence with said line south 60° west 7 poles to three small water ashes, one stand, corner to 50 acres of land formerly owned by Elias Reynolds; thence with said Reynolds' line and the line of lands formerly owned by John K. Dodge, south 36³/₄° east 94.32 poles to a water ash, thence south 57¹/₄° west 219.22 poles to a stone in the line of lands formerly owned by Conrad Gysel; thence with said Gysel's line north 35¹/₂° west 95.43 poles to a stake in the line of said survey no. 5166; thence with said survey line north 60° east 87.72 poles to a stake, corner to lands conveyed by Thomas J. Dodge and wife

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to Corner T. Dodge: thence with a line of said Corner T. Dodge's land north $47^{\circ} 30'$ east 144.90 poles to a post in the line of said survey no. 5417: thence with said survey line south $30^{\circ} 15'$ east 34.30 poles to the place of beginning, containing 140.75 acres, more or less.

Said mortgage deed was filed for record with the Recorder of Union County, Ohio, on April 1, 1922, at 11.10 o'clock a.m. and was by said Recorder, later made of record in Volume No. page 223, of the mortgage records of said county, and from the filing thereof, as aforesaid, said mortgage deed became and now is the first and best lien against the real estate in it described.

Said mortgage deed contains a condition in substance that if the said Thomas J. Dodge, or Agnes Dodge, or their heirs, or assigns, should well and truly pay the promissory note secured by said mortgage, according to its terms and conditions, then said mortgage deed should become null and void, but otherwise to remain in full force and effect in law. Said mortgage deed also contains a condition that should default be made in the payment of any of the installments stipulated to be paid on said promissory note, when the same become due and payable, then this answering defendant, or the lawful owner and holder of said note should have the right to declare the entire debt evidenced by said note to be due and payable and should have a right to foreclose said mortgage and cause the land in it described to be sold in satisfaction of the debt secured by it. This answering defendant says that the conditions of said mortgage deed have not been broken, but have been complied with up to this date,

Third Cause of Action,

For a third cause of action this answering defendant says that in addition to the security described in the second cause of action above, it holds additional security, consisting of \$275.00 of the capital stock of the Tri County National Farm Loan Association, of Plain City, Ohio, being fifty-five shares of the par value of \$5.00 each, and that by the terms of the Federal Farm Loan Act, above referred to, said stock shall be redeemed and cancelled, and the note described in the First Cause of Action, shall be credited to the extent of the par value of said stock, at the time of the final payment of said note.

This answering defendant, therefore, asks that if the court in its discretion should order the sale of the real estate, above described, subject to the lien of this answering defendant, then, that it would be to the best interest of all concerned herein, that the stock

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above described, held as collateral and additional security, should be ordered sold along with said land so as to comply with the terms of said Federal Farm Loan act, which provides that none but borrowers from Federal Land Banks, or farm land mortgages shall be members or shareholders of National Farm Loan Association and, also, so that the purchaser of said farm at the sale thereof by the sheriff may become the owner of said stock and, be in a position to surrender said stock and receive credit therefor when he finally pays the debt to this answering defendant. This answering defendant avers, however, that should the court in its discretion order the sale of the above described land, free of the lien of this answering defendant therein, that in such event, it would be the best interest of all concerned herein, that said stock, so held as collateral security, should be ordered distributed to this answering defendant for the purpose of having the claim of this answering defendant credited to the extent of the par value of said stock.

Wherefore, this answering defendant, prays that upon the final hearing of this cause, the Court, find and decree the mortgage described in the second cause of action above to be the first and best lien against the real estate in it described, save only lawfully levied and assessed taxes and the costs of this proceeding; that if in the discretion of the court, said premises should be ordered sold subject to the lien of this answering defendant therein, that the court fully protect the interests of this answering defendant, in the premises, and, also, order that the \$275 stock of the Tri County National Farm Loan Association be sold, along with said land; that if in the discretion of the court, said premises should be ordered sold free of the lien of this answering defendant therein, that the court, ascertain the amount due this answering defendant on the promissory note, set out in the first cause of action, which amount this answering defendant avers to be \$5444.17 together with 6% interest thereon from September 1, 1923, and render judgment therefor, and, that said judgment, be declared the first and best lien against the real estate above described and against the fund arising from the sale thereof, and, be ordered, paid out of said funds, after however, distributing to this answering defendant, the \$275 stock above referred to and crediting said judgment thereon; and, for all just and proper relief to which in equity this answering defendant should be entitled.

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The Federal Land Bank of Louisville, By H. D. Rogers, its atty.
State of Kentucky, Jefferson County, ss.

Herman F. Morrow, being by me, first duly sworn, deposed and says that he is the Treasurer of The Federal Land Bank of Louisville and as such officer has in his custody all of the securities of said Bank and that he is familiar with its affairs and that the allegations contained in the foregoing Answer and Cross-Petition are true as he verily believes. Herman F. Morrow.

Known to before me and signed in my presence this 12-day of December, 1923, ^{and} Layne L. Beck, Notary Public

my commission expires July, 13th 1927

No. 12849.

First Mortgage Note.

\$ 5000⁰⁰

Marysville, Ohio

March 20 - 1922.

For value received we promise to pay to the order of the Federal Land Bank of Louisville at its offices in the city of Louisville, Kentucky, the principal sum of Fifty five hundred dollars, with interest from date on the whole amount of said principal sum remaining from time to time unpaid, with interest from date on the whole amount of said principal sum remaining from time to time at the rate of 6% per annum, payments to be made on the amortization plan, and in accordance with amortization tables promulgated by the Federal Farm Loan Board, said payments to be made in manner and form as follows: A preliminary interest payment to be made on the first day of September 1922, being 6% interest from date of this note until said time of payment and thereafter in sixty-five semi-annual payments of One Hundred Ninety-two and 5/100 Dollars, each payable on the first day of March, and September in each year, and a final payment of One Hundred Sixty and 52/100 Dollars, payable on the 1st day of Sept. 1955, and we further promise and agree to pay reasonable attorney's fees, in the event there is any default in the payment of this note as provided herein. This instrument is negotiable and payable at the Federal Land Bank of Louisville at its offices in the city of Louisville, Kentucky.

If any payment or payments herein provided for are not paid when due, such defaulted payment or payments shall bear simple interest from the date of such default, until paid at the highest rate of interest authorized by law, not exceeding 8% per annum. The drawer and endorser, and all parties to this instrument severally waive presentment for payment, protest, notice of protest, notice of non-payment of this instrument, demand and all legal diligence in enforcing collection.

The note is secured by a mortgage of even date herewith executed by a mortgage of even date herewith, executed by

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Thomas J. Dodgson and his wife Agnes Dodgson, to the said Federal Land Bank of Louisville, Kentucky, now located in Union County, Ohio, which is the first lien on the property therein described. If any default be made in any of the payments provided for in this note, or in case of failure to perform any or either of the terms or conditions of said mortgage, the whole indebtedness secured by this mortgage, together with all interest on same, shall, at the option of said the Federal Land Bank of Louisville, its successors or assigns become due, and payable at once without demand, or notice of the exercise of such option being hereby waived.

After 5 yrs- from date hereof, on any date, whenever any regular installment becomes due hereunder, the maker or makers of this note shall have the option of making additional payments in the sum authorized by the Federal Farm Loan Act, or any amendment thereof, for the reduction of the principal or the payment of the entire principal, and any payment in reduction of principal so made shall be endorsed on this note. Such additional payments shall not reduce the fixed annual, or semi-annual payments, provided for herein, but will pay off the loan at an earlier date, whenever the whole principal hereof, together with all interest accrued thereon, shall have been fully paid. Then all provisions herein, for installment payments maturing thereafter shall be null and void and this note shall then be fully paid off, and satisfied.

Thomas J. Dodgson.

Agnes Dodgson.

Copy Exhibit 1-
1922- \$ 139.33 date 8-31
1923 " 2.26
1923- " 8.31

Application for Guardian ad litem.

Probate Court, Union County, Ohio.

January, 1924

To the Hon. W. H. Husted, Judge of said Court:

The undersigned Agnes M. Dodgson, makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case.

The defendants born Louise Dodgson, Russell Dodge Courser, Irving Mitchell Courser, James Milburn Courser, and Charlotte Courser, are minors, and have been duly served with summons herein, and have neglected for twenty days after the return of the summons upon them to apply for a Guardian ad litem.

The undersigned suggests, that Richard L. Thrall, who is a suitable person be appointed as such Guardian

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ad litem. Respectfully,
Probate Court, Union County, O.
Agnes G. Dodgn, admt.
of the estate of
Thomas J. Dodgn, Deceased,
Plaintiff

Agnes G. Dodgn.
January, 1924
no. 10179
appointment of
guardian ad litem.

Agnes G. Dodgn, et al. Defendants.

This day, Agnes G. Dodgn, appear 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 Sara Louise Dodgn, Russell Dodgn Courase, Irving Mitchell Courase, James Milburn Courase, and Charlotte Courase, are minors and have been duly and legally served with summons herein, and have neglected for twenty days after the return of the summons, upon them to apply for a guardian ad litem, it is ordered, that Richard C. Small, be and he hereby is appointed guardian for the suit, for said minor defendants, and now comes the said

Richard C. Small, and in open court, accepts said appointment

W. H. Husted, Judge
Answer of Guardian ad litem.

Agnes G. Dodgn, admt. of
Est. of Thomas J. Dodgn, decd.
Plaintiff
Agnes G. Dodgn, et al. Defendants.

Probate Court, Union County, Ohio
no. 10179
Answer of Minor Defendants.

And now comes the said Sara Louise Dodgn Russell Dodgn Courase, Irving Mitchell Courase, James Milburn Courase, and Charlotte Courase, the minor defendants to the petition in said cause, by Richard C. Small, their Guardian ad litem, heretofore appointed in said cause, by said Court, and for answer to said petition, deny all the material allegations herein contained, prejudicial to said minor defendants. They further say, that they are of tender years, and not acquainted with the law, in such cases, and therefore pray the Court, to protect their rights in this cause, and for such relief as may be just.

Dated this 10-day of January 1924
Sara Louise Dodgn; Russell Dodgn Courase; Irving Mitchell Courase; James Milburn Courase; Charlotte Courase.

By: Richard C. Small. Guardian ad litem.
Order for appraisement.

Agnes G. Dodgn, admt. of
The Estate of Thomas J. Dodgn, Decd.
Plaintiff

Probate Court, Union County, Ohio, January 12, 1924
no. 10179
Journal entry.

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Agnes G. Dodgn, et al. Defendants.

Order for appraisement.

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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 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 Thomas J. Dodge, deceased, and Agnes G. Dodge, the widow, of the said Thomas J. Dodge, deceased, having by her answer waived the assignment of her dower, by act and bounds; it is therefore ordered and adjudged by the Court, that the said premises be appraised free of dower, by the oath of G. W. Carson, W. G. Mitchell and J. F. Kugel, judicious and disinterested freeholders of the vicinity, whom the Court hereby appoints for that purpose, and that they return their proceedings to this Court for confirmation.

W. H. Husted, Probate Judge -
Order of appraisement.

The State of Ohio, Union County, ss. Probate Court.
To Agnes G. Dodge, administratrix of the estate of Thomas J. Dodge, Decd. Licitant;

In obedience to an order and decree of the Probate Court within and for said County, made this day in certain cause wherein you as administratrix of the estate of Thomas J. Dodge, deceased, are Plaintiff and Agnes G. Dodge, et al. are Defendants, you are commanded that by the oath of G. W. Carson, W. G. Mitchell and J. F. Kugel, judicious disinterested men of the vicinity, next 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 Agnes G. Dodge, widow of deceased, therein to wit:

Situated in the County of Union, State of Ohio, Townships of Jerome, and being part of Survey No. 5166 and 5417, beginning at a large Elm, and ask, the original north-easterly corner of said Survey No. 5417, and in the north-westerly line of Survey No. 5166; thence with said line south 60° west 7 poles to three small water ashes, one dead, corner to 50 acres of land formerly owned by Elias Reynolds; thence with said Reynolds line, and the line of lands formerly owned by John K. Dodge, south 36 3/4° east 94.32 poles to a water ash; thence south 57 1/4° west 219.22 poles to a stone in the line of lands formerly owned by Conrad Kugel; thence with said Kugel's line north 35 1/2° west 90.40 poles to a stake in the line of said Survey No. 5166; thence with said survey line north

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60° East 87.72 poles, to a stake, corner to lands conveyed by Thomas J. Dodge, and wife to Homer T. Dodge; thence with a line of said Homer T. Dodge's land north 47° 30' east 144.90 poles to a post in the line of said Survey No. 5417; thence with said survey line south 30° 15' east 34.30 poles to the place of beginning, containing 140.75 acres, more or less, also one ^{other} tract of land, situated in said Township, County, and State, and part of V. M. Survey, No. 5166 and beginning at a state southerly line of said Survey No. 5724 (true meridian course) N. 60° E. 176 poles to a stake and two hickories north-easterly corner to Survey No. 5166; thence with the easterly line of said Survey No. 5166 S. 32° E. 45 ⁷/₁₀₀ poles to a stake in the center of Sugar Run, Ditch (witness a soft maple S. 60° W. 75 feet); thence S. 60° W. 176 poles to a stake (witness a black hickory S. 80° 14 feet) thence north 32° W. 45.44 poles to the beginning, containing fifty acres, being in Survey No. 5166.

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 12-day of January, 1924

~~W. H. Husted~~ W. H. Husted, Probate Judge.

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 22-day of January, 1924

Agnes G. Dodge, administratrix of estate aforesaid,
Cath. of appraisers.

The State of Ohio, Union County,
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.

G. W. Larson, W. G. Mitchell, J. T. Kugel, appraisers
Sworn to before me, and signed in my presence, this 22-day of January, 1924. Agnes G. Dodge, administratrix aforesaid

Appraisers' Return

In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises herein described, we, the undersigned appraisers estimate the value of said real estate at \$8500 per acre, or, in the total sum of Sixteen thousand two hundred and thirty three ⁷⁵/₁₀₀ Dollars, four of said dollar, estate of said Agnes G. Dodge, widow of said Thomas J. Dodge, deceased.

Given under our hands, this 22-day of January, 1924.

G. W. Larson, W. G. Mitchell, J. T. Kugel, appraisers

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Journal entry: Decree Confirming appraisement & ordering Sale -
In the Probate Court of Union County, Ohio,
Agnes G. Dodgson, administratrix,
of the Estate of Thomas J. Dodgson, dec'd, No. 10179,
Plaintiff,
vs.
Agnes G. Dodgson, et al. Defendants

Journal entry
January, 23 - 1924.
Decree Confirming appraisement
& ordering Sale -

This day this cause came on further to be heard on the return of the plaintiff of the appraisement herein, 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 thereof 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 Agnes G. Dodgson, administratrix, as aforesaid, proceed to advertise and sell the real estate aforesaid, first of course, at private sale, at not less than the appraised value thereof, on the following terms, to wit: Cash 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.

W. H. Husted Probate Judge -

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

Agnes G. Dodgson, administratrix, of
The Estate of Thomas J. Dodgson, dec'd, Plaintiff,
vs.
Agnes G. Dodgson, et al. Defendants, Application -
No. 10179
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:

- 1. It will save the expense of advertising
- 2. It will bring the entire appraisement, whereas, at public sale, it might go for two-thirds of the

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appraisement only. 3 - Because, a purchaser at the appraisement has already been secured, thus saving time as well, and therefore asks for an order authorizing her to sell said real estate at private sale.

Agnes M. Dodge, admx. of the estate of Thomas E. Dodge, Deceased.

The State of Ohio, Union County, ss.

Agnes M. Dodge, being duly sworn, says that the various matters set forth in the foregoing application are true, as she verily believes.

Sworn to before me, and signed in my presence, this 22 day of January, 1924, Edward H. Porter, Notary Public, Min. Co. Ohio.

Affidavit of Disinterested Persons.

The State of Ohio, Union County, ss.

G. W. Carson, W. G. Mitchell and J. F. Guyel, being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they know the same are true and correct, 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, and for the reasons given herein, as they verily believe.

G. W. Carson, W. G. Mitchell - J. F. Guyel.

Sworn to before me, and signed in my presence this 22 day of January, 1924, Edward H. Porter, Notary Public, Union Co. O.

Order of Sale free of Dower.

The State of Ohio, Union County.

Probate Court,

To Agnes M. Dodge, admx. of the estate of Thomas J. Dodge, deceased, Greeting:

In obedience to an order and decree of the estate of Thomas J. Dodge, 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 administratrix of the estate of Thomas J. Dodge, deceased, are Plaintiff and Agnes M. Dodge, et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$1623.⁷⁵ the appraised value thereof free of dower, of Agnes M. Dodge, widow of Thomas J. Dodge, deceased the following described premises, to wit:

Situated in the County of Union, State of Ohio, Township of Jerome, and being part of Survey no. 5166 and 5417 beginning at a large elm and ash, the original north easterly corner of said Survey no. 5417, and in the north westerly line of Survey no. 5166; thence with said line north south 60° East 7 poles to three small water oaks, one dead, corner to 50 acres, of land, formerly owned by Elias

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Reynolds: Thence with said Reynolds line and the line of lands formerly owned by John H. Dodgson south 36 3/4 East 94.32 poles to a water ash: thence south 57 1/4 West 217.32 poles to a stone in the line of lands formerly owned by Conrad Kugel: thence with said Kugel's line north 35 1/2 West 96.40 poles to a stake in the line of said survey no. 5166: thence with said survey line north 60 East 87.72 poles to a stake corner to lands conveyed by Thomas J. Dodgson and wife to Homer T. Dodgson: thence with a line of said Homer T. Dodgson's land north 47 30 East 144.90 poles to a post in the line of said survey no. 5117: thence with said survey line south 30 15 East 34.30 poles to the place of beginning containing 140.75 acres more or less.

also of one other tract of land, situated in said Township, County and State, and part of T. M. Survey no. 5166, and beginning at a stake southerly line of said survey no. 5724 (true meridian course) N. 60 E. 176 poles to a stake and two hickories, north-easterly corner to survey no. 5166: thence with the easterly line of said survey (no. 5166) S. 32 E. 45 4/10 poles to a stake in the center of Sugar Run Ditch (witness a soft maple S. 60 N. 75 feet) thence S. 60 N. 176 poles to a stake (witness a black hickory S. 80 14 feet) thence north 32 W. 45.44 poles to the beginning containing fifty acres being in survey no. 5166.

Said sale to be free the down estate of said Agnes M. Dodgson widow and to be upon the following terms: Cash in hand; 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 28 day of January, 1924. W. H. Husted Probate Judge.

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 29 day of January, 1924 Agnes M. Dodgson adix. as aforesaid.

Report of Sale

In obedience to the within order I sold said premises on the 29 day of January, 1924 to John C. Dodgson for the sum of Sixteen Thousand Two Hundred and Thirteen 75/100 Dollars - said sum being the appraised value of the same. Agnes M. Dodgson adix. as aforesaid. Dated the 29 day of January, 1924.

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The State of Ohio, Union County.
 The above named, Agnes G. Dodger, 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 she could get for said property.
 Agnes G. Dodger, adm., as aforesaid sworn to before me, and signed in my presence, this 29-day of January, 1924 ^{at} Edward H. Porter, Notary Public, Union Co. O.
 Journal Entry: Probate Court, Union County, O. January 29 - 1924
 Agnes G. Dodger, as adm., of the estate of Thomas J. Dodger, Decd.
 vs.
 Plaintiff.

Confirming Sale -
 This day, this cause, coming on for hearing, on the return of Agnes G. Dodger, adm., of the estate of Thomas J. Dodger, decd., of her 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 thereby is approved and confirmed; and it is further ordered that said Agnes G. Dodger, as such administratrix make to the purchaser, Glenn B. Dodger, a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said administratrix pay the costs herein taxed at \$ - -
 W. H. Husted, Probate Judge.

10183
 Filed
 Oct. 10
 1923

Guardian's Petition to Sell Real Estate.
 Probate Court, Union County, Ohio.
 No. 10183
 Plaintiff
 vs.
 Defendant.
 Peter Ward.
 Florence Rose Clark.
 Lester Earl Clark, adm.
 Mattie May Carmean.
 Defendants.
 Petition.

The Plaintiff represents that she is the duly appointed and qualified Guardian of Florence Rose Clark of the age of 17 years, on the 9 day of March, A.D. 1923, and residing with the plaintiff, Peter D. Campbell, at North Xenia, Ohio, and that she was appointed as such guardian by the probate court of Union County, Ohio.
 That said Ward is the owner in fee simple of the following described real estate, situated in the County of Logan, State of Ohio, and in the Township of Zane town:
 Part of Virginia Military Survey, No. 3155

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Beginning at a stone near a culvert at the junction of the Warner and Middlebury and East Liberty Roads; thence N. 6° W. 43 poles to the corner of Sharpe's land; thence with said Sharpe's line N. 49° E. 60 poles; thence N. 63° W. 23 poles; thence N. 37° W. 20 poles to a dead track; thence with H. Austin's line N. 48° E. 92 poles and 16 links to S. and O. S. Ballinger's; thence with said line S. 41° E. 113½ poles to a stone in the Warner Road; thence S. 46° W. 100 poles 3 links along said Warner Road; thence S. 1° W. 49 poles; thence S. 80° W. 19 poles; thence S. 47° W. 17 poles to the place of the beginning.

Containing 85 acres and 15 poles, more or less.

Also, another tract of land, situated in Logan Co. State of Ohio, part of Virginia Military Survey No. 3155 and bounded and described as follows: (Being in the waters of Daryl Creek; Beginning at a stone in said survey line and in the center of the road leading to East Liberty; thence N. 57° E. 39.3 poles to a stone in C. H. Austin's line and corner to J. Ballinger's land; thence with his line S. 40° E. 36 poles to another corner of said Ballinger's land; thence with his line S. 50° W. 41.6 poles to a corner of J. B. Sharpe's lot; thence with his line N. 36¼° W. 9.2 poles to a stone, also his corner; thence N. 88¼° W. 10 poles to the first mentioned road; thence with said road N. 10° W. 13.3 poles to a stone; thence with said road N. 34° W. 9½ poles to the place of beginning, containing 10.12 acres, more or less.

Said real estate is worth annually ~~Two~~ hundred and fifty ^{or more} dollars. That said plaintiff has received \$350.00 rents from the real estate of her ward for the year 1923.

Further, the said plaintiff says, that the defendant, Lester Earl Clark, is a brother of her said ward; and that the said defendant, Walter May ~~Carroll~~, is a half sister of her said ward, being all the persons entitled to the next estate of inheritance in the real estate herein before described. Further, the said plaintiff says, that the taxes and assessments on said real estate are \$200.00 or more per annum, and that the other expenses incident to keeping up said farm, now more than the income received annually from said real estate.

That the sale of said real estate will be for the best interest of her said ward for the following reasons, to wit: First, that the rental received therefrom is insufficient to pay the taxes, insurance, repairs, and necessary expenses so as to leave a margin of profit for her said ward.

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Second. That if sold, the proceeds, received therefrom can be invested in bonds, or other investments as may be ordered by the Court so that a reasonable income and net profit may be received annually for the benefit of her said ward. Third: That the said real estate can be sold for cash, at once, for all that it is reasonably worth. The plaintiff therefore prays that said Florence Rose Clark, Lester Earl Clark, and Bette May Carmean, may be made Defendants to this petition, and notified of the pendency hereof according to law, that Plaintiff may be ordered to sell said estate for the reasons, and purposes hereuntofore proposed, and for other proper relief.

Rosa D. Campbell, Guardian of Florence Rose Clark, ^{minor,}

The State of Ohio, Union County,

Rosa D. Campbell, 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.

Rosa D. Campbell.

Known to me, and signed in my presence, this 29-day of September 1923. ^{State} Maud Pyles, Notary Public,

Journal entry: In the Probate Court, Union County, Ohio. No. 10183 Journal entry. Filing Petition to Sell Real Estate.

Rosa D. Campbell, Guardian of Florence Rose Clark, minor, Plaintiff
 Florence Rose Clark, et al. Defendants

This day came Rosa D. Campbell, as guardian of Florence Rose Clark, and filed her petition, in this Court, duly verified, asking for the sale of the real estate of her said ward, as in said petition described.

Whereupon, it is ordered by the Court, that said cause shall be set for hearing on 10-day of November, 1923, at one o'clock P.M., and that notice thereof shall be given to Florence Rose Clark, the ward of the plaintiff, Lester Earl Clark and Bette May Carmean. It is further ordered that the above notice shall be in writing and delivered to each of said parties personally, unless the said Lester Earl Clark, and Bette May Carmean should voluntarily enter their appearance herein, and if personal service can not be had or appearance is not entered, then service be had by leaving a copy at their usual place of residence at least fifteen days before the day that said petition is set for hearing. This cause is continued.

W.H. Husted, Probate Judge.

Order for Notice.

Probate Court, Union County, Ohio
 Rosa D. Campbell - Guardian of Florence Rose Clark, Plaintiff,
 Her said Ward, et al.

By Order for Notice,

To: Rosa D. Campbell, Guardian:

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You are hereby ordered, to give notice to Florence Rose
 Elank your ward, and Peter East Elank, and Kettie May
 Learman Defendants to your petition, this day filed in
 said Probate Court. Sale of the following described
 real estate of said ward, of the filing of said petition
 and the time when the same will be heard: such
 notice to be given at least 15 days before the time
 herein after named for said hearing: The real
 estate so asked to be sold, is described as follows, to wit:
 Situated in the County of Logan, State of Ohio, and
 Township of Zane, and part of Virginia Military Survey
 No. 3155. Beginning at a stone near a culvert at
 the junction of the Warner and Middlebury and
 East Liberty Roads; thence N. 6° W. 43 poles to the
 corner of Sharpe's land; thence with said Sharpe's
 line N. 49° E. 60 poles; thence N. 63° W. 23 poles; thence
 N. 37° W. 20 poles to a dead end; thence with
 H. Austin's line N. 48° E. 92 poles and 16 links to
 S. and O. S. Ballinger's; thence with said line S. 41° W.
 100 poles 3 links along said Warner Road; thence
 S. 81° W. 49 poles; thence S. 80° W. 19 poles; thence S.
 47° W. 17 poles to the place of the beginning.

Containing 85 acres and 15 poles, more or less
 Also, another tract of land situated in Logan
 County, State of Ohio, part of Virginia Military Survey No.
 3155; and bounded and described as follows:
 Beginning in the waters of Dasher Creek; Beginning at a
 stone in said Survey line and in the center of the
 road leading to East Liberty; thence N. 57° E. 34.3 poles
 to a stone in C. B. Austin's line and corner to
 J. Ballinger's land; thence with his line S. 40° E.
 36 poles to another corner of said Ballinger's land; thence
 with his line S. 50° W. 41.6 poles to a corner of J. B.
 Sharpe's lot; thence with his line N. 36 1/4° W. 9.2
 poles to a stone, also his corner; thence N. 88 1/4°
 W. 10 poles to the first mentioned road; thence with
 said road N. 34° W. 9 1/2 poles to the place of
 beginning, containing 10.12 acres, 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 10-day of November 1923, at
 1 o'clock P.M. Said Guardian will make due
 return showing how he served this order.

Witness my hand and the seal of said Court,
 at Marysville, Ohio, this 10-day of Oct. 1923.

W. H. Husted, Probate Judge
 Return of order.

Received this order, the 10-day of Oct. 1923.

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 County, Ohio
 Notice,

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vs. Thompson served. The same, thro' the Sheriff of Union County, vs. shown, hereon. Rosa D. Campbell Guardian

Return of Sheriff.

The State of Ohio, Union County. Received this writ October 10- 1923. at one o'clock P.M. and on the 10-day of Oct. 1923. I served the same by delivering a true copy thereof, personally to the within named Florence Rose Clark a minor, and as to said minor on the same day and at the same time I served a true copy of this writ on Rosa D. Campbell, personally, thro' the said Rosa D. Campbell, being the guardian of said minor, and with whom the said minor resides, said minor having no father or mother living.

Frank Gallier Sheriff

Order for Appraisement.

Probate Court Union County, Ohio.

Rosa D. Campbell, Adm. of
Florence Rose Clark, minor.

November 17th 1923.

No. 10183

Journal Entry.

Plaintiff

Florence Rose Clark, et al.

Order for appraisement.

Defendants.

This day this cause came on to be heard upon the petition prop. and exhibits, and the answer of the minor defendants, Florence Rose Clark, 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. It is therefore ordered, and adjudged by the Court, that the said premises be appraised by the oaths of Frank Gallier, C.C. Jarvis and D.W. Jordan 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.

W.H. Husted, Probate Judge, Waver.

The said Probate Court, Union County, Ohio. No. 10183

Rosa D. Campbell, Adm. of
Florence Rose Clark, minor.

Plaintiff

Florence Rose Clark, et al.

Waver

Defendants.

We, the undersigned, do hereby voluntarily enter our appearance, herein, waiving the issuing of process, and process in the above entitled cause, and consent that the said guardian sell 95 acres and 27 poles, more or less, situated in Logan County, State of Ohio and township of Zanes, and part Sunny no. 3155, 4th, now owned by the said Florence Rose Clark, a minor.

Notice for me --

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Waino

In the Probate Court, Union County, Ohio,
No. 10183

Rosa D. Campbell, Exr. of
Florence Rose Clark, minor
v. Plaintiff

Florence Rose Clark, et al.
Defendants.

Waino

The undersigned voluntarily enters appearance herein,
waino the issuing and service of summons, and
process in the above entitled cause, and consent that
the said guardian sell 95 acres and 27 poles, more or
less situated in Logan County, State of Ohio, and township
of Java and part of Sunny, No. 3155; and now owned by
the said Florence Rose Clark a minor.

L. Earl Clark,

application for appointment of guardian ad litem,
Probate Court, Union County, Ohio

Rosa D. Campbell, Exr. of
Florence Rose Clark, minor
v. Plaintiff

November 17th 1923.
application for

Florence Rose Clark,
Defendants.

guardian ad litem.

To the Hon. W. B. Truett, Judge of said Court:

The undersigned Rosa D. Campbell, makes application
for the appointment of a guardian ad litem for the
minor defendants, in the above entitled case.

The defendant Florence Rose Clark, being over the age
of 14 yrs and has been duly served with summons,
herein, and has neglected for more than twenty days
after the return of the same served upon her to
apply for a guardian ad litem. The undersigned
suggests that C. A. Hoopes, who is a suitable person be
appointed as such guardian ad litem.

Respectfully, Rosa D. Campbell.

Journal Entry, Probate Court, Union County, Ohio, November 17th 1923

Rosa D. Campbell, Exr. of
Florence Rose Clark, minor
v. Plaintiff

No. 10183

Florence Rose Clark, et al.
Defendants.

appointment of guardian ad litem.

This day Rosa D. Campbell, the plaintiff 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 Florence Rose Clark, is over the age of
fourteen years and has been duly and legally
served with summons, herein, and has neglected
for more than twenty days - after the return of the

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summons served on her to apply for a guardian ad litem, it is ordered, that C. A. Hoopes, be and he hereby is appointed Guardian for the suit, for said minor defendants.

and, now, comes the said C. A. Hoopes, and in open Court accepts said appointment. W. H. Husted, Probate Judge.

answ. of Guardian ad litem,

Probate Court, Union County, Ohio,
no. 10183

Rosa D. Campbell, Exr. of
Florence Rose Clark, in minor
v. Plaintiff

Florence Rose Clark, et al.
Defendants.

answ. of Guardian ad litem.

and, now comes the said Florence Rose Clark, the minor defendant, to the petition in said cause, by C. A. Hoopes, her Guardian ad litem, heretofore appointed in said cause by said Court and for answer to said petition deny all the material allegations herein contained, prejudicial to said minor defendant. They further say, that they are of tender years, and not acquainted with the law in such cases, and, therefore pray the Court, to protect their rights in this cause, and for such relief as may be just. Dated this 17-day of Nov. 1923.

Florence Rose Clark.

By, C. A. Hoopes, Exr. ad litem.

Order of Appraisement

The State of Ohio, Union County, ss.

Probate Court.

To Rosa D. Campbell, Exr.:

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 Florence Rose Clark, are Plaintiff and Florence Rose Clark et al. are Defendants, you are commanded by the oaths of Frank Collins, C. C. Jarvis, and S. W. Jordan, 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, to-wit: Situated in the township of Jewell, County of Logan, State of Ohio, and part of Virginia military survey no. 3155; Beginning at a stone near a culvert at the junction of the Frank and Middleburg and East Liberty Roads; thence N. 6° W. 43 poles to the corner of Sharp's land; thence with said Sharp's line N. 49° E. 60 poles; thence N. 63° W. 23 poles; thence N. 37° W. 20 poles, to a dead bush; thence with W. Austin's line N. 48° E. 92 poles and 16 links to S. and O. S. Ballinger's; thence with said line S. 41° E. 113 1/2 poles to a stone in

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the Warner Road; Thence S. 46° W. 100 poles 3 links
along said Warner Road; Thence N. 81° W. 49 poles
thence S. 80° W. 19 poles; thence S. 47° W. 17 poles
to the place of beginning, containing 85 acres ^{more or less}. Also another track situated in said County,
State and Survey, tract: Being on the waters
of Darky Creek. Beginning at a stone in said Survey
line land in the center of the road, leading to
East Liberty; thence N. 57° E. 39.3 poles to a stone
in C. C. Austin's line, and corner to J. Ballinger's land;
thence with his line S. 40° E. 36 poles to another corner
of said Ballinger's land; thence with his line S. 55° W.
41.6 poles to a corner of J. B. Hoopes's lot; thence with
his line N. 36 1/4° W. 9.2 poles to a stone, also his corner;
thence N. 88 1/4° W. 10 poles to the first mentioned road;
thence with said road N. 15° W. 13.3 poles to a stone;
thence with said road N. 34° W. 9 1/2 poles to the
place of beginning, containing 10.12 acres, more or less.
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 17-day of November A. D. 1923.
W. H. Husted Probate Judge -
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-day of Nov. 1923.
Rosa D. Campbell, Guardian.
Oath of appraisers.

The State of Ohio, Union County,
We, the undersigned appraisers, do make solemn oath
that we will, upon actual view, honestly and im-
partially appraise the within described real estate at its
fair cash value, and perform the duties required
of us in pursuance of the foregoing order.
Frank Bellis, C. C. Jarvis, S. W. Jordan appraisers
known to before me, and signed in my presence,
this 17-day of November, 1923.
Maud Pyles, Notary Public.

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: Three thousand
and 20/100 Dollars. Given under our hands, this 17-
day of November, 1923.
Frank Bellis, C. C. Jarvis, S. W. Jordan appraisers -

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Journal Entry: Orders Approving appraisement for Bond.
Probate Court, Union County, Ohio.

Rosa D. Campbell, Edm. of
Flonnie Rose Lask, minor
Plaintiff

November 17, 1923

Flonnie Rose Lask et al.

Defendants Orders for Bond. etc.

This day came the said Plaintiff by her attorney, and produced to the Court the report of an appraisement herein made by Frank Collier, G. L. Jarvis, and S. W. Jordan, 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 Rosa D. Campbell, execute within -- days, to the State of Ohio, a bond, with sufficient franchold, sureties, to be approved by the Court, in the sum of six thousand and no/100 Dollars, conditioned according to law, and this cause is continued

W. H. Husted, Probate Judge

Bond.

Know all men by these Presents: That we, Rosa D. Campbell, United States Fidelity and Guaranty Company, are here and, firmly bound unto the State of Ohio, in the sum of six thousand and no/100 Dollars, for the payment, of which we hereby jointly and severally bind ourselves, our heirs, executors and admors. Signed by us, and dated at Marysville, Ohio, this 17 day of November, 1923.

The condition of the above obligation is such, that whereas the above bound, Rosa D. Campbell, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Flonnie Rose Lask, minor, and, whereas the said Rosa D. Campbell, 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 three thousand and no/100 Dollars - and, whereas, said Court, on the 17 day of November, 1923, made an order requiring said Guardian to execute a bond according to the Statute in such cases made and provided.

Now, if the said Rosa D. Campbell, as Guardian aforesaid, shall faithfully discharge her 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.

Rosa D. Campbell,
United States Fidelity and Guaranty Company,
per F. M. Gilchrist, Agent.

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This Bond approved in open Court. This 17-day of November, 1923. ~~per~~ W. H. Husted, Probate Judge application to sell at Private Sale -

Probate Court, Union County, Ohio, no. 10183

Rosa D. Campbell, Edm. of Florence Rose Clark, Minor vs Plaintiff

Florence Rose Clark et al. Defendants

application

The said Plaintiff represents that it would be for the best interest of the said minor Florence Rose Clark and her estate, to sell the real estate described in petition in this case at private sale, for the following reasons: First, that it can be sold for cash, in full, in hand, on day of sale. Second, that it can be sold for the appraised value. Third, that to sell at private sale, will save the expense of advertising a public sale. Fourth, that the appraised value, \$3000.00 is all said real estate is reasonably worth. Now, she therefore asks for an order authorizing her to sell said real estate at private sale.

Rosa D. Campbell, Edm. of Florence Rose Clark, Minor

The State of Ohio, Union County

Rosa D. Campbell, being duly sworn, says, that the various matters set forth in the foregoing application are true, as she verily believes. Rosa D. Campbell,

known to before me, and signed in my presence, this 17-day of November, 1923. ~~per~~ Maud Pyles, Notary Public, Affidavit of Disinterested Persons.

The State of Ohio, Union County

R.C. Henry, F.W. Galloway 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 matters therein referred to, and, that it will be more for the interest of the said ward and estate to sell said real estate at private sale than at public sale - as they verily believe. R.C. Henry, F.W. Galloway,

known to before me, and signed in my presence, this 17-day of November, 1923. ~~per~~ Maud Pyles, Notary Public Journal entry. Order approving Bond for Private Sale - Probate Court, Union County, Ohio,

Rosa D. Campbell, Edm. of Florence Rose Clark, Minor vs Plaintiff

November, 17- 1923-

Florence Rose Clark, Minor vs Order of Sale - Defts

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This day this cause came - no further to be heard.

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and it appearing to the Court that the said Rosa D. Campbell, the plaintiff above named, has given bond as heretofore ordered, in the sum of six thousand and ^{no}/₁₀₀ Dollars, with 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 ward and estate to sell the real estate described in the petition at private sale. It is therefore further ordered, that said Rosa D. Campbell, as such, guardian proceed to sell said real estate at private sale, for not less than \$3000⁰⁰. 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. W. H. Husted Probate Judge.

Order of Sale

The State of Ohio, Union County,

Probate Court,

J. Rosa D. Campbell, Guardian, Petitioner:

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 Florence Rose Clark, minor are Plaintiff and Florence Rose Clark et al are Defendants, you are commanded to proceed, according to law, to sell at private sale, for not less than \$3000⁰⁰ the appraised value thereof, the following described premises, to wit:

located in the Township of Grove, County of Union, State of Ohio, and part of Virginia Military Survey No. 31.55:
 Beginning at a stone near a culvert at the junction of the Warner and Middleburg and East Liberty Roads; thence N. 6° W. 43 poles to the corner of Sharp's land; thence with said Sharp's line N. 49° E. 60 poles; thence N. 63° W. 23 poles; thence N. 37° W. 20 poles to a dead bush, thence with B. Austin's line N. 48° E. 92 poles and 16 links to S. and O. S. Ballinger's; thence with said line S. 41° E. 113¹/₂ poles, to a stone in the Warner Road; thence S. 46° W. 100 poles, along said Warner Road; thence N. 81° W. 49 poles; thence S. 80° W. 19 poles; thence S. 47° W. 17 poles to the place of beginning, containing 85 acres, and 15 poles, more or less, also, another tract in said County, state and Survey, to wit: Beginning on the waters of Daryl Creek, Beginning at a stone in said Survey line, and in the center of the road leading to East Liberty; thence N. 57° E. 39.3 poles to a stone in C. B. Austin's line and corner to J. Ballinger's land; thence with his line S. 40° E. 36 poles to another corner of said Ballinger's land; thence with his line S. 50° W. 41.6 poles to a corner of J. B. Sharp's lot; thence with

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Rosa D. Campbell
guardian
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Probate Judge
Probate Court.

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Survey, to wit:
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his line N. 36 1/4° W. 9.2 poles to a stone also his corner;
thence N. 88 1/4° W. 10 poles to the first mentioned road;
thence with said road N. 10° W. 17.3 poles - to a stone;
thence with said road N. 34° W. 9 1/2 poles to the place of
beginning. Containing 10.12 acres, more or less.

Said sale to be private and to be upon the following
terms: 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 17th day of November, A.D. 1923.
W. H. Kusted, Probate Judge -
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 17th day of November, 1923.
Rosa D. Campbell,
Report of Sale -

In obedience to the within order, I sold said premises
on the 17th day of November, 1923, to Elmer A. Shick for the
sum of three thousand and ^{no} 100 Dollars - said sum
being the appraised value of the same.

Rosa D. Campbell, Guardian, as aforesaid,
Dated the 17th day of November 1923.
The State of Ohio, Union County. The above
named Rosa D. Campbell, 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 she
could get for said property. Rosa, D. Campbell.

Sworn to before me and signed in my presence,
this 17th day of November, 1923. Maud Pyne Notary Public.
Journal Entry: Probate Court, Union County, Ohio, Nov. 17th 1923.

Rosa D. Campbell, as Guardian of
Florence Rose Clark, minor.
v-
Florence Rose Clark, et al.
Defendants.

This day this cause coming on to be heard on the
return of Rosa D. Campbell, Guardian, of the estate
of Florence Rose Clark, a minor, of her 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.

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confirmed: and it is further ordered, that said Rosa D. Campbell, as such Guardian, make to the purchaser, Elmer A. Shirk, a good and sufficient deed for the premises *pro* sold. It is further ordered that this proceeding be recorded, and that said Guardian pay the costs herein taxed \$-- W. H. Husted Probate Judge.

10159

10159

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

Filed
Oct. 16th 1923
Fackler
Fackler
Attys.

Dora E. Wood, administratrix
of the estate of Frank E. Wood, decd.
Plaintiff

no. 10159
Civil Action

Dora E. Wood,
Berma E. Wood,
Berma H. Wood.

Petition to Sell Real Estate
Petition

Defendants

The Plaintiff represents that she is the duly appointed and qualified administratrix of the estate of Frank E. Wood, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is more than one hundred dollars, as near as can be ascertained that the charges of administration of said estate will amount to about \$-- dollars; and that the total value of the personal estate of said deceased is but about seven hundred dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Frank E. Wood, died seized in fee simple of the following described real estate, situated in the County of Union, State of Ohio, and in the Township of Leetown, Part of Survey No. 1139, and bounded and described as follows: Beginning at a stone at the northeast corner of Elmer Harris' Land, and in the center of the Snyder Public Road; thence with the center line of said road 78° east, 49.15 poles to a stone at the north west corner of lands allotted to Walter Wood, and others; thence with said line South 13° 10' West 73.50 poles to a stone in the north line of subdivision allotted to Archie Wood, and others; thence with said line north 78° West 47.20 poles to the east line of said Harris' land; thence with said line north 11° 40' East 73.50 poles to the beginning, Containing 22 acres, more or less.

Schedule of Debts.

\$ 600 years allowance, \$ 300 funeral expense, \$ 300 mortgage

Plaintiff 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, and that the amount of said appraisement is \$ 2475.00 Total.

The said decedent died

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leaving Dora E. Wood, his widow who is entitled to dower in
said premises; that the defendants Glenna E. Wood and Lenna H.
Wood, both minors of the age of thirteen years, are the only
heirs at law of said decedent having the next estate of
inheritance from said Frank E. Wood, deceased, in said premises.

The Plaintiff therefore prays, that the dower of said Dora E.
Wood, in said premises, may be converted to money and be
paid to her out of the proceeds of sale, and, that your petitioner
may be authorized and ordered to sell said real estate free
from said dower, according to the statute in such case
made and provided, and for all other proper orders and
relief in the premises. Dora E. Wood.

The State of Ohio, Union County.

Dora E. Wood, 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.

Dora E. Wood.

Sworn to before me, and signed in my presence, this 16-
day of October, A.D. 1923. C. E. Fessler, Notary Public, Com. expires Oct. 1924.

Journal Entry: In the Probate Court of Union County, Ohio,
Dora E. Wood, Adm. of
The Estate of Frank E. Wood, Deceased
vs. Plaintiff

October 16th 1923.

Case No. 10159

Journal entry

Dora E. Wood, Glenna E. Wood, Lenna Wood,
Defendants. Filing Petition to Sell
Real Estate.

This day came the Plaintiff Dora E. Wood, Adm. of the
estate of Frank E. Wood, and presented to this Court her
petition, duly verified, praying an order for the sale of
real estate of the said Frank E. Wood, 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,
H. H. Keusted, Probate Judge

Summons on Petition to Sell Real Estate

The State of Ohio, Union County, Probate Court,
To Dora E. Wood, you are hereby commanded to
notify, Dora E. Wood, Glenna E. Wood, and Lenna H. Wood
(Dora E. Wood being the mother of Glenna E. & Lenna H. Wood)
who are minors, making service of this summons upon
said minors, and also upon the guardian, or father, or, if
neither guardian or father can be found, then upon the
mother, or the person having the care of said minors
or with whom they live, that on the 16-day of October

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1923. Dora E. Wood, Adm. of the estate of Frank E. Wood

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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 of said deceased, ⁱⁿ that they answer by the 24th day of November, 1923, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 5th day of November, 1923. Witness my hand, and the seal of said Court, this 22nd day of October, 1923. ^{W. H. Husted, Probate Judge.}

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The State of Ohio Union County

Received this writ October 22-1923, at 11 o'clock A.M., ^{was} on the days and in the manner hereinafter named, I served the same on the within named defendants.

Oct. 22-1923 on Emma E. Wood, ^{and} Emma B. Wood.

Oct 22-1923 on Dora E. Wood, the mother of the said minors Emma E. Wood and Emma B. Wood.

Dora E. Wood.

Answer of Widow.

In the Probate Court of Union County, Ohio

Dora E. Wood, Adm ^r of the Estate of Frank E. Wood, Deceased.	No. 10189
v. Plaintiff	answer of widow

Dora E. Wood, et al. Defendants Proceedings to Sell Real Estate.

And now comes Dora E. Wood, one of the defendants in the above entitled cause, and voluntarily enters her appearance, herein, and for answer to the petition in this case, filed, says: that she is the widow of said Frank E. Wood, deceased, and, as such is entitled to dower in the premises described in said petition; that her age is 49 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 of 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. Lackler ^{and} Lackler.

The State of Ohio Union County, ss.

Dora E. Wood, being duly sworn, makes oath that the facts stated in the foregoing answer are as she believes, true.

Dora E. Wood.

Sworn to by said Dora E. Wood, before me, and signed by her in my presence, this 14th day of November, A.D. 1923.

W. E. Lackler, Notary Public

Application for appointment of Guardian Ad Litem
Probate Court, Union County, Ohio

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November 15th A.D. 1923

Dora E. Wood, Adm. of the application for
Estate of Frank E. Wood, Dec'd. appointment of
Plaintiff

Dora E. Wood, Glenna E. Wood, ^{Minors} Guardian ad litem,
Lenna H. Wood. Defendants

To the Hon. W. H. Husted, Judge, of said Court:

The undersigned, Dora E. Wood, as mother of the
above minor children, makes application for the appointment
of a Guardian ad litem, for the minor defendants in the
above entitled case. The defendants Glenna E. Wood and
Lenna H. Wood are twelve, thirteen years of age and are
the only children of the deceased, and have been duly
served with summons herein, and have neglected for
a period of twenty days, to make application for a
guardian ad litem. The undersigned suggests that
Wate Moffitt who is a suitable person be appointed, as
such, Guardian ad litem. Respectfully, Dora E. Wood,

Journal Entry: Probate Court Union County, O. November 15th 1923.

Dora E. Wood, Adm. of the
estate of Frank E. Wood, Dec'd.

No. 10189

Plaintiff

appointment of

Dora E. Wood, Glenna E. Wood, Guardian ad litem,
^{Minors} Lenna H. Wood, Defendants

This day Dora E. Wood, mother of Glenna E. Wood ^{Minors}
Lenna H. Wood, appeared in open Court, and made
application for the appointment of a Guardian ad litem
for the minor defendants in this case. And in
appearing to the Court, that the defendants Glenna
E. Wood, and Lenna H. Wood, minor under 14 years
of age, have been duly and legally served with
summons herein, it is ordered that Wate Moffitt
be and he hereby is appointed Guardian for the
suit, for said minor defendants. And now
comes the said Wate Moffitt and in open Court
accepts said appointment. W. H. Husted, Judge

Answer of Guardian ad litem.

Probate Court, Union County, Ohio.

Dora E. Wood, Adm. of the
estate of Frank E. Wood, Dec'd
Plaintiff

No. 10189

Dora E. Wood, Glenna E. Wood ^{Minors} Answer of Minor Defendants,
Lenna H. Wood, et al.

Defendants

And now comes the said Glenna E. Wood, and Lenna
H. Wood, the minor defendants to the petition in said
Cause, by Wate Moffitt, their Guardian ad litem, heretofore,
appointed in said cause by said Court, and for

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answer to said petition deny all the material allegations herein contained, prejudicial to said minor defendants. They further say that they are of tender years and not acquainted with the law in such cases and therefore pray the Court to protect their rights in this cause and for such relief as may be just. *Germa E. Wood, Lura H. Wood.*

Dated this 16th day of November, A. D. 1923.

By *Walter L. Moffitt*, Guardian ad litem

Journal entry.

Probate Court, Union County, Ohio.

December 30th 1923.

Dora E. Wood, adx. of the estate of *Frank E. Wood*, dec'd
v. *Germa E. Wood, Lura H. Wood*, minors

Order of appraisement
Defendants

This day this cause came on to be heard upon the petition evidence and testimony of the plaintiff and the Court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process or 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 *Dora E. Wood*, widow of said *Frank E. Wood* is entitled to dower in said real estate; that said *Dora E. Wood* 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 for from her dower estate therein and the Court being satisfied that it is necessary to sell the real estate of said *Frank E. Wood*, described in the petition to pay his debts.

It is ordered that *Mr. M. Cameron, Wesley Elliott* and *L. F. Robinson* three suitable and judicious disinterested men of the vicinity of said real estate who are freeholders do and they hereby are appointed to appraise said lands at their true value in money for from the dower estate of said *Dora E. Wood*, therein.

It is further ordered that said appraisers be sworn, as required by law and after word upon actual view perform the duties required of them and make their return of their proceeding in writing to this Court on or before the 30th day of November, 1923. This cause is continued.

W. H. Trustad, Probate Judge

Order of Appraisement.

The State of Ohio, Union County ss.

Probate Court.

To *Dora E. Wood*, adx. of the estate of *Frank E. Wood*, 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 adx. of the estate of *Frank E. Wood*, are Plaintiff and *Germa E. Wood, Lura H. Wood*, et al

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Defendants, you are commanded, by the oaths of M. M. Cameron, Wesley Elliott and L. T. Robinson, 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 Dora E. Wood, Theminet: Cont: Part of Survey, No. 1139, and bounded ^{tho}, described as follows: Beginning at a stone at the north east corner of Elmer Harris' land, and in the center of the Snyder Public Road; thence with the center line of said road South 78° East 49.10 poles to a stake at the north west corner of lands allotted to Walter Wood and others; thence with said line South 13° 10' West 73.50 poles to a stone in the north line of subdivision allotted to Archie Wood and others; thence with said line north 78° West 47.20 poles to the east line of said Harris' land; thence with said line North 11° 40' East 73.50 poles to the beginning, containing the acres, more or less

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 24-day of Nov. 1923.

W. H. Husted, Probate Judge

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 foregoing bills attached, Dated the 29-day of November, 1923.

Dora E. Wood.

Cash of appraisers.

The State of Ohio, Union County.

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.

M. M. Cameron, Wesley Elliott, L. T. Robinson Appraisers

Known to before me, and signed in my presence, this 29 day of November, 1923.

W. H. Husted, Probate Judge

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 \$600 per acre, said price being the worth of the land, free from the dower of widow, Dora E. Wood.

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Given under our hands, this 29th day of November, 1923,
M. M. Cameron, Wesley Elliott, R. G. Robinson & appraisers,
Application to sell Real Estate at Private Sale -

10189

Dora E. Wood, admx. of the
Estate of Frank E. Wood, Decd.
Plaintiff

no. 10189

Glenn E. Wood, Lemna B. Wood et al.
Defendants

application

The said Plaintiff represents that it would be for the best interest of the said estate of Frank E. Wood, to sell the real estate described in the petition in this case at private sale, for the following reasons: It would eliminate the expense of public sale. The property is appraised at its full worth and the buyer has offered to pay this full appraisement price. It is the best offer. The admx. has been made and she therefore asks for an order authorizing her to sell said real estate at private sale.

Dora E. Wood, admx. of Est. of Frank E. Wood,

The State of Ohio, Union County

Dora E. Wood, being duly sworn, says that the various matters set forth in the foregoing application are true as she verily believes.

Dora E. Wood,

Sworn to before me, and signed in my presence, this 3rd day of Dec. 1923. *per* C. E. Fackler, Notary Public

Affidavit of Disinterested Persons

The State of Ohio, Union County

R. W. Fackler, and D. E. Ogden, 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 matters therein referred to, and that it will be done for the interest of the said Estate of Frank E. Wood to sell said estate at private sale than at public sale - as they verily believe. R. W. Fackler, D. E. Ogden.

Sworn to before me, and signed in my presence, this 3rd day of December, 1923. *per* C. E. Fackler, Notary Public,

Journal Entry: Probate Court, Union County, Ohio

Dora E. Wood, admx. of the
Estate of Frank E. Wood, Decd.
Plaintiff

December 3 - 1923.

Glenn E. Wood, Lemna B. Wood et al.
Defendants.
Order for Private Sale -

This day this cause came on to be heard upon the petition, evidence and testimony of the plaintiff, Dora E. Wood, admx. of the estate of Frank E. Wood. 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

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before the Court that the statements and allegations in said petition are true that said Frank E. Wood, deceased, did leave a widow, entitled to dower in the estate to be sold, and the Court being satisfied that it is necessary to sell the real estate of said Frank E. Wood, 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 Dora E. Wood as such aduor, 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 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.

W. H. Huasted, Probate Judge

Order of Sale - free from dower

The State of Ohio, Union County Probate Court,
To Dora E. Wood, as aduor, of estate of Frank E. Wood, dec'd. Petitioner;
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 aduor, of the estate of Frank E. Wood, are Plaintiff and Elmer E. Wood and Lenna H. Wood, Dora E. Wood, 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 Dora E. Wood, widow of Frank E. Wood, dec'd., the following described premises, to wit:

Part of Survey # 1139, Beginning at a stone at the North east corner of Elmer Harris' land, and in the center of the Snyder Public Road; thence with the center line of said Road South of 8 East 49.10 poles to a stone at the Northwest corner of lands allotted to Walter Wood and others; thence with said line South 13° 10' West 73.50 poles to a stone in the north line of sub-division allotted to Archie Wood, et al, others. Thence with said line North 78 West 47.20 poles to the east line of said Harris' land; thence with said line North 11 40 East 73.50 poles to the beginning containing 22 acres, more or less.

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 Mansville, Ohio, this 3-day of Dec. 1923.

W. H. Huasted, Probate Judge

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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 foregoing exhibits attached. Dated the 4. day of December, 1923.

Dora E. Wood, admx.

Report of Sale

In obedience to the within order, I sold said premises on the 4- day of December, 1923, to John C. and Stella A. Wood, for the sum of Thirteen Hundred and Twenty (\$1320.00) Dollars, said sum being the appraised value of the same.

Dora E. Wood, admx. of est. of Frank E. Wood

Dated December 4th 1923.

The State of Ohio Union County.

The above named, Dora E. Wood, admx. of the estate of Frank E. Wood, Decd 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 she could get for said property.

Dora E. Wood.

Known to before me, and signed in my presence, this 4- day of December, 1923, C. E. Fackler, Notary Public.

Journal entry: Probate Court, Union County, O., December 5th 1923
Dora E. Wood, ad. admx. of the Estate of Frank E. Wood, Decd. Plaintiff
Proceedings to sell Real Estate.

Stella E. Wood, Lenna B. Wood, Minor Defendants. Confirming Sale

This day, this cause coming on to be heard, on the return of Dora E. Wood, admx. of the estate of Frank E. Wood, deceased, of her 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 Dora E. Wood, as such admx. make to the purchaser, John C. and Stella A. Wood, a good and sufficient deed for the premises so sold. It is further ordered, that this proceeding be recorded, and that said Dora E. Wood, pay the costs herein taxed.

W. H. Husted Probate Judge

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio

A. D. Panslo, Administrator of the estate of Allen Leback, deceased.

Plaintiff

No 10190
Civil Action.

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Oct. 16-1923

Fackler and Fackler attys.

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Mary Jane Reading; Nancy Sewell; Nathan Sewell; Lucy Leck, Geo. W. Leck, Margaret Leck, Mary Finch, Ira Finch, Effie Loy, W. C. Loy, A. J. Pettit, Daisy Robinet, Fred Robinet, Hazel Peria; Viola Pettit; Irene Pettit, Ruth Pettit; Beatrice Pettit, Thomas Zuchariak, George Zuchariak, Catherine Zuchariak, Lola Leck, George Leck, Ida May Leck, Ida Robinson, Guy Robinson, Harry Leck, Maude Leck, Edward Leck

Defendants.

Petition to Sell Real Estate.

Petition.

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Ellen Leck, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is six hundred dollars, as near as they 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 four hundred dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Ellen Leck, died seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, ^{and} in the village of Richwood, to wit: Being all of lot number (189) one hundred and eighty nine in John A. Cook's addition to said village of Richwood, in said County and State. For a more specific description of said lot, reference is hereby made to the recorded plat of said addition on record in the Recorder's office, at Marietta, Ohio.

Schedule of Debts.

Appraiser S. P. Sanders 2.00; Geo. Spring 2.00; J. E. Langstaff 2.00; Funeral expenses S. P. Sanders 7.85; Court Costs W. H. Knotted 14.75; Misc. Maria Jane Reading 200.00; Auto, A. D. Parish 2.00; Taxes 5.24; Monument 100.00 Total \$ 512.99 Taxes 28.68. \$ 541.67.

Plaintiff 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, and that the amount of said appraisement is three hundred dollars. The said decedent, died leaving the defendants, Maria Jane Reading, and Nancy Sewell, sisters, Lucy Leck, sister in law and Geo. W. Leck, Mary Finch, Effie Loy, nephews ^{and} nieces, ^{and} Daisy, Hazel, Viola, Irene, Ruth and Beatrice Pettit; grand nieces, and George and Catherine Zuchariak, grand nephews, and grand niece, George Leck, Ida Robinson nephew and niece, and Harry Leck and Edward Leck, nephews, ^{and} Margaret Leck, Ira Finch, W. C. Loy, Fred Robinet,

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Maudie Clark, an husband and wife of above heirs, are the only heirs at law of said decedent, having the next estate of inheritance from said Ellen Clark, deceased, in said premises. The Plaintiff, therefore prays, 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 all other proper orders, and relief in the premises.

A. D. Parish.

The State of Ohio, Union County.

A. D. Parish, the juror 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. D. Parish.

Sworn to before me, and signed in my presence, this 16-day of October A. D. 1923. L. P. Tucker, Notary Public, Com. Exp. Oct. 3, 1924. Journal Entry: In the Probate Court of Union County, Ohio, A. D. Parish Adm. of the Estate of Ellen Clark, Plaintiff, Journal entry. Maria Jane Reading et al. Defendants. Filing Petition to Sell Real Estate.

This day came the Plaintiff A. D. Parish adm. of the estate of Ellen Clark, and presented to this court his petition, duly verified, praying, an order for the sale of real estate of the said Ellen Clark, 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 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.

W. H. Husted, Probate Judge.

Summons, on Petition to Sell Real Estate

The State of Ohio, Union County, Probate Court, To the Administrator of the Estate of Ellen Clark, deceased, you are commanded to notify Maria Jane Reading, Nancy Sempley, Nathan Sempley, Lucy Clark, George W. Clark, Jr., Margaret Clark, Mary Finch, Dan Finch, Effie Loy, Mc Loy, A. J. Pettit, Daisy Robinet, Fred Robinet, Hazel, Viola, Irene, Ruth and Beatrice Pettit, Thomas Zachariah, George and Catherine Zachariah, Lola Clark, George Clark, Ida May Clark, Ida Robinson, Guy Robinson, Harvey Clark, Maudie Clark, Edward Clark, and wife. The 16-day of October 1923, A. D. Parish, adm. of the estate of Ellen Clark, 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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Com. Exp. Oct. 3rd 1924,
County, Ohio,
No. 10190

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Mc Loy,
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in said petition described, for the purpose of paying
debts, that unless they answer by the 2nd day of
Dec. 1923, said petition will be taken as true, and an
order granted, accordingly. Said answer will make due
return of this writ on the 27th day of November, 1923.
Witness my hand and the seal of said Court, this 16-
day of October, 1923. *W.H. Husted*, Probate Judge
Waiver of Summons.

Probate Court, Union County, Ohio
A. D. Parish, admr. of the Estate of Ellen Clark, dec'd
vs. Plaintiff
Maria Jane Reading, et al. Defts.
vs. Plaintiff
The undersigned parties Defendant, to the Petition in the
above entitled action, do each of us, hereby waive the
issuing and service of Summons, and voluntarily enter our
appearance as such Defendants, and we do hereby
consent to the sale of the Real Estate described in the
petition in said action according to the prayer of the
same. H. O. Lively; George W. Clark; Maria J. Reading;
Ida May Robertson; William Guy Robertson; Harry E.
Clark; Maude Clark; Edward C. Clark; Maude J. Clark;
Effie F. Loy; Lucy Clark; Maggie Clark; George Clark.
A. J. Pettit; H. C. Loy.

Application to Sell Real Estate at Private Sale.
Probate Court, Union County, Ohio,
No. 10190
A. D. Parish, admr. of the Estate of Ellen Clark, Dec'd
vs. Plaintiff
Maria Jane Reading, et al. Defendants
vs. Plaintiff

The said Plaintiff represents that it would be for the
best interest of the said estate of Ellen Clark to sell at
private sale the real estate, described in the petition
for the following reasons: The property is appraised
at \$300 and this amount has been offered to the
admr. by the buyer. The expense of public sale would be
avoided. The purchase price is all that can be
expected to be obtained for the property. And he
therefore asks for an order authorizing him to sell
said real estate at private sale. A. D. Parish,
admr. of estate of Ellen Clark, Dec'd.

The State of Ohio, Union County.
A. D. Parish, being duly sworn, says that the various
matters set forth in the foregoing application are true
as he verily believes. A. D. Parish, admr.
known to before me, and signed in my presence, this 3-
day of Dec. 1923. *W. E. Gaskler*, Notary Public

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affidavit of Disinterested Persons.

The State of Ohio, Union County, Geo. Y. Arthur and Paul E. Arthur 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 Ellen Clark, to sell said real estate at private sale than at public sale as they verily believe. Geo. Y. Arthur, Paul E. Arthur.

Known to inform me, and signed in my presence, this 3-day of Dec- 1923 B. E. Fackler, Notary Public.

Journal entry: Probate Court, Union County, Ohio. December 3- 1923, A. D. Parish, Adm. of the estate of Ellen Clark, Decd. Plaintiff

maria Jane Reading, Nancy Lemlynn - Order for Private Sale - v. et. in Defendants.

This day, this cause came on to be heard upon the petition, evidence and testimony of the plaintiff 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 Ellen Clark, 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 found hereby is dispensed with, and the Court, being satisfied that it is necessary to sell the real estate of said Ellen Clark, 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. D. Parish, 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 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.

W. H. Husted, Probate Judge.

Order of Sale -

The State of Ohio, Union County, Probate Court, Meeting: To A. D. Parish, adm. of estate of Ellen Clark, Decd. In obedience to an order of the Probate Court, within and for said county, made this day, in a certain cause, wherein you as adm. of estate of Ellen Clark, are

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Plaintiff, ^{vs.} Maria Jane Reading 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 doer. The following described
 premises, to wit: Being all of lot number (189) one
 hundred eighty nine in John A. Cook's addition to
 village of Richmond, in said county and state. For a
 more specific description of said lot, reference is hereby
 made to the recorded plat of said addition on record,
 in the Recorder's office at Marysville, Ohio. 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 Marysville, O.
 this 3-day of Dec- 1923. ^{Wm. H. Husted, Probate Judge}

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 thereto attached - Dated the 5 day of Dec. 1923.
 A. D. Parish -

Report of Sale -

In obedience to the within order, I sold said
 premises on the 5-day of December, 1923 to William
 Ballouay for the sum of Three Hundred Dollars -
 said sum being the appraised value of the same -
 A. D. Parish, admr. of est. of Ellen Clark, Decd.

Dated the 5th day of December, 1923.
 The state of Ohio, Union County,
 The above named, A. D. Parish admr. of estate of
 Ellen Clark, 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. D. Parish.

Sworn to before me, and signed in my presence, this
 5-day of Dec - 1923. ^{Wm. C. E. Fackler, Notary Public}
 Journal Entry, Probate Court, Union County, O. Dec. 6th, 1923.
 A. D. Parish, as Admr. of Proceeding P. de Real Estate
 Estate of Ellen Clark, Decd. Plaintiff

Maria Jane Reading et al. Defts Confirming Sale -
 This day this cause coming on to be heard on the
 return of A. D. Parish, admr. of the estate of Ellen
 Clark, 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

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that the same be and hereby is approved, and confirmed and it is further ordered that said W. D. Parish as such adm. make to the purchaser William Ballouay a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said W. D. Parish pay the costs herein taxed at \$- -

W. H. Husted Probate Judge

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Filed

Petition for Sale of Real Estate, to Pay Debts.

Probate Court, Union County, Ohio

No. 10197.

Civil action

Oct. 30-1923
C. A. Hoopes
att'y.

Noah S. Green, Executor
of the Estate of Joseph T. Green, Deceased.

Plaintiff

Anna S. Green, widow of Joseph T. Green,
Noah S. Green, Fannie Ballouay,
Eugene Shaw, Mattie Hoyle, Tony E. Green,
Elsie Schappel.
Defendants.

Petition to sell Real Estate

Petition

The Plaintiff represents that he is the duly appointed and qualified Executor of the estate of Joseph T. Green, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is about Fifteen Hundred Dollars, as near as they can be ascertained. Consisting of a note payable to Fannie Ballouay for \$1,000.00 and interest and of expenses of last sickness, funeral expenses, etc. that the charges of administration of said estate will amount to about fifty dollars; and that the total value of the personal estate and effects of said deceased is but about Two Hundred Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Joseph T. Green, died seized in fee simple of the following described real estate, situated in the County of Union State of Ohio, and in the village of Mansfield town: Being all of Lot no. 428, its present number, or 411, its original number in Treatner's addition to the village of Mansfield.

For a more definite description reference is made to the Plat and records of said Addition in the office of the Recorder of Union County, Ohio. And also hereby giving access to a well, situated on the adjoining lot no. 429 which well is intended for the use of the said two premises.

Plaintiff 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, and that the amount of said appraisement is Seventeen Hundred Dollars.

The said decedent died leaving the defendant Anna S. Green, his widow who is entitled to dower in said premises; that the defendants Noah S. Green, Fannie

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v. Confirmed
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Calhoun, Inez Shaw, Mattie Fogle, Tony E. Green, and
Grace Chappell, are the only children and heirs of
said decedent having the next estate of inheritance
from said Joseph T. Green, deceased, in said premises.
The Plaintiff therefore prays that the dower of said
Anna S. Green, in said premises may be assigned and
set off to her; that the rights, interests and liens of the
same may be fully determined, adjusted, and protected accord-
ing to equity, and that your petitioner may be au-
thorized and ordered to sell said real estate free from
said dower, according to the statute in such case
made and provided, and for all other proper orders, relief
in the premises, Noah S. Green, executor of Est. of Jos. T. Green
The State of Ohio, Union County.
Noah S. Green, 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. Noah S. Green
Sworn to before me and signed in my presence, this 27-
day of October, A.D. 1923. C. W. Korfes, Notary Public.

Wainor
Probate Court, Union County, Ohio
Noah S. Green, Plaintiff No. 10197
v.

Anna S. Green, et al, Defendants Wainor -
We, the undersigned parties Defendants, to the Petition in the
above entitled action, do each of us hereby waive the
issuing and service of summons, and voluntarily enter
our appearance, as such Defendants, and we do
hereby consent to the sale of the Real Estate described
in the petition in said action according to the prayer
of the same, Oct. 29, 1923. Inez E. Shaw, Mattie Fogle,
Noah S. Green, Fannie Calhoun, Tony E. Green, Grace M. Chappell.

Wainor of Widow.
In the Probate Court of Union County, Ohio
Noah S. Green, Executor of The Estate of Joseph T. Green, Dec'd. Plaintiff
No. 10197
Wainor of Widow.

Anna S. Green, et al, Defendants. Proceedings to Sell Real Estate,
and now comes Anna S. Green, 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 Joseph T. Green, deceased, and, as such
is entitled to dower in the premises described in
said petition; that her age is 53 years - that she
consents to the sale of the real estate of said
decedent, as prayed for, and that she waives the

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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, that the value of such dower estate may be allowed^{to} be paid her in money out of the proceeds of such sale, as the Court may deem reasonable. Anna S. Green.

The State of Ohio, Union County, ss.

Anna S. Green, being duly sworn, makes oath that the facts stated in the foregoing answer are, as she believes, true. Anna S. Green.

Sworn to by said Anna S. Green, before me, and signed by her in my presence, this 2nd day of November, 1923.

Robert W. Howard, Notary Public.

Journal Entry: Probate Court, Union County, Ohio

Wash. S. Green, Executor, of Estate of Joseph T. Green, Deed Plaintiff

Nov. 5th 1923

Anna S. Green, et al.

order of appraisement.

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, and that the statements and allegations in said petition are true that said Anna S. Green, widow of said Joseph T. Green is entitled to her dower in said real estate; that 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 it is necessary to sell the real estate of said Joseph T. Green, described in the petition to pay his debts, It is ordered, that F. M. Belmont, Glen Odine, and Adele Cheney, 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 Anna S. Green, therein.

It is further ordered, that said appraisers be sworn as required by law, and afterwards, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, ^{for} this cause is continued.

W. H. Husted Probate Judge

Journal Entry: In the Probate Court of Union County, Ohio, Oct. 30th 1923.

Wash. S. Green, Executor, Plaintiff

Anna S. Green, et al. Defts.

Filing Petition for Real Estate.

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This day came the Plaintiff Noah S. Green, Jr. presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Joseph T. Green, 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.

W. H. Husted, Probate Judge

Order of appraisement

The State of Ohio, Union County, ss. Probate Court.
To Noah S. Green, Kuehling: In obedience to an order and decree of the Probate Court, and for said County, made this day in a certain cause, wherein you, as executor of the Estate of Joseph T. Green, are Plaintiff and Anna S. Green, et al. are Defendants, you are commanded that by the oaths of F. M. Gilouat, Glen Kline and Adèle Cheney, 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 Anna S. Green, therein, to wit:

Being all of lot no. 428, its present number, or, 411, its original number in Leech water's Addition to the village of Mansfield. For a more definite description reference is made to the Plat and records of said addition in the office of the Recorder of Union County, Ohio, and, also hereby convey access to a well situated on the adjoining lot no. 429, which well is intended for the use of the said two premises.

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-day of November A.D. 1923.

W. H. Husted, Probate Judge
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-day of November, 1923.
Noah S. Green,

Oath of appraisers

The State of Ohio, Union County.
We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impar-

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they appraise the within described real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order. F.M. Kilcast, Glenn L. Cline, Adelle Cheney, sworn to before me, and signed in my presence, this 5th day of Nov. 1923.
 C. A. Hoopes, Notary Public

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, free from said decedent estate of Anna S. Green. Given under our hands, this 5th day of November, 1923.
 F. M. Kilcast, Glenn L. Cline, Adelle M. Cheney, appraisers

Application To Sell Real Estate at Private Sale

Probate Court, Union County, Ohio.

no. 10197 application

Noah S. Green, Ex. of Estate of Joseph T. Green, Plaintiff
 Anna S. Green, et al. Defendants

The said Plaintiff represents that it would be for the best interest of the said Noah S. Green, to sell the real estate described in the petition in this case at private sale, than public, for the following reasons: That said property can be sold for more money at private than at public sale. and he, therefore asks, for an order authorizing him to sell said real estate at private sale. Noah S. Green, Executor.

The State of Ohio, Union County.

Noah S. Green, executor, being duly sworn, says, that the various matters set forth in the foregoing application are true as he verily believes
 Noah S. Green

sworn to before me, and signed in my presence this 10th day of November, 1923
 C. A. Hoopes, Notary Public.

Affidavit of Disinterested Persons.

The State of Ohio, Union County.

W. F. Bodrick, and C. C. Jarvis, 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 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.
 W. F. Bodrick, C. C. Jarvis.

Sworn to before me, and signed in my presence, this 5th day of November, 1923.
 C. A. Hoopes, Notary Public.

Journal Entry:
 Noah S. Green, Executor, of The Estate of Joseph T. Green, Deceased
 Plaintiff

Probate Court, Union County, Ohio.
 November 5th 1923.

p.
 Anna S. Green, et al.
 Defendant

order for Private Sale - etc.

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Cline, Adelle Cheney,
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Cheney, appraisers
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this 5th day
Ohio,
1923.

Sale - etc.

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This day this cause came on to be heard upon, the petition, evidence, 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 the Court being satisfied that it is necessary to sell the real estate of said Joseph T. Green, 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 Noah S. Green, as, such, Executor 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,

W. H. Husted, Probate Judge

Order of Sale - Free dower.

The State of Ohio Union County Probate Court.
To Noah S. Green 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, Joseph T. Green, are Plaintiff and, Anna S. Green, 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 the dower of, Anna S. Green, widow of Joseph T. Green, deceased, the following described premises, to wit: Being all of lot, no. 428, its present number, or, 411 its original number in Freshwater addition to the village of Marysville for a more definite description reference is made, to the Plat and records of said Addition in the office of the Recorder of Union County, Ohio, and, also, hereby coming across to a well situated on the adjoining lot no. 429, which well is intended for the use of, the said two premises. Said sale to be to the highest and best bidder and to be upon the following terms: cash in hand on date 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 5th day of November, 1923.

W. H. Husted, Probate Judge

Return.

To the Probate Court of Union County, Ohio:
In obedience to the foregoing order, I have caused

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the same to be duly executed, as will fully appear by the proceedings hereto attached. Dated the 10 day of Nov. 1923.
Noah S. Green,

Report of Sale-

In obedience to the within order, I sold said premises on the 10-day of Nov. 1923, to Fannie Calhoun, for the sum of \$1500.00 Fifteen Hundred Dollars, said sum being the appraised value of the same. Noah S. Green, Ex. of Est. of J. S. Green. Dated the 10 day of November, 1923.

The State of this Union County. The above named Noah S. Green, 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. Noah S. Green, Ex. of Est. of J. S. Green, appeared before me, and signed in my presence, this 10-day of November, 1923. C. A. Koopes, Notary Public.

Consent,

In the Probate Court, Union County, Ohio,
Case No. 10197

Noah S. Green, Ex. of the Estate of J. S. Green, Decd.
Plaintiff

Consent,

Anna S. Green, et al, Defts.

now comes, Anna S. Green, widow, and consents that the proceeds of the sale of said property after the payment of taxes and costs, be applied to the payment of a note for \$1000.00 executed by Noah S. Green, and myself to Fannie Calhoun, and I waive any claim of dower and year's allowance, until after said note is fully paid. Anna S. Green.

Journal entry: Probate Court, Union County, O. Nov. 16-1923.

Noah S. Green, Ex. of the Estate of Joseph T. Green, Decd.

Plaintiff

Confirming Sale-

Anna S. Green, et al, Defts.

This day this cause coming on to be heard, on the return of Noah S. Green, ex. of the estate of Joseph T. Green, 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 Noah S. Green, as such Executor, make the purchaser, Fannie Calhoun a good and sufficient deed for the premises so sold. It is further ordered, that this proceeding be recorded, and that said Noah S. Green, pay the costs \$38.00. W. H. Trustad, Probate Judge.

10203
Filed

Nov. 10-1923

J. B. Kinkade, atty.

10203
Files

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

Nov. 10-1923

J. H. Kinkade,
atly.

Samuel T. Campbell, Executor,
of the will of Thomas Campbell, Deceased,
vs. Plaintiff

no. 10203.

Civil action

Erma Campbell, Samuel T. Campbell,
Luella Campbell, John E. Campbell,
Nettie Campbell, Elmer K. Campbell,
Lottie Campbell, Walter H. Campbell,
Oliver Campbell, Kenneth Campbell,
Della Campbell, Joseph Campbell,
Rae Campbell, Annie Ready, ^{Surv.}
M. D. Ready. Defendants.

Petition
to

Sell Real Estate

Petition.

The Plaintiff represents that he is the duly appointed and qualified executor of the will and estate of Thomas Campbell, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is about one thousand 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 One Hundred Thirty-three dollars, being wholly insufficient to pay the debts and costs insofar as the Plaintiff further represents that said Thomas Campbell did seized in fee simple of the following described real estate, situate in the County of Union, and State of Ohio, to-wit: In the townships of Duxbury and Taylor, and part of Sunnys, Nos. 5506, and 5507, and bounded and described as follows: Beginning at a stone in the center of the Mansville, and Pharisburg Main Road, north-west corner to lands formerly owned by Lewis Clark, thence with a line of said land N. 82³/₄ E. 94.72 poles to a stone corner, to lands formerly owned by James K. Abraham; thence with a line of said land N. 2¹/₄ W. 74.24 poles to a stone corner to said lands in a road, and in a road, and in the south line of lands formerly owned by James Bluggay; thence with said Road and line S. 82³/₄ W. 55.24 poles to a stone and brick in the center of said Mansville and Pharisburg Main Road; thence with the center of said Road N. 23³/₄ E. 49 poles to a stone and brick; thence N. 88¹/₂ W. 60.76 poles to a stone and brick in the line dividing Sunnys Nos. 5506, and 5507; thence with said line N. 6¹/₄ W. 45.56 poles to a stone corner to lands formerly owned by G. W. Mackling; thence with two consecutive lines of said land S. 79³/₄ W. 75 poles to a Beech ^{tree}, thence S. 6³/₄ E. 108 poles to a stone (witnessed by a Dogwood and Ironwood in the line of lands formerly owned by Joseph Simpson; thence with said line N.

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82 1/4° E. 73.40 poles to a stone, one of said Simpson's corners; thence, with another of the lines of the Joseph Simpson lands, S. 8 1/4° E. 42.20 poles to a stake in the center of the said Manville or Pharisburg Grant Road; thence with the center of said Road, S. 25° W. 18.35 poles to the beginning, containing 106.50 acres, more or less, subject to the rights, privileges (and) estate in one-half acre, granted by Levi Keraw, and Caroline W. Keraw, his wife to The Blues Baptist Congregational Church.

The said decedent, died leaving the defendants: Emma Campbell, Samuel T. Campbell, John E. Campbell, Elmer C. Campbell, Walter M. Campbell, Joseph Campbell, and Arris Ready, his children, and the defendant Kenneth Campbell (minor) (his grandson, as the only heirs of said decedent, having the next estate of inheritance from said Thomas Campbell, deceased, in said premises, that the defendants: Lurita Campbell, Nettie Campbell, Lattie Campbell, Otis Campbell, Della Campbell, Rose Campbell, were the daughters in law, of said decedent and said defendant G. D. Ready, a son in law. That said minor said Kenneth Campbell, has a legal guardian, to wit, Della Campbell (his mother) That said Thomas Campbell, died leaving as his widow Sarah Campbell, who died November 3-1923. The Plaintiff therefore prays 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.

Samuel T. Campbell Ex. of est. of Th. P. Campbell,
The State of Ohio, Union County, ss.

Samuel T. Campbell, 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.

Sworn to before me, and signed in my presence, this 10-day of November, 1923.

Journal entry;	In the Probate Court, of Union County, Ohio
Samuel T. Campbell, Ex.	Nov. 10 th 1923.
of the est. of Th. P. Campbell, Dec'd.	Nov. 10 th 1923
v. Plaintiff	Journal entry.
Emma Campbell et al,	Filing Petition to Sell Real Estate
Defendants.	

This day came the Plaintiff Samuel T. Campbell, Executor of the estate of Thomas Campbell, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Thomas Campbell, dec'd, to pay the legacies 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

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of the filing, jurisdiction, 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.

W. H. Busted, Probate Judge.

Wainor

Probate Court, Union County, Ohio,
No. 10203

Samuel T. Campbell, Executor,
of the will and estate of
Thomas Campbell, Deceased.
vs. Plaintiff

Wainor

Emma Campbell, et al. Defendants

We, the undersigned, parties Defendant, to the Petition in the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such Defendants. And, we do hereby consent to the sale of the Real Estate described in the petition according to the prayer of the same.

Nov. 17-1923. Walter H. Campbell, Oliver H. Campbell

Wainor

Probate Court, Union County, Ohio,
No. 10203

Samuel T. Campbell, Ex. of
The Estate of Thomas Campbell, Deceased.
vs. Plaintiff

Wainor

Emma Campbell, et al. Defts.

We, the undersigned parties Defendant to the Petition in the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

November 20- A. D. 1923. Emma Campbell.

Samuel T. Campbell, Lucilla W. Campbell, John E. Campbell,
Nether E. Campbell, Elmer H. Campbell, Lottie L. Campbell.

Wainor

Probate Court, Union County, Ohio,
No. 10203.

Samuel T. Campbell, Ex. of
Will of Thomas Campbell, Deceased.
vs. Plaintiff

No. 10203.

Emma Campbell, et al.

Wainor

Defendants.

We, the undersigned parties Defendant, to the Petition in the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such Defendants, and we do hereby consent to the sale of the Real

10203

Estate described in the petition in said action according to the prayer of the same. December, 1923, Mrs Rose Campbell subscribed and sworn to before me, this 19 day of Dec- 1923, my commission expires Feb. 21-1927. Simon Quist Notary Public in and for the City and County of Denver, State of Colorado.

Wainor
Probate Court, Union County, Ohio.

Samuel T. Campbell, Exr of the will and estate of Thomas Campbell, deceased.

No. 10203

Plaintiff
Wainor

Emma Campbell, et al. Defendants.

We, the undersigned parties Defendant, to the Petition in the above entitled action, do each of us, hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such, Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

November 28-1923. Joseph H. Campbell.

Wainor
Probate Court, Union County, Ohio

Samuel T. Campbell, Exr of the will and estate of Thomas Campbell, deceased.

No. 10203

Plaintiff
Wainor

Emma Campbell, et al. Defs.

We, the undersigned parties Defendant, in the Petition in the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such, Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

December, 7-1923, Annie Ready, Geo. B. Ready, By Kate L. Moffitt, Their attorney.

Wainor
Probate Court, Union County, Ohio.

Samuel T. Campbell, Exr of the will and estate of Thomas Campbell, deceased.

No. 10203

Plaintiff
Wainor

Emma Campbell, et al. Defs.

We, the undersigned parties Defendant, to the Petition in the above entitled action, do each of us, hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such, Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action, according to the prayer of the same.

November, 24-1923. Mrs Della Campbell.

10203

Copy of Papers -

State of Colorado, City and County of Denver.

In the County Court, no. 5-895-6

Rose Campbell, Plaintiff vs. Joseph Campbell, Deft., Stipulation
It is hereby stipulated by, and between the parties, plaintiff and defendant, to the above entitled cause, through and by their respective attorneys: That the defendant Joseph Campbell, shall pay at once the sum of fifty dollars, to apply on Plaintiff's attorney fees, and the costs of the proceedings; That said defendant make further payments of \$25- monthly, beginning the 24-day of September, A.D. 1920, toward the support of their three minor children. That upon the making and keeping up the above named payments, said defendant is to be released from any other or further liability in the premises: and that said defendant is not to be asked for further alimony in the premises.

W. G. Alexander, atty. for Plaintiff. W. J. Mayo, atty. for Defendant.
Signed in Duplicate this 11-day of October, 1920.

State of Ohio, Union County ss.

I do hereby certify that the above and foregoing is an exact and true copy of the original Stipulations executed in divorce proceedings between Joseph Campbell and wife Rose Campbell, in case no. 5-895-6, in the County Court of the County of Denver, Colorado.

John H. Kirkade.

Sworn to and subscribed before me, this 3-day of Dec. 1923.

W. H. Husted, Probate Judge

affidavit to obtain service by Publication
Probate Court Union County, Ohio.

Samuel T. Campbell, Ex. of. no.

The last Will & Testament of.

Thomas Campbell, deceased, affidavit to obtain

service by Publication

The State of Ohio, Union County ss.

Samuel T. Campbell - the said Plaintiff, being sworn, says that the Defendant, Kenneth Campbell, is a minor, of the age of -- years, and his legal guardian, if any are, non-residents of Ohio, and that service of summons on them cannot be made in this State; that the residence of said Kenneth Campbell, and his Guardian, if any, is 171 N. W. 1st av., Elm Grove, West Virginia. That the defendants Joseph Campbell and his wife Rose Campbell (his divorced wife) are non-residents of Ohio, and that service of summons on them cannot be made in this State. That the residence of said Joseph Campbell, and former wife, Rose Campbell

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is Glenwood Springs Colorado, (That if she has remained her name and residence are to affiant unknown, that the residence of the Defendants Arriva Ready, and her husband, G.D. Ready, are non-residents of this state, that service of summons on them cannot be made in this State that the residence of said Arriva Ready and G.D. Ready is Rifle Colorado. That the case is one of those mentioned in Section 5345 of the Revised Statutes of this.

Sumner T. Campbell
 known to before me, ^{was} signed in my presence, this 1-
 day of Dec- 1923, ^{W.H. Husted} Probate Judge
 Journal entry Probate Court, Union County, this,
 Sumner T. Campbell, Ex. of. December 1- 1923
 Thomas Campbell, Dec.
 Plaintiff

orders.
 Emma Campbell, et al. Deft. Service by Publication
 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 Defendants, Kenneth Campbell, Joseph Campbell, Ross Campbell, Arriva Ready and G. D. Ready are non-residents of this state that service of summons on them cannot be made in the State; that the residence of said Kenneth Campbell's Guardian if any, is Elm Grove, W. Va., the residence of Kenneth Campbell is 171 Colby Ave., Elm Grove, W. Va., that the residence of said Joseph Campbell ^{and} Ross Campbell is Glenwood Springs, Colorado, ^{and} that the residence of Arriva Ready and G.D. Ready is Rifle Colorado, that service of summons on such defendants cannot be made, it is ordered that proceedings against said heirs be had

It is ordered that the publication be made for six consecutive weeks in a newspaper printed in this county, that it contains 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 the residence named therein, and make an entry thereof in the proper docket. W.H. Husted, Probate Judge

Legal Notice.
 Arriva Ready and her husband, G. D. Ready, who resides at Rifle Colo.; Ross Campbell, former wife of Joseph Campbell, who resides at Glenwood Springs, Colo.; Kenneth Campbell a minor who resides at Elm Grove, W. Va., and his legal guardian if any who resides at Elm Grove W. Va. will take notice

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that Samuel T. Campbell, executor of the last will and testament of Thomas Campbell, deceased, on the 10 day of November, 1923, filed his petition in the Probate Court within and for the County of Union and State of Ohio alleging that the personal estate of 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, situated in said county, to-wit: In the townships of Leesburg, and Taylor, and part of Survey, no. 5506, and 5507, beginning at a stone in the center of the Mansville, and Pharisburg gravel Road, northmost corner, to lands formerly owned by Lewis Clark; thence with a line of said land N. 82³/₄° E. 94.72 poles to a stone corner to lands formerly owned by James K. Abraham; thence with a line of said land N. 2° W. 74.24 poles to a stone at corner of said lands in a road, and in the south line of lands formerly owned by James Clegg; thence with said road and line S. 22° W. 55.24 poles to a stone and brick in the center of said Mansville and Pharisburg gravel road; thence with the center of said road N. 25³/₄° E. 44 poles to a stone and brick; thence N. 88¹/₂° W. 60.76 poles to a stone and brick in the line dividing Surveys, no. 5506, and 5507; thence with said line N. 6¹/₂° W. 45.56 poles to a stone corner to lands formerly owned by H. W. Mackling; thence with two consecutive lines of said land S. 79³/₄° W. Mackling, to a beech and thence S. 6³/₄° E. 108 poles to a stone (witnessed by a dogwood and Ironwood) in the line of lands formerly owned by Joseph Simpson; thence with said line N. 82¹/₄° E. 73.40 poles to a stone, one of said Simpson's corners; thence with another of the lines of the Joseph Simpsons lands S. 6¹/₄° E. 42.20 poles to a stake in the center of said Mansville and Pharisburg gravel road, thence with the center of said road S. 25° W. 18.38 poles to the beginning; containing 106.50 acrs. more or less. Subject to the rights, privileges, and estate in one-half acre granted by Levi Keran, and Caroline N. Keran, his wife, to the Blue Creek Congregational Church.

The prayer of the petition is for a sale of said premises for the payment of debts and charges aforesaid. The persons first above mentioned will take notice that they have been made parties defendant to said petition and that they are required to answer the same on or before the 26 day of January, 1924.

Samuel T. Campbell - Executor of Thos Campbell Estate. By John H. Kinkade, his attorney. Dec. 5 - 1923 - The State of Ohio, Union Co. ss. Personally appeared before me - John H. Shearer, and made solemn oath, that the notice, a copy of which is hereto

remained unknown, Ready, Ans of Ohio, made in Ready case is one of Statute's this - Judge's duty, this, tion herein an L. for the it appearing upbill, Joseph Ready are on them ce of said n Brown, W. D., Sr., Elmer Campbell and that the Rifle Colorado, must be made; then he had for six in this county, object and herein it is d when they ordered, that party making is of the clerk mail ce is known, an entry Probate Judge who resides Campbell, Campbell al guardian take notice

10203

attached was published for six consecutive weeks or, and next after December 5-1923, in the Marysville Tribune a newspaper of general circulation in the county, aforesaid

John B. Stewart.

known to inform me, and signed in my presence, this 14. day of January, 1924. ^{at} J. M. Hunter, Notary Public, Fees \$ 31.99

Journal entry:

Samuel T. Campbell, Ex. of the Estate of Thomas Campbell.

application to obtain service by Publication orders.

against

Emma Campbell, et. al.

Entry.

No. 10203

This day came J. B. Kirkade and delivered to the Clerk of this Court, copies of the Marysville Tribune of December 5-1923, a paper of general circulation in Union County, this containing the first publication of notice of the pending and time of hearing of this action, and one copy was this day mailed to each of the following named persons, by the clerk of this Court, to wit: M. D. Ready, and Anna Ready, Rifle, Colorado, Kenneth Campbell, 181 1/2 Hwy. S.W., Elm Grove, W. Va. Edn. of " " " "

Application for appointment of Guardian ad litem

Probate Court, Union County, Ohio

January 19, 1924.

To the Hon. W. H. Husted, Judge of said Court:

The undersigned, S. T. Campbell, Ex. of the Will of Thomas Campbell, deceased, Plaintiff, makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case. The defendant Kenneth Campbell the age of fourteen years, and has been duly served with publication as directed by statute. The undersigned suggests that Richard C. Strall, who is a suitable person be appointed as such Guardian ad litem, Respy.

S. T. Campbell, Plaintiff by John B. Kirkade, atty.

Probate Court, Union County, O. Jan'y, 19-1924.

No. 10203.

S. T. Campbell, Ex. of the Will of Thomas Campbell, Dec'd. Plaintiff

appointment of Guardian ad litem,

Emma Campbell, et. al.

Def'ts.

This day S. T. Campbell, the Plaintiff appeared in open Court, and made application for the appointment of a Guardian ad litem for the minor defendant in this case, Kenneth Campbell, and it appearing to the Court that the defendant Kenneth Campbell is a minor, the age of fourteen years, and has been duly and legally served with publication as required by statute for non-resident of State of Ohio.

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it is ordered, that Richard C. Thrall, be and he hereby is appointed Guardian for the suit for said minor defendant. And now comes the said Richard C. Thrall, and in open court accepts said appointment.

W. B. Husted, Probate Judge,

Answer of Guardian ad litem

Probate Court, Union County, Ohio
No. 10203

Samuel T. Campbell, Executor,
of the Will of Thomas Campbell, Dec'd.
v. Plaintiff

Anna Campbell, et al. Defendants. Answer of minor Defendants. And now come the said Kenneth Campbell, the minor defendants to the petition in said cause, by Richard C. Thrall, his Guardian ad litem, heretofore appointed in said cause by said Court, and for answer to said petition deny all the material allegations herein contained, prejudicial to said minor defendants; he further says, that he is of tender years, and not acquainted with the law in such cases, and therefore pray the Court to protect their rights in this cause, and for such relief as may be just.

Dated this 21-day of Jan'y, 1924. Kenneth Campbell.

By, Richard C. Thrall, Guardian ad litem.

Journal Entry: Probate Court, Union County, Ohio.

January, 28-1924.

Samuel T. Campbell, Executor, of the Will of Thomas Campbell, Dec'd. Plaintiff

No. 10203

Journal Entry.

Order for appraisement.

Anna Campbell, et al. Defendants.

This day cause came on to be heard upon the petition for appraisement, 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 Thomas Campbell, deceased, and to carry out his Will, it is therefore ordered, and adjudged by the Court, that the said premises be appraised for of value, by the oaths, of H. L. Reed, J. W. Lee, and A. J. Lee, 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. W. B. Husted, Probate Judge.

Order of appraisement.

The State of Ohio, Union County, ss. Probate Court, To Samuel T. Campbell, Ex. of the Will of Thomas Campbell, 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 are

10203

Executor of the will and estate of Thomas Campbell, deceased, are Plaintiff and Emma Campbell, et al. are Defendants you are commanded that by the votes of Ho. L. Reed, J. W. Lee, Law. A. J. Lee, judicious disinterested men of the vicinity, not of kin to the parties, who are freeholders of the county in which said real estate is situated, and upon actual view you cause a just valuation and appraisal ment, to be made according to law, of the following described premises, part of above estate therein, to wit:

Situate in the county of Union and State of Ohio in the Township of Leetown and Taylor and part of Survey No. 5-506 and 5-507. Beginning at a stone in the center of the Marysville and Pharisburg gravel Road, north-west corner to lands formerly owned by Lewis Kelark; Thence with a line of said land N. 82³/₄° E. 94.72 poles to a stone corner to lands formerly owned by James K. Abraham; Thence with a line of said land N. 2° W. 74.24 poles to a stone a corner to said lands in a road, and in the south line of lands formerly owned by James Keluggay; Thence with said road and line S. 82° W. 55.24 poles to a stone and brick in the center of said Marysville and Pharisburg gravel Road; thence with the center of said Road N. 25³/₄° E. 49 poles to a stone and brick; Thence N. 88¹/₂° W. 60.76 poles to a stone and brick in the line dividing Surveys No. 5-506 and 5-507; Thence with said line N. 6¹/₄° W. 43.56 poles to a stone corner to lands formerly owned by L. W. Macklin; thence with two consecutive lines of said land S. 79³/₄° W. 75 poles to a Beech, and thence S. 63³/₄° E. 108 poles to a stone (witnessed by a Dogwood, and Ironwood) in the line of lands formerly owned by Joseph Simpson; Thence with said line N. 82¹/₄° E. 73.40 poles to a stone, one of said Simpson's corners; Thence with another of the lines of the said Joseph Simpson lands, S. 6¹/₄° E. 42.20 poles to a stake in the center of the said Marysville and Pharisburg gravel Road; Thence with the center of said Road, S. 25° W. 18.35 poles to the beginning, containing 106.50 acres, more or less, subject to the rights, privileges and estate in one-half, or more, granted by Levi Keraw, and Corline W. Keraw, his wife, to the Blues Creek Congregational Church. you will make return of your proceedings herein to our said Probate Court forthwith upon execution of said order, and show you then and then this writ. Witness my signature as Judge ^{Law}, ex-officio clerk of our said Probate Court, and the seal of said Court, at Marysville, Ohio, this 28-day of January, 1924.

[Signature]
 W. H. Husted Probate Judge.
 Return.

To the Probate Court of Union County, Ohio: In obedience

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To the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached. Dated the 28 day of July, 1924

Samuel T. Campbell, Executor

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. L. Reed, J. W. Lee, M. J. Lee appraisers, sworn to before me and signed in my presence, this 28 day of January, 1924

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 (\$615-00) six thousand one hundred fifty dollars.

Given under our hands, this 28 day of July, 1924

H. L. Reed, J. W. Lee, M. J. Lee appraisers. Journal entry: In the Probate Court of Union Co., Ohio Samuel T. Campbell, Executor of July, 28, 1924. No. 10203

Thomas Campbell, Decd. Plff., vs. Emma Campbell, et al, Defs. Cause concerning appraisement

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, have 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, executor 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 Public 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 public sale. It is therefore by the Court, ordered, that said Samuel T. Campbell, executor, as aforesaid, proceed to advertise and sell

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the real estate aforesaid, free of, down, at Public Sale, at not less than $\frac{2}{3}$ of the appraised value thereof, on the following terms, to wit: Cash 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.

W. H. Hustel Probate Judge.

Order of Sale - Free of Down.

The State of this Union County, Probate Court,
 To Samuel T. Campbell, Esq. of the will of Tho^s Campbell, 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 the Will of Thomas Campbell, deceased, are Plaintiff and Emma Campbell et al. are Defendants, you are commanded to proceed according to law, to sell at Public Sale, for not less than $\frac{2}{3}$ the appraised value, thereof free of any down the following described premises, to wit: Situate in the County of Union and State of Ohio. In the townships of Lestary and Taylor and part of surveys, no. 5506, and 5507. Beginning at a stone in the center of the Marysville and Pleasantburg Travel Road north-east corner to lands formerly owned by Lewis Tolark; thence with a line of said land N. $82^{\circ}\frac{3}{4}$ E. 94.72 poles to a stone corner to lands formerly owned by James K. Abraham; thence with a line of said land N. 2° W. 74.24 poles to a stone a corner to said lands in a road, and in the south line of lands formerly owned by James C. Suggs; thence with said road, and line S. 82° W. 55.24 poles, to a stone and brick in the center of said Marysville and Pleasantburg Travel Road; thence with the center of said Road N. $25^{\circ}\frac{3}{4}$ E. 49 poles to a stone and brick; thence N. $88^{\circ}\frac{1}{2}$ W. 62.76 poles to a stone and brick in the line dividing surveys No. 5506, and 5507; thence with said line N. $6^{\circ}\frac{1}{4}$ W. 45.52 poles to a stone corner to lands formerly owned by H. W. Macklin; thence with two consecutive lines of said land S. $79^{\circ}\frac{3}{4}$ W. 75 poles, to a Beech - ^{and} thence S. $6^{\circ}\frac{3}{4}$ E. 108 poles to a stone (witnessed by a Dogwood, and Ironwood) in the line of lands formerly owned by Joseph Simpson; thence with said line N. $82^{\circ}\frac{1}{4}$ E. 73.40 poles to a stone, one of said Simpson's corners; thence with another of the lines of the said Joseph Simpson's lands S. $6^{\circ}\frac{1}{4}$ E. 42.20 poles to a stake in the center of the said Marysville and Pleasantburg Travel Road; thence with the center of said Road S. 25° W. 18.38 poles to the beginning, containing 106.50 acs. more or less, subject to the rights, privileges, and estate of in one-half acre, granted by Levi Keran, ^{Decd.}

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Caroline N. Keraw, his wife to The Blues-Creek Congregational Church - Said Sale took at the north door of the Court House, Marysville, O. and, to be upon the following terms to wit: Cash - appraised at \$6150.⁰⁰ 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. day of January, 1924

W. H. Husted Probate Judge -
Return

To the Probate Court, 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-day of February, 1924.

Samuel T. Campbell, Exr.

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 23-day of February, 1924, 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, Marysville, Ohio, and offered said real estate for sale, free of doubt, therein when G. M. Haines bid to pay for the same the sum of Five thousand four hundred dollars.

(\$5400-) which being the highest and best bid that was offered and being more than 2/3 of the appraised value of said premises, I then and there sold the same to him for that sum. Samuel T. Campbell Exr.

Dated, the 23-day of February, 1924.

Journal entry Probate Court, Union Co. O. February, 23-1924

Samuel T. Campbell Executor.

of Thomas Campbell, dec'd.
Plaintiff

v.

Emma Campbell, et al.

Defendants.

Confirming Sale -

This day, this cause coming on to be heard on the return of Sale of Samuel T. Campbell, executor, of the estate of Thomas Campbell - 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

Public Sale,
the day of sale,
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Campbell, Executor,
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10203. that the same be and hereby is approved and confirmed and it is further ordered, that said Samuel T. Campbell, as such Executor make to the purchaser H. M. Barnes, a good and sufficient deed for the premises so sold.

It is further ordered that this proceeding be recorded, and that said Executor, pay the costs \$13.00. W. H. Studied Probate Judge

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

no. 10215

Civil Action.

10215- Filed

Dec. 3-1923
C. E. Fackler
atty.

Bertha A. Scott, administratrix
of the estate of
Alice Young, Murphy, decd.
Plaintiff

Harry L. Young, Minnie Young,
Bertha Scott, Marion Scott,
Willis Young, Oscar Murphy,
The Richmond Banking Company,
Defendants.

Petition to Sell Real Estate.

Petition

The Plaintiff represents that she is the duly appointed and qualifying administratrix of the estate of Alice Young Murphy, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is eighteen hundred forty seven and 50/100 Dollars, as near as they can be ascertained, that the charges of administration of said estate will amount to about one hundred dollars, and that the total value of personal estate and effects of said deceased, is but — none — being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Alice Young Murphy, died seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and in the Village of Richmond, to wit: Being all of Lots nos 247 and 261, in W. T. Marriotts Addition to said Village as the same are designated and described on Plat of said Village duly filed and recorded in the office of the Recorder of said County of Union.

Itemize debts here —

Mortgage on Property \$825.00, Personal note, 42.50, Money held as guardian 5.00. Int. on same, 210.00, Funeral expenses 270.00

Plaintiff 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, and that the amount of said appraisement is, one thousand six hundred and twenty-five (\$1625.00) Dollars. The said decedent died leaving the defendant Oscar Murphy her widow who is entitled to dower in said premises; that the defendants Harry L. Young, Willis Young, and Bertha Scott, are the only children and heirs at law of said

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decedent, having the next estate of inheritance from said Alice Young Murphy, deceased, in said premises, that the defendant, Marion Scott, Minnie Young, and husband ^{and} wife of, the heirs Harry L. Young, ^{and} Bertha Scott. The Richmond Banking Company holds a mortgage on said property. The Plaintiff therefore prays, that the dower of said Oscar Murphy in said premises, may be assigned and set off to him; that the rights, interests and liens of the said. The Richmond Banking Company 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 case made and provided, and, for all other proper orders and relief in the premises. Bertha A. Scott, adx., of the estate of Alice Young Murphy, deceased. the State of Ohio, Summit County.

Bertha A. Scott, adx., of Alice Young Murphy 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.

Bertha A. Scott.

Known to before me, and signed in my presence, this 22. day of, Oct - 1923 ^{at} C. O. Kustetter, Notary Public.

Journal Entry: In the Probate Court of Union County, Ohio, Bertha A. Scott, adx., of the, Dec. 3 - 1923. Estate of Alice Young Murphy, Decd., vs - 10215- Plaintiff

Harry Young, Minnie Young, et al. Filing Petition to Sell - Defendants. Real Estate.

This day came, the Plaintiff Bertha A. Scott adx., of the estate of Alice Young Murphy, and presented to this Court, her petition, duly verified, praying an order for the sale of real estate of the said Alice Young Murphy, deceased, to pay the debts, and, the costs of said administration of 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.

W. H. Husted, Probate Judge -

Wainor

Probate Court, Union County, Ohio,

Bertha Scott, adx. of the Estate of Alice Young Murphy, Decd. Plaintiff

No. 10215-

Wainor

Harry L. Young, Minnie Young, et al. Dfnd.

10215

vs. the undersigned parties defendant to the Petition in the above entitled action. do each of us hereby waive the issuing and service of summons and voluntarily enter our appearance, as such Defendants, and we do hereby consent to the sale of the Real estate described in the petition in said action according to the prayer of the same. January 18-1924. Bertha A. Scott.

Marion L. Scott, F. L. Young, Minnie Young, Willis E. Young.

Answer to the

Richard Banking Company mortgage

In the Probate Court, Union County, Ohio

Bertha Scott administratrix of the Estate of Alice Young Murphy, Decd. vs. Harry Young, Minnie Young, et al. Defendants.

Richard Banking Company mortgage.

For answer to the petition herein, the said defendant, The Richard Banking Company, says that the said Alice Young Murphy, and Oscar Murphy, on the 9-day of May 1919, did make their promissory note, in writing, of that date, and did then deliver the same to this defendant, and thereby promised to pay, to this defendant or order, the sum of one thousand and fifty dollars (\$1050-) in one year from date thereof, which period has elapsed. The defendant further says that it is a corporation doing a banking business in the State of Ohio, and that to secure the payment of said promissory note and the money secured thereby, the said Alice Murphy, with her husband Oscar Murphy, by their certain mortgage deed of even date with said promissory note, duly executed and delivered to this defendant, did convey to it and its successors and assigns forever, all said real estate in the petition herein described, to have and to hold the same to it, its successors and assigns forever, which said deed of conveyance had a condition therein written: whereby it was provided that if the said Alice Murphy and Oscar Murphy should fail or cause to be paid unto this said defendant, its successors, or assigns, their certain promissory note of even date herein, for the sum of One thousand Fifty dollars, payable to the order of this defendant, in one year from date, according to the tenor and effect thereof, then these presents shall be void, otherwise to be and remain in full force, and virtue in law forever. And the defendant further says that it caused said mortgage to be deposited with the recorder of said Union County, at his office, on the 13-day of May 1919 at 9. a. m. for record, and the same was thereupon duly

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Recorded in the records of mortgages in said county; that the sum of two hundred twenty-five dollars, has been paid on the principal and the interest has been paid to December, 13-1923, and that there is now due on said note the sum of eight hundred twenty-five dollars, with interest at 8% from December, 13-1923. Wherefore, this defendant, asks that out of the proceeds of the sale of said real estate herein, their said debt with the interest, be paid in full, and for all proper relief. Backler vs Backler.

State of Ohio, Union County ss: J. F. Rapp, being duly sworn, says that he is Cashier of the Richmond Banking Co., this answering defendant, and that the statements and allegations of the above answer and cross-petition are true, as he verily believes. J. F. Rapp - known to and subscribed in my presence this 9-day of January, 1924. B. E. Backler, Notary Public.

Journal Entry; Probate Court, Union County, Ohio, Jany, 19-1924

Bertha A. Scott, admx., of the estate of Alice Young Murphy, Decd., vs. Harry L. Young, et al, Drfts. Order for Public Sale -

This day this cause came on to be heard upon the petition, evidence, and testimony of Bertha A. Scott, Admx. of Alice Young Murphy, 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 before the Court, that the statements and allegations in said petition are true.

That said Alice Young Murphy, deceased, did leave a widow not 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 sell the real estate of said Alice Young Murphy described in the petition to pay her debts. It is therefore further ordered, that said Bertha A. Scott, as such admx., proceed to sell said real estate, free of dower, at public sale, for not less than 2/3 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.

W. H. Husted
Probate Judge

10215

Order of Sale Free from Dower.

The State of Ohio, Union Co. ss. Probate Court
 vs. Bertha A. Scott, admx. of est. of Alice Young, Murphy. Plaintiff;
 In obedience to an order ^{of} the Probate Court within
 and for said county, made this day, in a certain cause,
 wherein you, as admx., of the above named estate are Plaintiff
 vs Harry Young, Mimi Young, et al. are Defendants, you are
 commanded to proceed, according to law, to sell at
 public sale, for not less than 75% the appraised value
 thereof free from the dower of Oscar Murphy widow of
 Alice Young Murphy, deceased, the following described
 premises to wit: Situate in the County of Union State of Ohio
 and in the Village of Richmond, Bury all of Ln - lot nos.
 247 and 261, in W. T. Marriott's addition to said village
 as the same are designated and described on Plat
 of said village duly filed and recorded in the office
 of Recorder, Union County. Said sale to be cash
 you will make return of your proceedings to this Court forth
 with upon execution of this order. Witness my signature
 on the seal of said Probate Court, this 19th day of Jan - 1924.

W. H. Husted Probate Judge

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 1st day of March, 1924.

Bertha A. Scott,

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
 situate for at least four consecutive weeks prior to
 the 28th day of February, 1924; 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 o'clock, P. M. I attended the sale, and offered said
 real estate for sale, when Willis E. Young, bid to pay for
 the same the sum of Ten Hundred eighty-five Dollars,
 which being the highest and best bid that was offered
 and being more than 75% of the appraised value of said
 premises, I then and there sold the same to him for
 that sum.

Bertha A. Scott, Dated March 1 - 1924

Journal Entry:
 Bertha A. Scott, admx. of est. of
 Alice Young, Murphy, Plaintiff
 vs.
 Harry Young, Mimi Young et al
 D & C's

Order of Confirmation

Distribution

10215

10215-

Legal Notice

State of Ohio, Union County. Puzmaney appeared before me, O. A. Keigley, made oath, that the notice, a copy of which is hereto attached, was published for 4 consecutive weeks on and after Jan. 24 - 1924 in the Richmond Gazette a newspaper of general circulation in the county aforesaid, O. A. Keigley known to before me, and signed in my presence this 1st day of March - 1924 Paul B. Baumlinckle, Notary Public

Ad. Sale of Real Estate

In pursuance of an order of the Probate Court Union Co. O., I will offer for sale at public auction on 28 day of Feb. 1924 at 1. P.M. on the premises the following described real estate situated in the Co. of Union, State of Ohio, village of Richmond, Being all of Lots no. 247, and 261, in N. T. Marriott's addition to said village as designated and described on Plat of said village duly filed and recorded in the office of the recorder of said Union. Said property is located on West Ottawa Street in said village and is the same property owned and occupied by Mrs Alice Murphy. The property is appraised for \$1625.00 We must sell for 75 or more of the appraisement. Term of Sale Cash - Bertha A Scott Adm. of est. of Alice Murphy. Fackler & Fackler attys. Jan. 24-1924

10142
Nov. 26
1923

In the matter of the estate of Mary Shover, deceased
Petition Sale Personal Property

Probate Court, Union County, Ohio.
The undersigned administrator of the estate of Mary Shover, deceased, late of said County, deceased, respectfully makes application for authority to sell at private sale, at its appraised value the part of the personal property of said estate which is enumerated in the schedule attached hereto, and which is also enumerated in the inventory of said estate filed in said Court, and the petitioner alleges, that said sale would be for the advantage of said estate, for the following reasons: That the entire personal estate is so small, that it would cost more than any difference that might be obtained by public auction. The few articles would not bring attendance to a public sale and it would be difficult to get bidders enough to realize even the appraised price of the articles.

George B. Shover, Adm'r

Dated Nov. 23-1923.

The State of Ohio, Union Co. George Shover being duly sworn, says that the various matters and things contained in the foregoing application are true, as he verily believes.

George A. Shover, Adm'r
Known to before me, and signed in my presence this

This 23-day of November, 1923. *W. H. Husted, Probate Judge*

2 Bedsteads	1.00	1 Heating stove	8.00
1 Dresser	3.00	1 " "	8.00
4 chairs	1.00	5 Blankets	1.00
1 rug	3.00	1 Robe	1.00
1 stand	1.00	1 set (12) Hairpins	4.00
1 chair	3.00	1 feather Bed	2.00
1 rug	2.00		
1 Table	2.00		
1 Kitchen range	20.00		
2 Earthen jars	3.00		

Journal entry: Probate Court, Union County, D. November, 23 - 1923.
authorizing 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 George A. Shown as, admr., 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 admr. make return of proceedings herein forthwith after such sale, is made. *W. H. Husted Probate Judge*

Order of Private Sale, Personal Property,
Probate Court, Union County Ohio

In the matter of the Estate of Mary Shown, Dec'd.
To George A. Shown, admr.

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 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 Bedsteads	1.00	1 chair	3.00
1 dresser	5.00	1 rug	2.00
4 chairs	1.00	1 Table	2.00
1 rug	5.00	1 Kitchen Range	20.00
1 stand	1.00	2 earthen jars	3.00

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1 Heating Stove	5.00	1 Robe.	1.00
1 " " "	5.00	5 Blankets	1.00
Knife Fork spoons etc	4.00	Feather Bed	2.50
		Total	64.50

Said sale took on the preceding terms, cash 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 26 day of November, 1923.

W. H. Husted, Probate Judge

Return Probate Court, Union County, this

The undersigned admin. of said estate, says that in obedience to the order of said Court, he sold, said personal property, on the 26 day of November, 1923, for sum of \$64.50, not less than appraised value of the same.

Dated this 26 day of Nov. 1923. George A. Shover, admin.

Bill of Sales -

all articles in petition \$64.50 sold to Mary Shover. \$64.50
 The State of this Union Co. George A. Shover, admin. of the estate of Mary E. Shover, admin. duly sworn, says that the foregoing Report is in all respects true and correct, that such sale has been made after a 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 A. Shover.

Brought before me and signed in my presence, this 26 day of 1923. W. H. Husted, Probate Judge
 Journal Entry, Probate Court, Union County, O. Nov. 26-1923.

Sale of Personal Property Confirmed.

The George A. Shover, admin. of the above named decedent having filed his return of the order heretofore issued for private sale of the personal property of said decedent, and the Court, having carefully examined the same, find said proceedings in all respects regular and in accordance with law. ^{and} therefore approve ^{the same} Confirms
 W. H. Husted, Probate Judge

10220
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10220
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In the matter of the estate of Priscilla Sandis, deceased.
Petitioner To Sell Personal Property at Private Sale.
Probate Court, Union County, Ohio.

To the Judge of said Court:

The undersigned Theodor W. Monson, admn. of the estate of Priscilla Sandis late of said County, deceased, respectfully makes application for authority to sell at private sale, at not less than its appraised value, the part of the personal property of said estate which is enumerated in the schedule attached hereto, which is also enumerated in the inventory of said estate filed in said Court and the petitioner alleges that said sale would be for the advantage of said estate, for the following reasons: that there is only a small amount of said chattels and that the costs would be too great for a public sale.

Dated Dec. 22-1923. Theodor W. Monson, admn.

The State of Ohio, Union County,

Theodor W. Monson, being duly sworn, says, that the various matters and things contained in the foregoing application are true, as he truly believes. Theodor W. Monson,

sworn to before me, and signed in my presence, this 22 day of December, 1923. Respected Probate Judge -

5-5-	Colts skins	42.50
1	sow	16.25
4	pigs	47.35
1	cow	7.00

Journal Entry: Probate Court, Union County, O., Dec. 22-1923.
authorizing Private Sale

This day, this cause came on to be heard upon the petition herein filed, 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 might 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 Theodor Monson as admn. 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 on day of sale.

It is further ordered, that said admn. make return of his proceedings herein, within 60 days from this date, and forthwith after such sale is made, and this cause is continued. Respected Probate Judge -

Order of Private Sale - Personal Property,
Probate Court, Union County, Ohio.
Order of Sale of Personal Property.

Theodor M. Monson, admr. 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 this to sell at Private sale, at not less than the appraised value thereof, the following goods and chattels pertaining to said estate to-wit: 55 Chickens 33⁰⁰; 1 cow, 14⁶³; 4 pigs 31²⁰; 1 cow, 7⁰⁰. Said sale to be upon following terms cash 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. Witness my hand, and the seal of said Court, this 22nd day of Dec. 1923 ^{W.H. Husted} Probate Judge

10579
May 1-1924

Return

Probate Court, Union County, Ohio
In the matter of Priscilla Landis, dec'd.

Report of Sale of Personal Property

The undersigned admr. of the estate says, that in obedience to the order of said Court, hereto attached, he sold, said personal property commencing on, the 26th day of Dec. 1923, and closing on the 26th day of December, 1923, for the sum of One Hundred Eleven Dollars, and forty cents, said sum being not less than \$80⁰⁰ the appraised value of the same.

A detailed Bill of said sales is hereto attached.

Dated the 26th day of December, 1923

Theodor M. Monson

55- chickens	\$33 ⁰⁰	Sold to	Edward Henry	\$42.50
1 cow	14.63	" "	Pearl Landis	16.25
4 pigs	31.20	" "	Benj. Matteson	47.35
1 cow	7 ⁰⁰	" "	Benj. " "	5.20

The State of Ohio, Union County,

Theodor M. Monson, admr. of the estate of Priscilla Landis being duly sworn says that the foregoing Bill or Report is in all respects true and correct. That such sale has been made after a 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.

Theodor M. Monson

Shown to before me, and signed in my presence, this 2nd day of Jan - 1924 ^{W.H. Husted} Probate Judge.

Journal Entry: Probate Court, Union County, O., Jan 2-1924.
Sale of Property Confirmed

The admr. of the above named decedent having filed his return of the order heretofore issued for the sale of the personal property of said decedent, and the Court, having carefully examined the same, find said proceedings in all respects regular and in accordance with law, and therefor approves the same & confirms ^{W.H. Husted} Probate Judge

10079
May 1-1924

In the Matter of the Estate of J. H. Trumbly, deceased,
Petitioner to Sell Personal Property at Private Sale -
Probate Court, Union County, Ohio.

To the Judge of said Court:
The undersigned Lillian R. Trumbly adx. of the estate of
J. H. Trumbly late of said County, deceased, respectfully
makes Application for authority to sell at private sale
at less than its appraised value the part of the personal
property of said estate which is enumerated in the
schedule attached hereto, and which is also enumerated
in the inventory of said estate filed in said Court
Schedule D. Dodge's Trust, and the petitioner alleges that
said sale would be for the advantage of said estate, for
the following reasons: has offered the truck several times
and failed to receive the appraised value.

Dated May 1-1924. Lillian R. Trumbly, Adm.
The State of Ohio, Union County

Lillian R. Trumbly, adm., being duly sworn, says
that the various matters and things contained in the
 foregoing application, are true, as she verily believes.

Lillian R. Trumbly
Known to before me, and signed in my presence, this
1-day of May - 1924 ~~at~~ ~~at~~ W. H. Husted, Probate Judge -
one Dodge's Truck 600 - (appraised.)
affidavit in application to Sell Personal Property at
Less than the appraised value -

Probate Court, Union County, Ohio.
affidavit

The State of Ohio, Union County, ss.

The undersigned being first duly sworn, say that
they are disinterested in the estate of J. H. Trumbly, decd.,
that they examined the property mentioned in the
application of Lillian R. Trumbly, adm. of said estate to sell
said property at private sale, filed in said Court
May 1-1924, 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 interest of said
estate to sell the same - at less price, as they verily
believe. Samuel Sherman, J. P. Robinson, A. S. Peaslee,

Known to before me - and signed in my presence this
1-day of May - 1924 ~~at~~ ~~at~~ W. H. Husted Probate Judge
Journal Entry: Order to Sell Personal Property Less than appraised value -
this day Lillian R. Trumbly adm. of the estate of J. H. Trumbly
deceased, appeared in open Court, and made application
for an order authorizing her 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 Samuel P. Sherman,

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F. J. Robinson and M. V. Pearson, 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 at a less price: ^{the} 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 Lillian K. Trimby, adx., to sell the same for a less amount, but for not less than the sum of Four Hundred (\$400) Dollars and it is further ordered said adx. return within 60 days from ^{this} date her proceedings here. W. H. Husted Probate Judge

Order of Private Sale, Personal Property

Probate Court, Union County Ohio

Lillian K. Trimby, adx. 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 one Truck 600.00

Said sale to be on following terms: Purchases amounting to \$400.00 cash in hand time of sale

You will return this order within one month from this date, 1924

Witness my hand and seal of said Court, this day of May 1924

W. H. Husted, Probate Judge

Return Report of Sale

The undersigned Lillian K. Trimby, adx., says that in obedience to the order of said Court she sold 1 Dodge Truck said personal property for the sum of Four Hundred Dollars and cents, said sum being less than the appraised value of the same, a detailed Bill of said Sale is hereto attached

Dated May 1 - 1924 Lillian K. Trimby, adx.

Bill of Sale

Dodge Truck \$600.00 Sold to Fred E. Trimby \$400.00

The State of Ohio, Union County

Lillian K. Trimby, adx., of estate of J. K. Trimby, adx.,

being sworn, says the foregoing Report is in all respects true and correct, that such sale made after diligent endeavor to obtain best price for property, sale for highest price could be obtained

Lillian K. Trimby, adx. From to inform me - May 20 - 1924. W. H. Husted Probate Judge

Journal Entry May 20 - 1924: Confirmed Sale

The admx. of the above named decedent, having filed her Return of the former order of the Court authorizing the sale of personal property of said decedent and the Court having carefully examined the same,

10164
April 8
1924

find said proceeding in all respects regular and in accordance with law. I therefore approve and confirm same.
W. H. Husted Probate Judge

10164
April 8-
1924.

In the matter of the Guardianship of Joseph E. Fauner, Minor.
Probate Court, Union County, Ohio.

In the matter of the Guardianship of Joseph E. Fauner, Minor
Petition, to Invest in Productive Real Estate. Petitioner to the Probate Court, of said County:
The undersigned respectfully represents, that he is the duly appointed and qualified guardian of Joseph E. Fauner. That there is now in his hands, for investment the sum of Six Hundred Dollars (\$600-)
Your petitioner believes it would be to the interest of this said ward, to invest the sum of Five Hundred Fifty Dollars (\$550-) in the following described productive real estate situated in the State of Ohio County of Union and in the village of Richmond, to-wit:
Being all of in-lot no. (632) Six Hundred Thirty two in O. Beems addition to the village of Richmond, Ohio. For a more specific description reference is hereby had to the recorded plat of said addition duly recorded, in the records of Union County, Ohio.
Said real estate produces, annually the sum of Seventy-two Dollars (\$72-00) your petitioner therefore prays for the consent and approbation of the court, in making the investment aforesaid as is provided for by law.
Respectfully Submitted,
John F. Fauner.
mark

Helen E. Fackler. R. W. Fackler.
The State of Ohio, Union County, ss.
John Fauner being duly sworn, says that the statements and allegations in the foregoing petition are true, as he verily believes.
John F. Fauner.
sworn to before me - and signed in my presence.
This 7-day of April, 1924. Helen E. Fackler, Notary Public
witnesses, H. E. Fackler, R. W. Fackler -
Notary

Probate Court, Union County, Ohio.
To Joseph Fauner, guardian, of Joseph E. Fauner.
You are hereby notified that on the 5-day of April 1924, John Fauner, as your Guardian filed in said Probate Court, his Petition praying for the consent and approbation of said court, to invest the sum of Five Hundred and fifty dollars in certain productive

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Real estate described in said petition. Said petition will be for hearing before said court on the 12-day of April, 1924, at Ten o'clock a.m. In witness whereof I have hereunto subscribed my name, and caused the seal of said court to be affixed, at Mansfield, Ohio, this 8-day of April, 1924.

W.H. Fousted, Probate Judge

Return

The State of Ohio, Union County, ss.

I, John Zauner being duly sworn, say that on the 9 day of April, 1924, I served, et al writ by hearing same to the following named person, to wit: Joseph E. Zauner, John & his wife, Zauner.

Known to before me, and signed in my presence, this 10-day of April, 1924. W.H. Fousted, Notary Public.

April 8, 1924 entry

Journal entry: orders on application to invest ward's money. This day John Zauner, guardian of Joseph E. Zauner, appeared in open court and filed an application to invest his ward's money in production real estate.

It is ordered that said application be filed and that April 12 - at 10 o'clock, a.m. be set for the time of hearing on same. It is further ordered that the said Joseph E. Zauner be served with notice of said hearing, and this cause is continued.

W.H. Fousted, Probate Judge

April 12, 1924 entry

Journal entry

Probate Court, Union County, Ohio
April 12 - 1924.

Journal entry: consenting to and approving investment in Production 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 the statements in said petition are true, and that it is to the interest of said ward to make the investment in the production 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 the guardian pay the costs herein taxed at \$1.50 within ten days.

W.H. Fousted, Probate Judge

10306
May 12, 1924

In the matter of the estate of Joseph E. deceased -
Petition to Sell Personal Property at Private Sale
Probate Court, Union County, Ohio,
Petition

To the Judge of said court:
The undersigned O.H. Zauner, adm. of the estate of Joseph E. late of said County, deceased, respectfully

makes application for authority to sell at private sale, and at residence, at its appraised value, the property the personal property, of said estate, which is enumerated in the Schedule thereto, and, which is also, enumerated in the inventory of said estate filed in said Court, and, the petitioner alleges, that said sale would be for the advantage of said estate, for the following reasons:

Dated May 10-1924. E. H. Hammer, Adm'r. of the Estate of Mrs. Union County.

E. H. Hammer being duly sworn, says that the various matters and things set forth in the foregoing application, are true, as he verily believes. E. H. Hammer had sworn to before me, and, signed in my presence, this 12-day of May, 1924. W. H. Husted Probate Judge.

Schedule

1/2	Int.	in the following.	
7.	Cows	6 Jersey 1 short-horn	262.50
1	calf	six weeks old	5.
28	Ewes + Lambs	(Dilain with wool on)	200.
46	"	dry " " "	322.
15-4	"	(Bred to lamb (aug. 24th.) " "	1105.
1	Gray mare	six years old	92.50
1	"	in foal	80.
1	Bay gelding		37.00
1	sound mare	12 yrs. old.	50.
1	Gray colt	1 " "	35.
1	sound "	1 " "	35.
1	"	2 " "	35.
28	Bales straw	and some loose	10.00
85.	Bu.	seed oats u-cleaned	36.13
450.	"	oats	105.00
10-	"	seed corn	15.
12	Ton	hay	120.
	Enslage		5.
33	Chickens		12.50
15	Tons	alfalfa hay	15.00
1	set	double belt steam Harrow (old)	20.
1	"	Tree chain " "	7.
1/2	"	old Harrow	2.50
1	old	grey mare, (22 yrs)	5.
	value of time	in seeding oats, ^{and} plowing	95.08
			2873.01

Journal entry; Probate Court, Union County, O. May 12-1924. authorizing Private Sale

This day, this cause came on to be heard, upon the petition herein filed, and, the Court, being fully advised in the premises finds that the statements &c. allegations in said petition are true &c.

Final Record, Union County Probate Court

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 E. B. Hammer, as Admin. 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 said Admin. make return of his proceedings within 60 days of this cause is continued. W. H. Husted Probate Judge

Order of Private Sale - Personal Property,
Probate Court, Union County, Ohio.

In obedience to an order of Probate Court, made this day, you are hereby authorized & required to proceed to sell at Private Sale - at not less than appraised

7 cows - 1/2 cut	242.50	1 May colt 1 yr	36.00	Enclosure	5.
1 calf - 6 mths. old	37.	1 cow	35.00	33 chickens	12.50
20 pigs & hams	200.	1 " " "	30.	15.2ms defunct	15.00
1/2 doz eggs	3.27	28 Sales from same	10.25	1 set Double Hammers	20.
154 Bush corn	110.50	85 - bu. seed oats	36.13	1 " " chain	7.
1 May mare	72.50	433 " " "	134.00	1 (1/2) set old	2.50
1 " "	50.	18 - " seed corn	15	1 old Gray mare (22 yrs)	5.
1 " "	37.50	12 Tons Hay	120.	valuation on seedling	93.00
1 cow	50.			oats + plowing	22.50
				cream separator	

Said sale to be cash in hand time of sale. You will return this order 60 days from date. Witness my hand and seal this 10 day of May 1924. W. H. Husted Probate Judge

Return Probate Court. Report of Sale of Personal Property, The undersigned Admin. of the estate of J. E. H. he sold said personal property to G. M. Wieber, \$2895.51, Dollars, appraised value. Date this 29 day of May, 1924. E. B. Hammer, Admin.

Admin Bill sold to Geo. M. Wieber. 1 old Gray mare \$5.00 to Frank Elk \$5.00

The State of Ohio, Union Co. E. B. Hammer, Admin. of the estate of J. E. H. being sworn, says the foregoing Report, is in all respects true & correct, that such sale was made after diligent endeavor to obtain the best price for the property, and sale is for highest price he could get for the property. E. B. Hammer, Admin.

in my presence, this 29 day of May 1924. W. H. Husted Probate Judge

Journal Entry: Probate Court, Union County O. May 29 - 1924

In the matter of estate of Joseph E. H. Decedent. Sale Confirmed.

The administrator of the estate above named, decedent, having filed his return of the previous order of the Court.

from the sale of personal property of said decedent, and the Court, having carefully examined same, find said proceedings in all respects regular and in accordance with law, and therefore approve and confirm the same.

W. H. Husted Probate Judge

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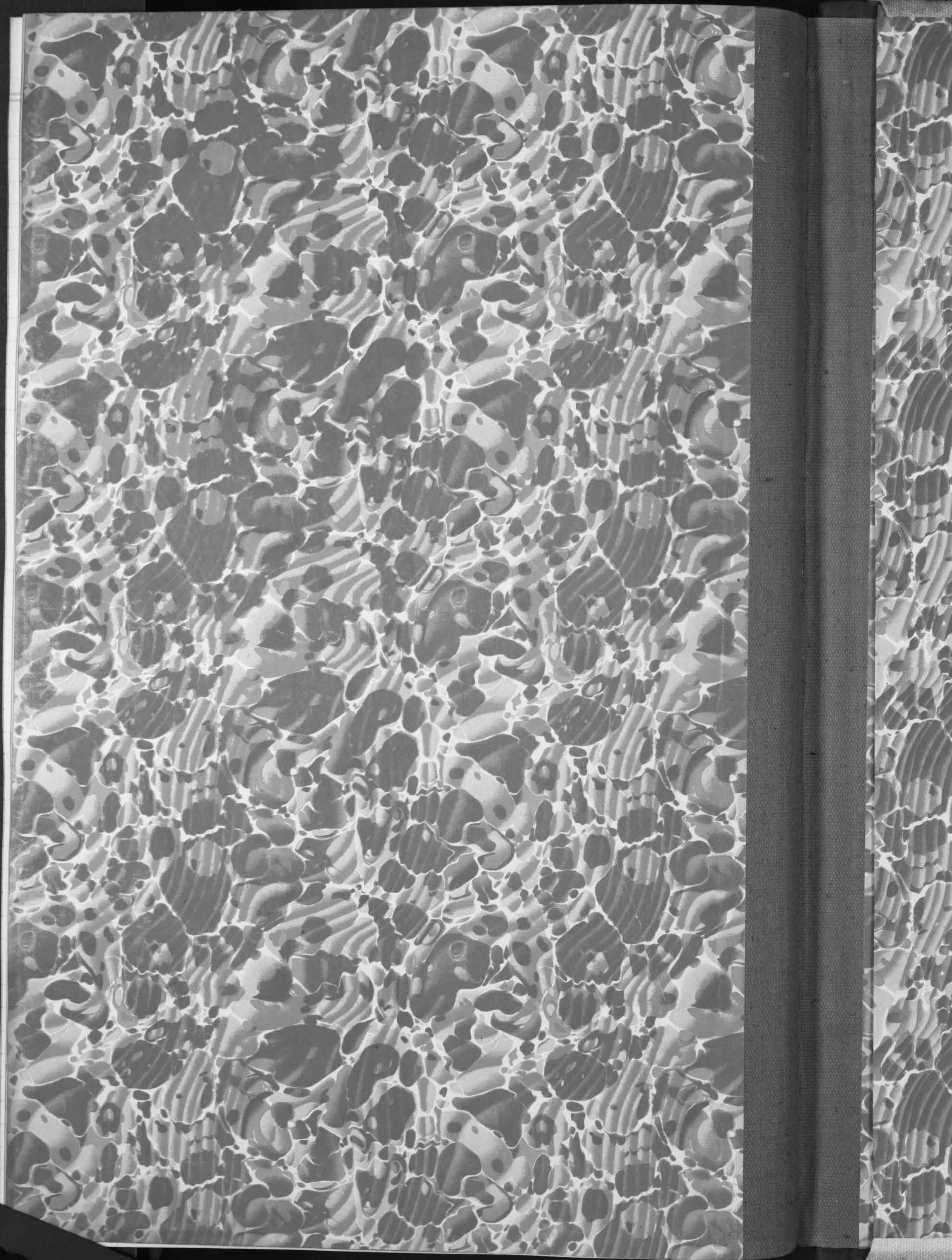
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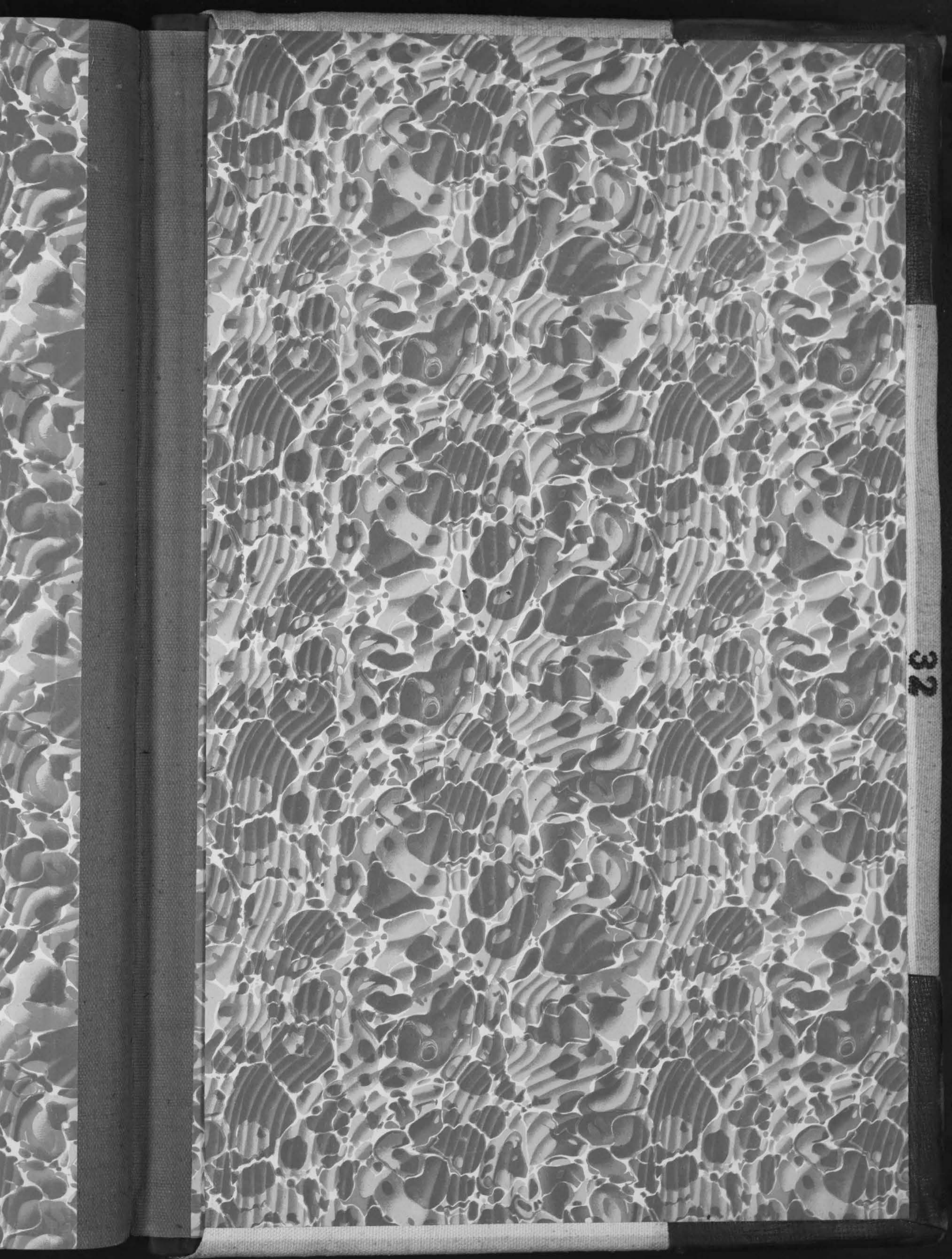
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Dayton Blanked Book & Pig Co
Ordered May 21-24
Petition date Aug 1-1924





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**FINAL
RECORD
NO. 32**

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