

**FINAL
RECORD
No. 33
Probate Court
UNION COUNTY**

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NO. 33

**PROBATE COURT
UNION
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Probate Court
UNION COUNTY**

Order No. **B** 5322

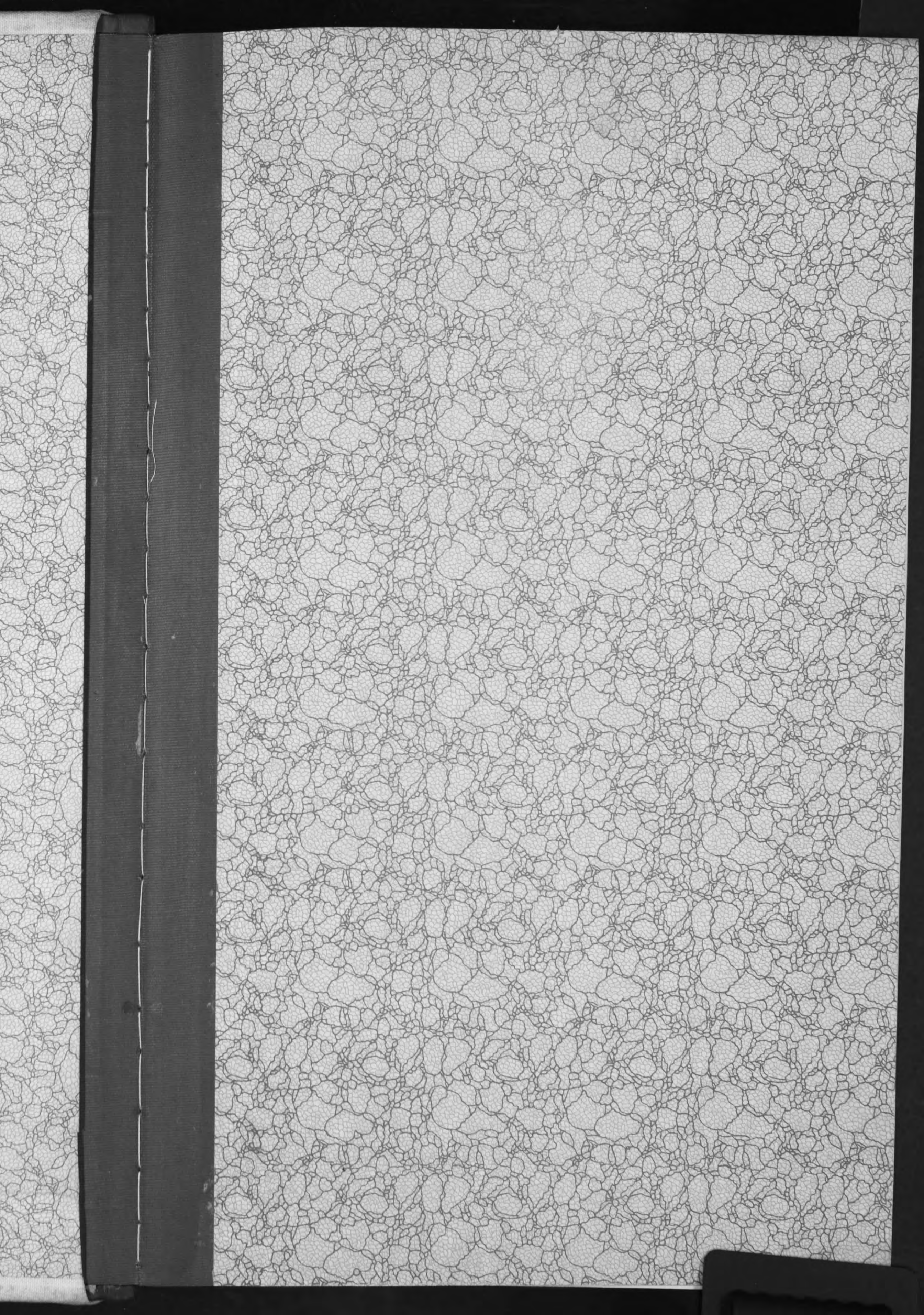
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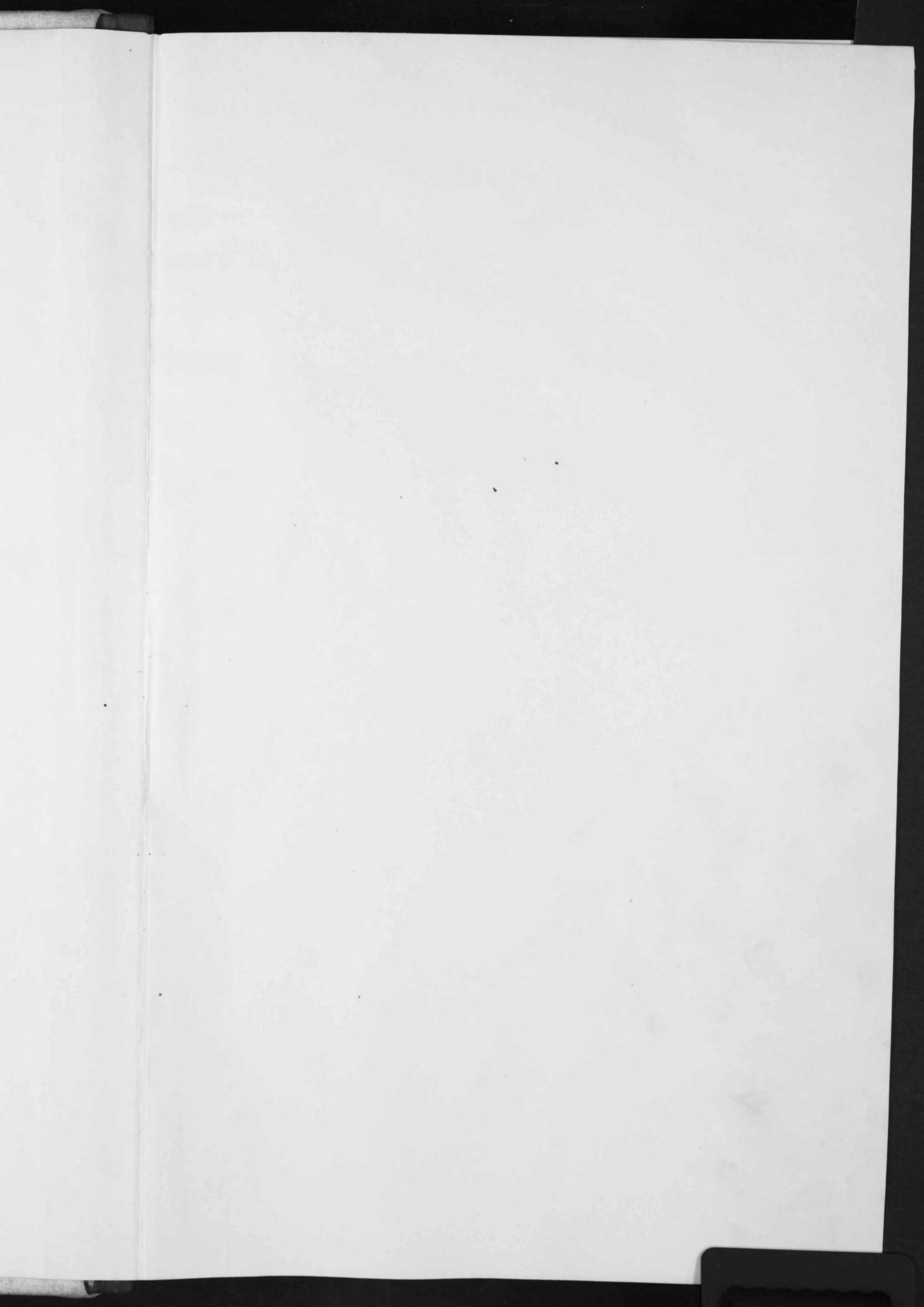
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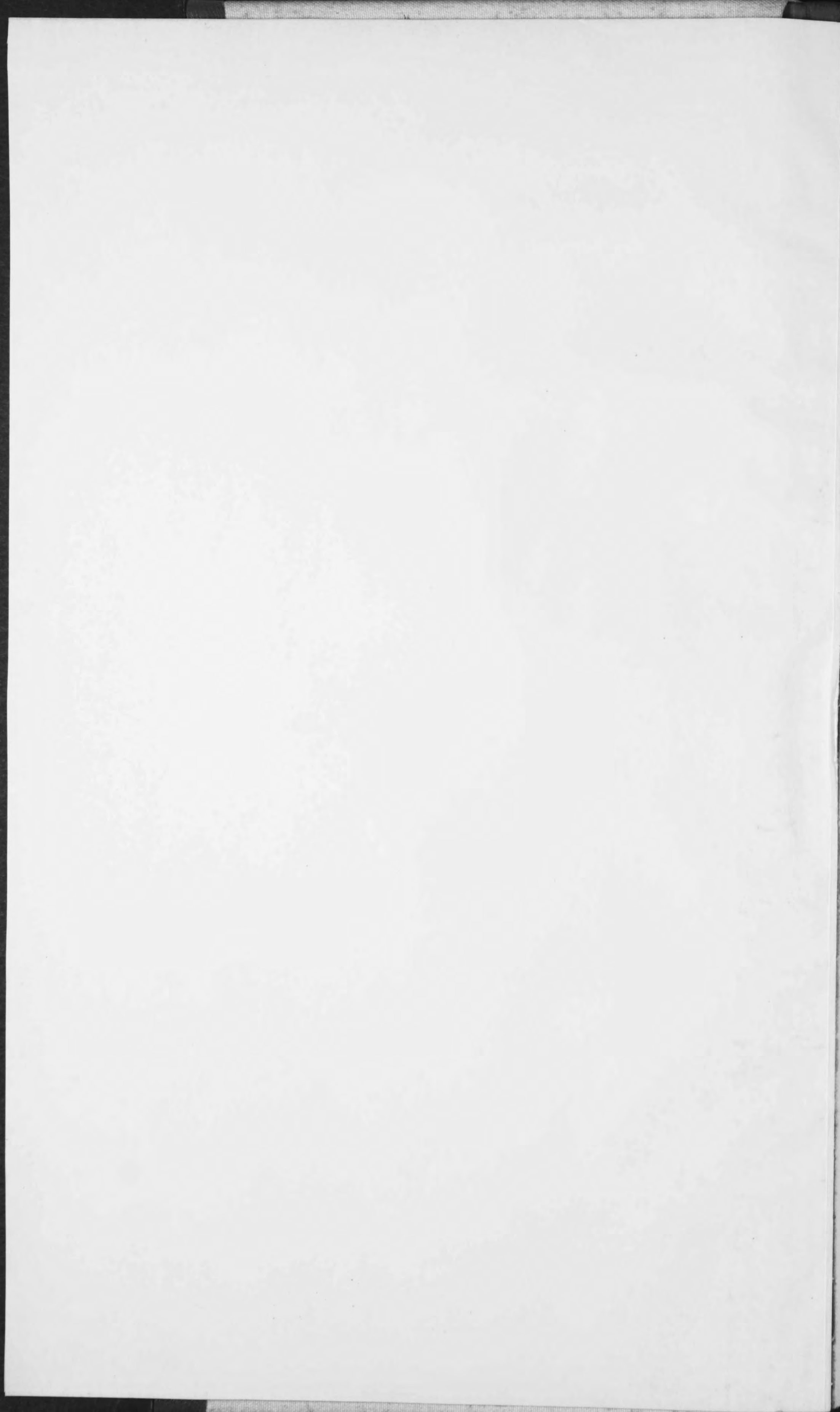
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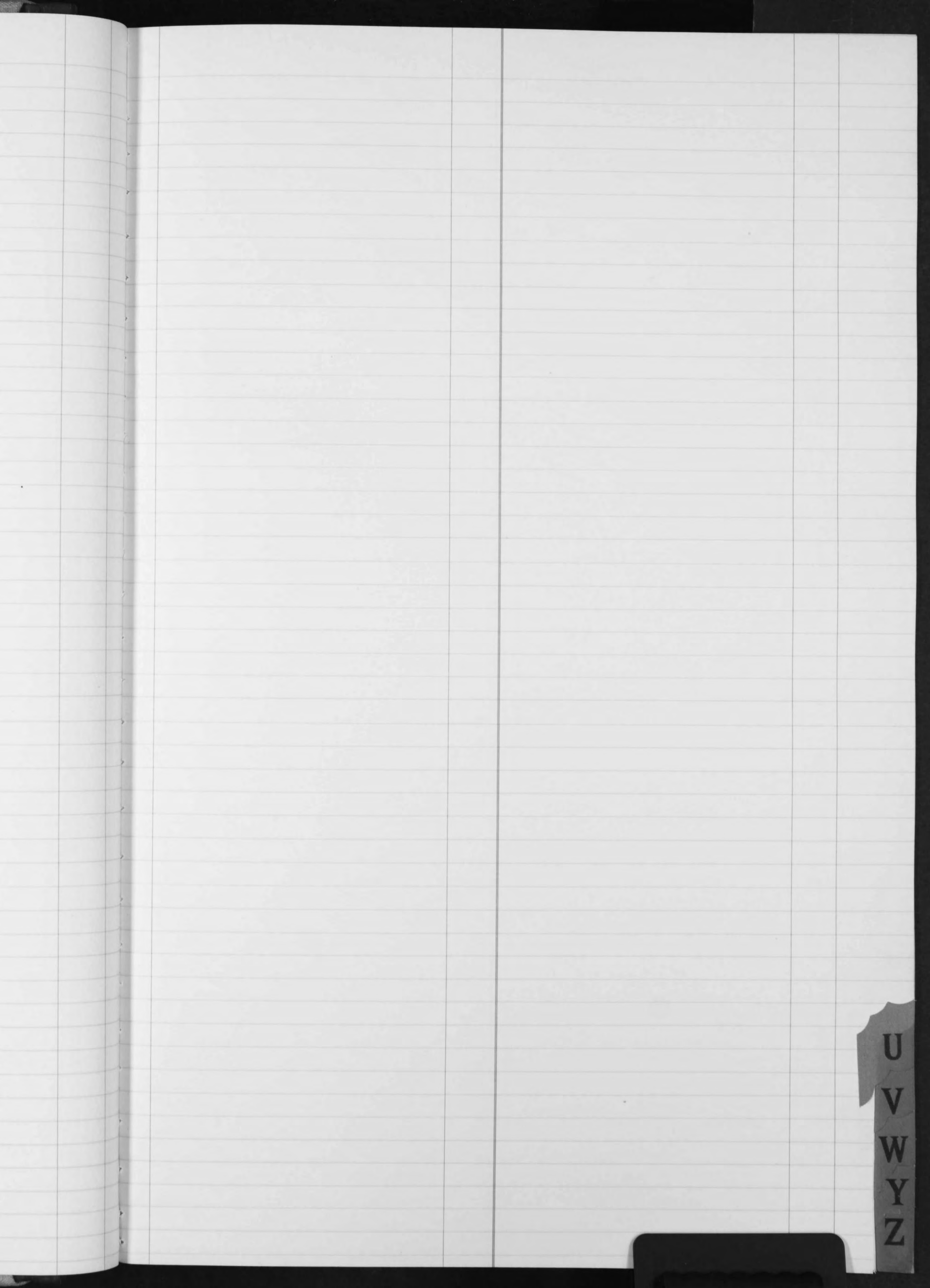
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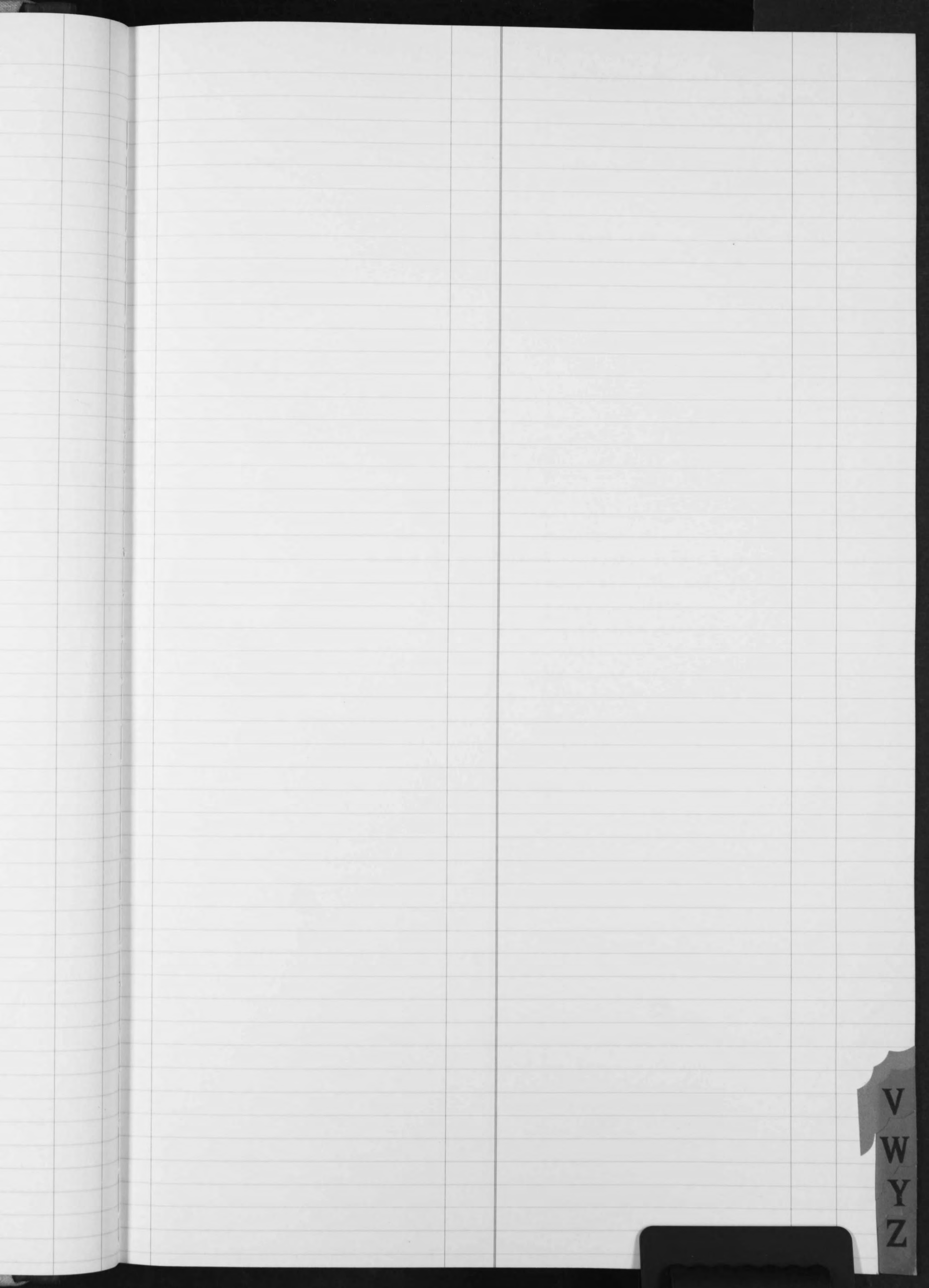
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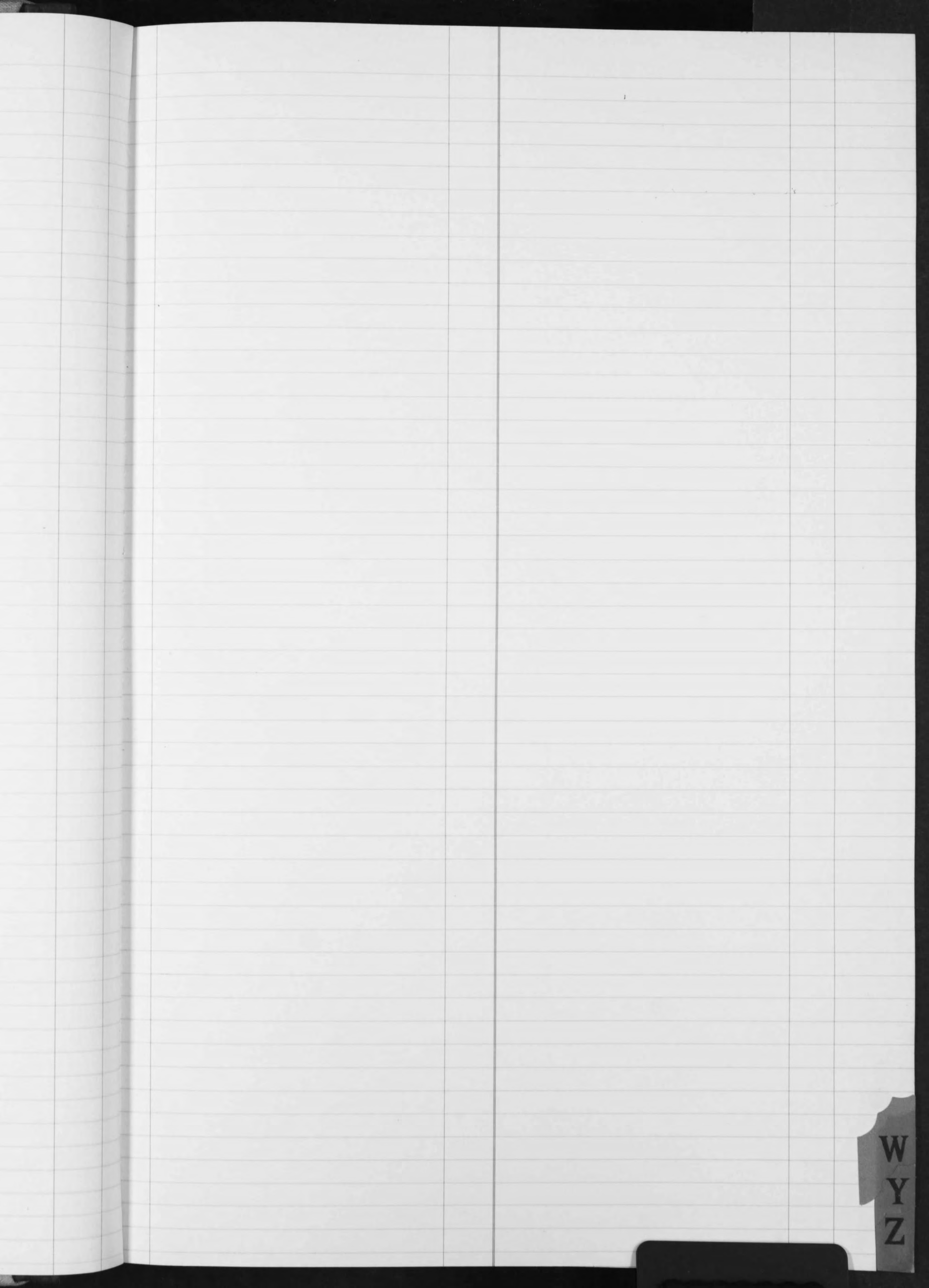
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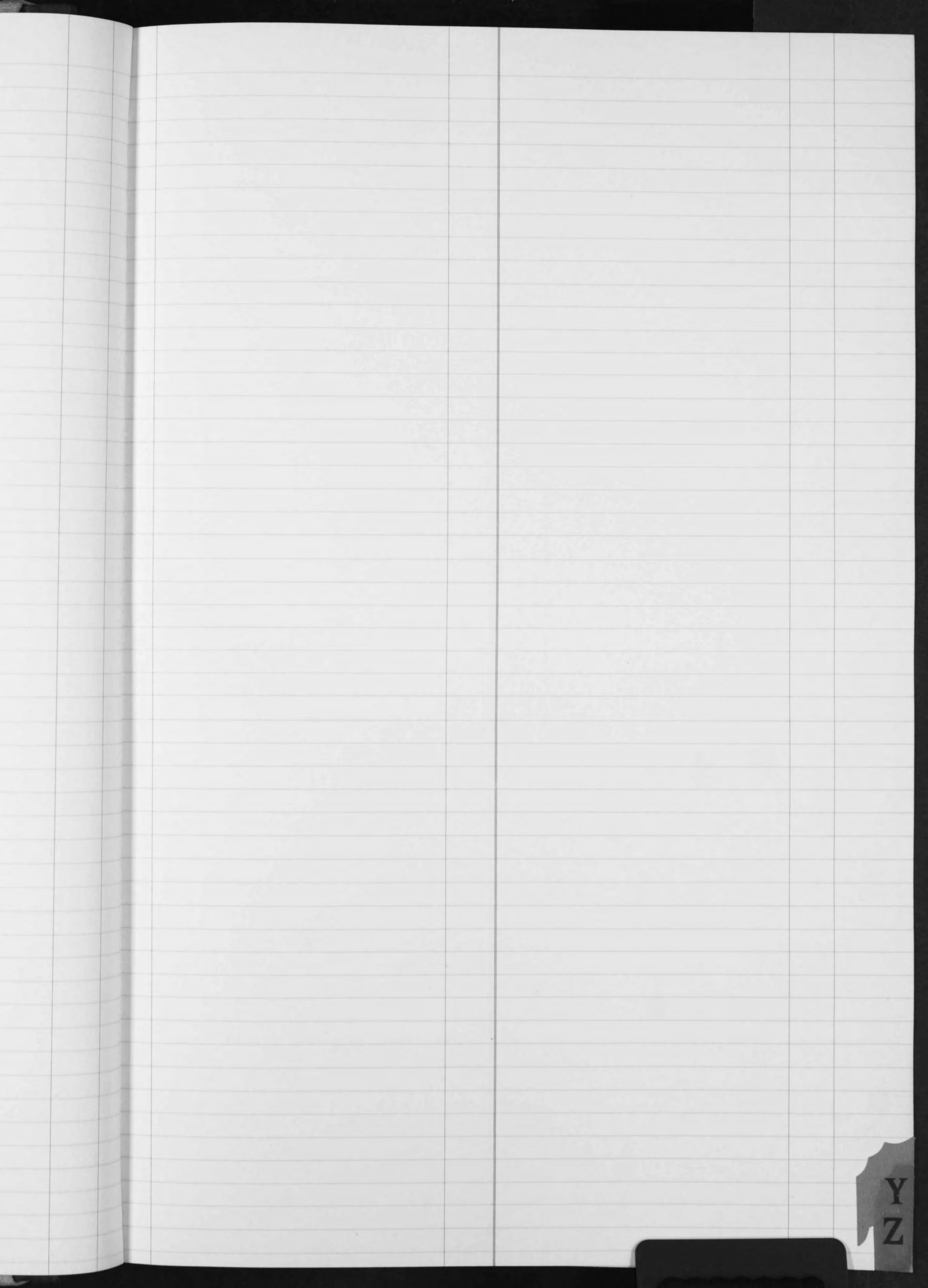
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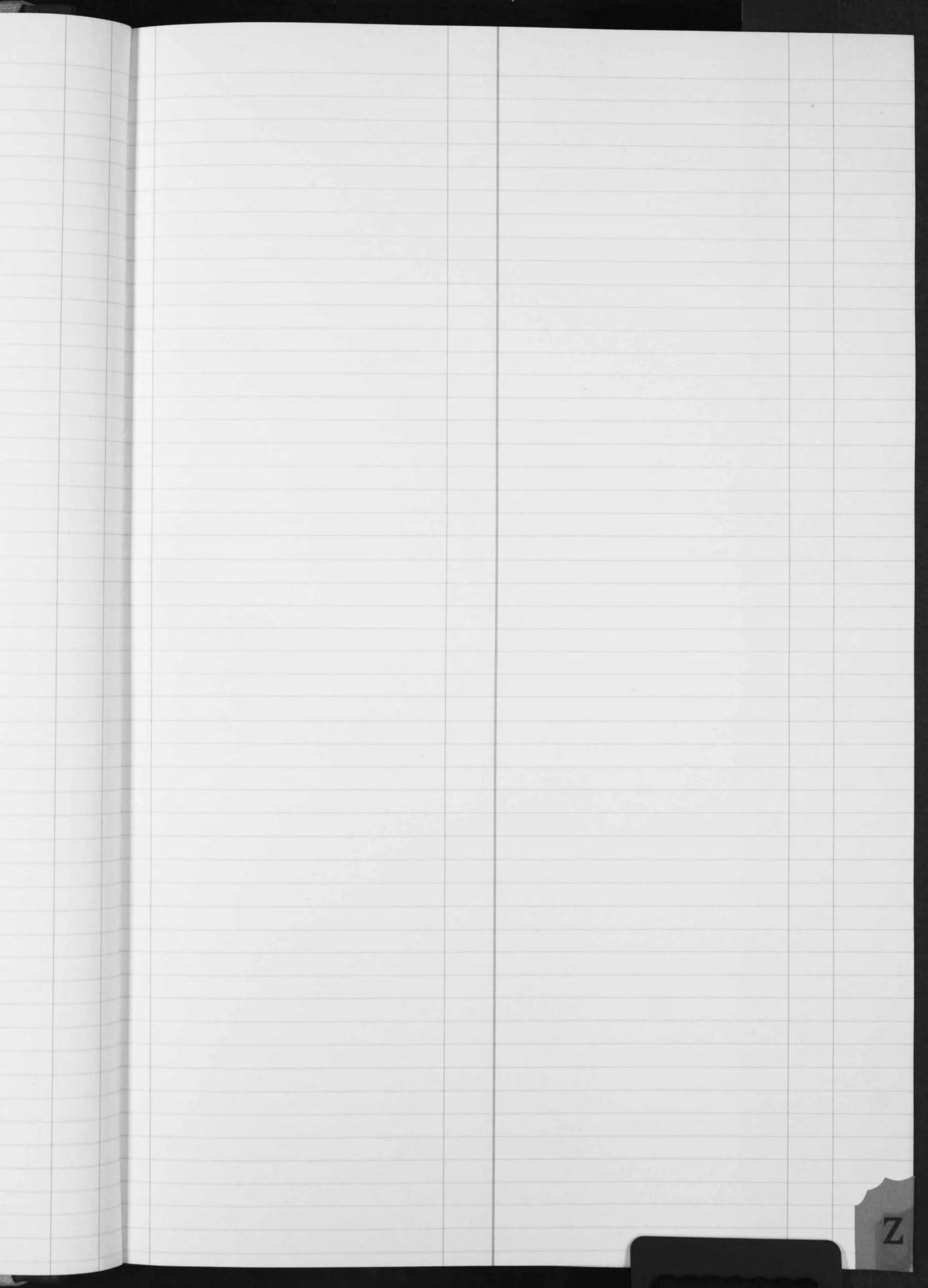
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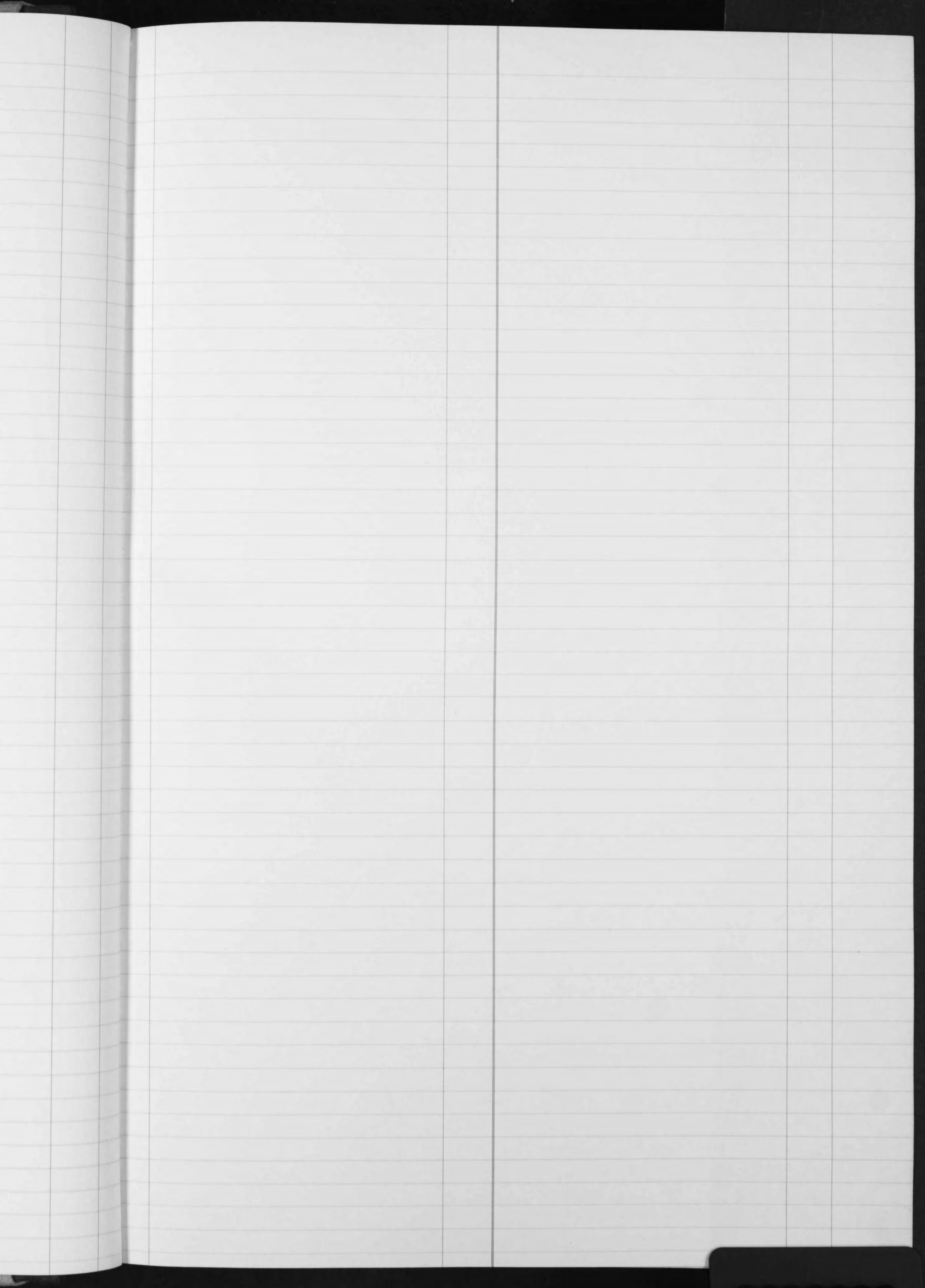
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March 11-
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10277
March 11-
1924.

In the matter of the Estate of Sarah A. Linn, Deceased,
Petition to Sell Personal Property at Private Sale -
Probate Court, Union County, Ohio,
Petition

To the Judge of said Court:
The undersigned C. W. Thompson, Executor, of the estate of Sarah A. Linn, late of said County, deceased, 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 advantage of said estate for the following reasons: that the amount of chattels heresaid, are too small in value to go the expense of a public sale - Dated March 11-1924. C. W. Thompson, Executor
The State of Ohio, Union County.

C. W. Thompson, being duly sworn, says, that the various matters and things contained in the foregoing application, are true, as he verily believes -
C. W. Thompson -

Known to before me, and signed in my presence, this 11-day of March, 1924
W. B. Busted Probate Judge -
Schedule -

1. Black Jersey Cow.	50.00	1 Chester white sow.	25-
1 Red Cow.	60.00	2 Timothy hay	10-
1 Holstein cow.	50.00	15-Bales straw	4.50
1 Black Jersey cow (old)	25.00	40 shocks corn	24.
sheep and 1 Ram -	75.00	Gas engine, washing machine	25.00
			343.50

10277

Journal Entry, Probate Court, Union County, O. March 11-1924.
authorizing Private Sale -

This day, this cause came on to be heard upon the Authorizing petition herein filed and the Court being fully advised in the premises finds that the statements and sub. 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 C. W. A. Thompson, 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:
cash in hand at time of sale -

Final Record, Union County Probate Court.

10299

It is further ordered that said executor make return of his proceedings herein within 90 days from this day and forthwith after such sale is made, in this cause is continued. W. H. Husted, Probate Judge

Order of Private Sale, Personal Property, Probate Court, Union County, Ohio, order Sale of Personal Property,

Order of Sale Personal Property

To, C. A. Thompson. 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 to wit:

1. Black Jersey cow	30-	1 Chester white cow	25,
1 Red cow	60-	Dimothy hay	10,
1 Holstein cow	50-	15-bales St. str	4,50
1 Black Jersey cow (red)	25,	40 shocks corn	24,
Sheep (including one Ram)	75. ⁰⁰	Gasoline, etc	20,
Said sale to be on the following terms: Cash			343.50

You will return this order within 2 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 11- day of March, 1924. W. H. Husted, Probate Judge.

Return

Return

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

The undersigned executor of said estate says that in obedience to the order of said Court, hereto attached he sold, all of the within described said personal property to Howard and Leticia Evans, on the 15-3-march 1924, for the sum of \$400.00 - dated Mch. 15-1924

C. A. Thompson Executor, Bill of Sale.

Bill of Sale

see bill as appraised first Schedule Total 343.50
owed to Howard and Leticia Evans for \$ 400.⁰⁰

The State of Ohio Union County

C. A. Thompson, executor, of the estate of Sarah A. Binner being duly sworn says that the foregoing Report is in all respects true and correct. C. A. Thompson, Ex.

Sworn to before me, and signed in my presence, this 17- day of March - 1924. W. H. Husted, Probate Judge

Journal entry: Probate Court, Union County, Ohio, D. March, 17-1924 Sale of Personal Property Confirmed.

The executor of the above named decedent, having filed his return of the former order of said Court, authorizing private sale of the personal property

10272
Mch. 17
1924

Petition

Authorizing 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 approve, and, confirm the same. W. H. Husted Probate Judge

10272
mch. 4
1924

In the matter of the estate of James L. Easterday, dec'd.
Petition to Sell Personal Property at Private Sale
Probate Court, Union County, Ohio.
Petition

To the Judge of said Court:
The undersigned George W. Easterday executor of the estate of James L. Easterday late of said County, dec'd, 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 is not enough property to make a public sale - Dated March 4 - 1924 George W. Easterday, The State of Ohio, Union County.

George W. Easterday being duly sworn, says that the various matters and things contained in the foregoing application, are true, as he verily believes.
George W. Easterday,

Sworn to before me, and signed in my presence, this 4 - day of March, 1924, W. H. Husted, Probate Judge

Schedule -
1 wagon 5.⁰⁰ 1 spring wagon 10.⁰⁰ 1 single set harness 2.50
1 buggy 2.⁰⁰ 300 bu. corn - 210.⁰⁰ Total 230.⁰⁰
In testimony whereof Probate Court, Union County, O. mch. 4 - 1924
authorizing Private Sale -

Authorizing this day this cause came on to be heard upon the sale 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 George W. Easterday as adm. of said James L. Easterday 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:

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Final Record, Union County Probate Court.

Cash. It is further ordered, that said Administrator make return of his 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,
Order of Sale of Personal Property.

Order of Private Sale.

To, George W. Easterday. 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 wagon, 5.⁰⁰; 1 spring wagon, 10.⁰⁰; 1 single set harness 25.⁵⁰; buggy 2.⁵⁰; ^{310 bu} Corn 210.⁰⁰

Said sale to be on the following terms, cash.

You will return this order within one month's time from this date, ^{and} forthwith upon the execution of the same, together with your report endorsed. Witness my hand, and the seal of said Court, this 4-day of March, 1924.

Return

Probate Court, Union County, Ohio
Report of Personal Property

The undersigned Executor of said estate, says that in obedience to the order of said Court, he has attached hereto said personal property on 4-day of March, 1924, for the sum of \$230- said sum being not less than the appraised value of the same. Dated March 4-1924.

George W. Easterday

Bill of Sales.

- | | |
|---|------------------------------------|
| 1 wagon, 5. ⁰⁰ | George Easterday, 5. ⁰⁰ |
| 1 spring wagon, 10. ⁰⁰ | " " 10. ⁰⁰ |
| 1 single set harness, 25. ⁵⁰ | " " 25. ⁵⁰ |
| 1 Buggy 2. ⁵⁰ | " " 2. ⁵⁰ |
| 300 Bu. corn, 210. ⁰⁰ | " " 210. ⁰⁰ |

The State of Ohio, Union County.

George W. Easterday Executor, of James S. Easterday 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. George W. Easterday

Known to before me, and signed in my presence, this 4 day of March - 1924 ^{at} W. H. Husted, Probate Judge.

Journal entry: Probate Court, Union County, O. March 4-1924.

Sale of Personal Property Confirmed.

The executor of the above named decedent having filed his return of the order of the Court for

Bill of Sale.

Report

9865-
Jan. 10-
1924

Sale of
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private sale of 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.

9865- In the matter of the Estate of Florence Woodburn, Deceased.
Jan. 10- Sale of Stock.

1924 The undersigned will offer for sale at public auction at the office of Miss L. Myers, 109 1/2 West 5th St. Mansfield, O. on the 3rd day of November 1923, at 10 o'clock a.m. the following property of Florence Woodburn, deceased, 3 1/2 shares, Franklin Land and Lumber Co. and 50 shares, Alaska Industrial Co., etc. Terms cash. Ruth Henry, Ex. Miss L. Myers, atty.

Sale of Stock Personally appeared before me, J. Edson, and made solemn oath that the notice a copy of, which is hereto attached was published for 2 consecutive weeks, viz., and next after Oct. 19-1923, in the Union Co. Journal, J. Edson sworn to before me and signed in my presence, this 20th day of November, 1923. J. B. Ganner, Ferr # 2.

In the Probate Court, Union County, Ohio.

In the matter of the Estate of Florence Woodburn, Decd. Report of Sale -
Now comes Ruth Henry executrix of the estate of Florence Woodburn, deceased, and represents to the court, that she advertised to be sold at public sale the stock herein after listed and mentioned hereinafter to the estate of Florence Woodburn, deceased, in the Union County Journal, of Union County, Ohio, for two weeks prior to the 3rd day of November 1923, the day set for said sale, as appears of the sworn statement of the publisher hereto attached, and that at the hour date and place set for said sale as stated in said advertisement, there and there came Irvin C. Henry, who bid for the following stock, to-wit:

50 shares, Alaska Industrial Co.	15
17 " " Potlatch Rubber Co.	05
3 1/2 " " Lumber Retainers	05

and there and there came W. R. Mediman and bid to pay for 1 3/4 shares Franklin Land and Lumber Co., \$17.50 and there and there came Florence Lutz and bid to pay for 1 3/4 shares Franklin Land and Lumber Co., \$17.50 all of said bids for said stock being the highest and best bids offered for the same - respectively, and there and there sold the same to the parties for the amounts as above set forth, and stated, Ruth Henry -
State of Ohio, Union County, ss.

J. Ruth Henry, being duly sworn, says that the foregoing

Final Record, Union County Probate Court.

9865

is a true and correct report of the sale made of the above described stock, and that the same was sold for the highest and best bid offered therefor, Ruth Henry, known to before me, ^{was} signed in my presence. This 12-day of December, 1923 ^{at} Maund Pyles, Notary Public

9865

Journal Entry. Probate Court, Union County, Ohio, January, 10 - 1924.

Orders approving ^{and} confirming sale

Entry.

This day this cause coming on to be heard in the report of Ruth Henry, executrix of the estate of Florence Woodburn, of her proceedings under the former order of this Court; the Court having carefully examined said report, and being satisfied that said sales have in all respects been regular and legal. It is ordered that the same be and hereby is approved and confirmed. It is further ordered, that this proceeding be recorded, and that said Ruth Henry, pay the costs ^{of} \$12.00. W. H. Husted, Probate Judge

9573

Mar. 9 - 1921

Guardian's Petition To Sell Real Estate.

Probate Court, Union County, Ohio

Milton B. Koffroth, Guardian of Barbara Sherman, Deceased.

vs. 9573

Plaintiff.

v. His said Ward, Petition To Sell

Real Estate.

Barbara Sherman, and Edward E. Koffroth, Milton B. Koffroth, Lucetta Pyley, and Emma B. Pyles, John Koffroth, and Jacob Sherman.

Petition.

Petition

Defendants.

Petition.

The Plaintiff represents that he is the duly appointed and qualified Guardian of Barbara Sherman, of the age of 75 years, on the 26-day of May, 1920, and, residing within the State of Ohio, at the village of Mc. Kuffey, in the County of Hamilton, that said Ward is the owner of following real estate in fee simple situated in the County of Union, State of Ohio, ^{and} in the Township of Paris, to-wit:

Being part of Virginia military Survey No. 5728.

Beginning at a stake and stone westerly corner to Tobias Brigutter land (now owned by Jacob Elliott) and in the center of the Bellefontaine Board Road; thence with said Elliott's west line S. 9° E. 87.04 poles to a stone corner to said Elliott's land; thence with Willis Brigutter's line, S. 81° W. 41 poles, to a stone in the Parr Road, and in the Survey line; thence

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with the center of said Park Road, and Survey line N. 36 1/2 W. 42.73 poles to a stone corner to Wm. Robinson's heirs land; thence with one of said Robinson's lines N. 8 1/2 E. 71.04 poles to a stone in the center of said Bellefontaine Gravel Road, and corner of said Robinson's lands; thence with the center of said Gravel Road, S 72 3/4 E. 43.62 poles to the place of beginning. Containing 3 1/4 acres more or less. Excepting therefrom ten (10) acres off the south end thereof conveyed to Tobias Brightler on the 13-day of January, A.D. 1972, see vol. 36 page 196 of the Records of Deeds, Union County, Ohio.

Said real estate is worth annually one hundred and twenty dollars.

That said Plaintiff has received rents from the real estate of his ward,

the Plaintiff says, that his said ward, has no personal property of any nature whatsoever, and that the income from her said real estate is insufficient to support, maintain and care for her, and that she may be properly maintained, supported and cared for, it is necessary to sell said real estate so that he may have funds, with which to meet said expenses.

That he, as such Guardian, has already advanced and paid out of his personal account, for the maintenance, care and support of his said ward, in the sum of \$ ---, and asks that out of the proceeds of said sale that he be re-embursed therefor.

Petitioner

That the buildings on said real estate are in great need of repair, and that he has no funds with which to pay for repair or maintenance of said farm, and that the income therefrom is insufficient therefor.

That the sale of said real estate will be for the best interest of his said ward and her estate.

That the said defendants, Edward E. Koffrath, Milton B. Koffrath, Loretta Bigley, John Koffrath, and Glenn B. Peyer, are the only children and heirs at law of the said Barbara Shenneman, and that the defendant, Jacob Shenneman, is the husband of the said Barbara Shenneman, and is entitled to an inchoate right of dower in said premises, and that his age is -- years.

The Plaintiff therefore prays, that said Barbara Shenneman, Edward E. Koffrath, Milton B. Koffrath, Loretta Bigley, John Koffrath, Glenn B. Peyer, and Jacob Shenneman, may be made defendants to this petition, and notified of the pendency hereof, according to law, and that Plaintiff

Final Record, Union County Probate Court.

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may be ordered to sell said real estate for the reasons ^{ans.} purposes hereinbefore proposed, and for other proper relief.
Milton B. Koffroth, Guardian of
Barbara Shemenau, Dubeile

The State of Ohio, Union County ss.
Milton B. Koffroth, being duly sworn, says that he is the Plaintiff mentioned in the foregoing petition, ^{ans.} that the facts stated therein are true, as he verily believes
Milton B. Koffroth.

Sworn to before me, and signed in my presence, this 4th day of February, 1921. ^{ans.} W. H. Husted Probate Judge
Journal Entry: orders. Finding Time of Hearing ^{ans.} for notice,
Probate Court, Union County, Ohio.

Finding Time

Milton B. Koffroth, Guardian of
Barbara Shemenau, Dubeile,
Plaintiff

His Wards, et al. Defendants
This day Milton B. Koffroth Guardian of Barbara Shemenau, 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 16th day of April, 1921, 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 Barbara Shemenau, his Ward, to Jacob Shemenau, husband, of said Ward, and to all persons entitled to the next estate of inheritance in said real estate Defendants; in writing to be served upon them personally, and by leaving copies thereof at the usual place of residence of each, of those who cannot be served personally 15 days before said day of hearing. This cause is continued.
W. H. Husted, Probate Judge

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Answer of Defendants

In the Probate Court of Union County, Ohio,
No. 9573

Answer.

Milton B. Koffroth, Guardian of
Barbara Shemenau, Dubeile,
Plaintiff

Barbara Shemenau, et al. Defs.

Answer.

And now comes Jacob Shemenau, 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 husband of said Barbara Shemenau, an imbecile, and as such is entitled to inheritance do over in the premises described in said petition; that his age is 71 years that he consents to the sale of the real estate

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waiver

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waiver

waiver

notice

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as prayed for, and that he waives the assignment of his dower in said premises by metes and bounds, or in rents and profits; and asks the court that said premises may be sold free from his 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 -
Jacob Shenneman.

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Waiver

In the Probate Court of Union County, Ohio

waiver

Melvin B. Koffroth, Edm. of.

Barbara Shenneman, Incubate.

v. Plaintiff

Waiver

Barbara Shenneman, et. al.

Defendants.

We the undersigned, parties defendant, in the above entitled cause - for sale of Real Estate of the said Ward hereby waive notice.
Jacob Shenneman.

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Waiver

In the Probate Court of Union County, Ohio.

waiver

Melvin B. Koffroth Edm. of.

Barbara Shenneman, Incubate

v. Plaintiff

Waiver

Barbara Shenneman, Defendants

We the undersigned party defendant, hereby waive service of process, and consent to sale

John F. Koffroth.

Waiver

Waiver

In the Probate Court of Union County, Ohio.

Melvin B. Koffroth Edm. of.

Barbara Shenneman.

v. Plaintiff

Waiver, consent.

Barbara Shenneman, et. al.

Defendants.

We the undersigned, parties, defendant, in the above, entitled cause, for the sale of Real Estate of said Ward, hereby waive service of process, and consent to the sale of said Real Estate.

Melvin B. Koffroth, Melvin B. Koffroth, Edm. of Barbara Shenneman, E.E. Koffroth, Losetta Bigley, Klemma Byers.

Notice to Defendants.

notice

The State of Ohio, Union County, ss.

To Barbara Shenneman.

You are hereby notified, that on the 9th day of March, 1921, 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

Final Record, Union County Probate Court.

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above named, Barbara Scheneman, situated in the County of Union, in the State of Ohio, and, in the Township of Paris, and, described as follows, to-wit:

Being part of Survey # 5-728. Beginning at a stake and stone westerly corner to Tobias Brightler's land (now owned by Jacob Elliott) and in the center of the Bellefontaine Grand Road; thence with said Elliott's west line S. 9° E. 87.04 poles to a stone corner to said Elliott's land; thence with Willis & Brightler's line S. 81° W. 41 poles to a stone in the Park road, and in the survey line; thence with the center of said Park road, and survey line N. 36 1/2° W. 42.73 poles to a stone corner to W. H. Robinson's heirs land; thence with one of said Robinson's line N. 8° E. 71.04 poles to a stone in the center of said Bellefontaine Grand Road, and corner of said Robinson's land; thence with the center of said Grand Road S. 72 3/4° E. 43.62 poles to the place of beginning. Containing 31 1/4 acs. more or less.

Excepting therefrom, 10 acs off of the south-east end thereof conveyed to Tobias Brightler, on the 13. day of January, 1872 see vol - 36, page - 196. of the record of deed of Union County, Ohio. Said petition will be for hearing by said Court, on the 16. day of April, 1921, at one o'clock P.M. at which time an order will be asked, as prayed for in said petition.

Dated this 9. day of March - 1921.

Milton B. Hoffsch.

Gdn. of Barbara Scheneman, Subicile Affidavit of Service.

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affidavit
of
service

The State of Ohio, Union County, ss. I, Milton B. Hoffsch being duly sworn say, that on the 10. day of March - 1921, I served this writ by delivering a true copy thereof personally to the following named persons, to-wit: Barbara Scheneman, she being of full age, and, at the same time I served this writ by delivering a copy thereof personally to Milton Hoffsch with whom she resides within said county.

Milton B. Hoffsch.

known to before me, and, signed in my presence, this 10 day of March, 1921. (Seal) Milton B. Hoffsch, Notary Public

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of appraisement

Journal Entry: Order on Hearing, of appraisement, Probate Court, Union County, Ohio,

Milton B. Hoffsch, Gdn. of Barbara Scheneman, Subicile Plaintiff

January 13-1922

Barbara Scheneman,

order of appraisement

Defendants.

This day this cause came on to be heard upon

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Order

of appraisement

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the petition, evidence and testimony and, the answer, and cross-petition of the defendant, Jacob Sheneman, 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 Jacob Sheneman, husband of said Barbara Sheneman, is entitled to inchoate dower in said real estate; that said husband by his answer herein waives the assignment of dower in said premises by metes and bounds, or, in rents and profits, and, consents to the sale of said premises free from his dower estate therein, and, the Court being satisfied that it is necessary to sell the real estate of said Barbara Sheneman, described in the petition, to pay her debts, and, for her support, maintenance and care. It is ordered, that Lanson B. Barry, E. H. Patton, and C. H. Clark, 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 Jacob Sheneman, therein.

It is further ordered, that said appraisers, by 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 13-day of January, 1922, and, this cause is continued. W. H. Kusted, Probate Judge

Order of appraisement.

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Order

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

To Milton B. Kofford, Greeting;

of appraisement.

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as, Guardian of Barbara Sheneman, Antecile - are Plaintiff and Barbara Sheneman, et al. are Defendants, you are commanded that by the oaths of Lanson B. Barry, E. H. Patton and C. H. Clark, 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 Jacob Sheneman, therein, to wit: Situated in the County of Union, State of this, and in the Township of Paris, to wit:

Final Record, Union County Probate Court.

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Being part of Virginia Military Survey No. 5728.
 Beginning at a stake and stone (westerly corner to
 Tobias Brightler's land (now owned by Jacob Elliott)
 and in the center of the Bellefontaine Grand Road;
 thence with said Elliott's west line S. 9° E. 87.04
 poles to a stone corner to said Elliott's land; thence with
 Tobias Brightler's line S. 81° W. 41 poles to a stone in the
 Parr Road and in survey line. thence with the center
 of said Parr Road and survey line N. 36 1/2° W. 42.73
 poles to a stone corner to W. H. Robinson's heirs land;
 thence with one of said Robinson's lines N. 8° E. 71.04
 poles to a stone in the center of said Bellefontaine
 Grand Road, and corner to said Robinson's lands;
 thence with the center of said Grand Road, S. 72 3/4°
 E. 43.62 poles to the place of beginning.

Containing 3 1/4 acrs. more or less.

Excepting therefrom ten (10) acrs. of the south
 end thereof conveyed to Tobias Brightler on the 13th day of
 January, A. D. 1872. see Vol. 26 page 196 of the Records of
 Deeds of Union County, Ohio. you will make return of
 your proceedings herein to our said Probate Court, forthwith upon
 execution of said order ^{and} have you 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 13th day of January, 1922.

Wm. H. Hutton
 Probate Judge

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 foregoing hereto attached. Dated the 13th day of Jan. 1922.

William B. Koffroth

Oath

Oath of appraisers.

The State of Ohio, Union County ss.

Mr. 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.

Larson, B. Barry, W. H. Hutton, W. H. Black (Appraisers)
 known to me, and signed in my presence, this 13th
 day of January, 1922. *Wm. H. Hutton* County Public

Appraisers Return.

Appraisers

Return

In obedience to the foregoing order, after being first duly
 sworn and upon actual view of the premises therein
 described, we, the undersigned appraisers, estimate the
 value of said real estate at Two thousand five hundred
 Dollars, free from said down of Jacob Sherman.

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Order Bond

Approving Bond

Ordering Sale

Bond

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Given under our hands, this 13 day of January, 1922,
Lanson B. Barry, E. H. Hutton, C. H. Clark, appraisers
Fees \$2.00 per day each -
Journal entry: order approving appraisement for Bond,
Probate Court, Union County, Ohio,
January, 13-1922
Orders for Bond -

Order.
Bond.

This day came the said Plaintiff, by his attorney, and produced to the Court, the report of an appraisement herein made by Lanson B. Barry, E. H. Hutton, and C. H. Clark, 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 Milton B. Koffach execute within five days, to the State of Ohio, a bond with sufficient free hold sureties to be approved by the Court, in the sum of Five thousand (\$5000-) dollars, conditioned according to law, in this cause is continued.

Approving Bond

Journal entry: Probate Court, Union County, Ohio,
January, 13-1922.
Approving Bond ordering Sale -

Ordering Sale.

This day, this cause came on further to be heard, and it appearing to the Court, that the said Milton B. Koffach, the plaintiff above named, has given bond as heretofore ordered, in the sum of Five thousand Dollars with J. H. Harrison and H. G. Schmelzer 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 Barbara Shemenau, to sell the real estate described in the petition at private sale -

It is therefore further ordered that said Milton B. Koffach as such Guardian proceed according to law to sell at Private Sale, the real estate described in the petition free from the dower of Barbara Shemenau, therein for not less than the appraised value of said real estate, on the following terms, to wit: one-third cash in hand on day of sale, one-third in one year and one-third in two years from the day of sale; deferred payments to be secured by mortgages on the premises sold and to bear interest from the day of sale, payable annually, and said petitioner is ordered, to make return to this Court, immediately after such sale is made. This cause is continued.

Bond.

W. H. Husted, Probate Judge
Guardian's Bond.
Know all men by these Presents: that, we, Milton B. Koffach, J. H. Harrison, and H. G. Schmelzer, are here and

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firmly bound unto the State of Ohio in the sum of Five thousand (\$5,000) 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 13th day of January, 1922.

The condition of the above obligation is such, that whereas the above bound Milton B. Koffroth was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Barbara Shuman, and her estate.

and whereas the said Milton B. Koffroth as such Guardian, has filed a petition in said Probate Court, asking an order for the sale of certain real estate of said Ward, described in said petition which under proceedings in said Court, duly had, has been appraised at the sum of Twenty Five hundred (\$2500) Dollars.

and whereas said Court, on the 13th day of January, 1922, made an order requiring said Guardian to execute a bond according to the statute in such cases made, provided, now if the said Milton B. Koffroth as Guardian aforesaid, shall faithfully discharge his duties as such Guardian and, faithfully pay over and account for all moneys arising from the sale of said Real estate according to law, then this obligation to be void, otherwise to remain in full force.

M. B. Koffroth, J. K. Morrison, C. E. Schmeigel,
This bond approved in open Court, this 13th day of January, 1922. *(Sigs)* W. H. Husted, Probate Judge

application

See Real Estate at Private Sale

Application for Real Estate at Private Sale - Probate Court, Union County, Ohio.

Milton B. Koffroth Guardian of Barbara Shuman Plaintiff vs. Barbara Shuman Defendant Application

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

- First - That said premises can be sold for the appraised value.
- Second - That said premises can be sold at once.
- Third - That to sell at private sale will save costs and taxes.
- Fourth - That the appraised value \$2500- is all said premises is worth.

Fifth - That the said Barbara Shuman is in need of assistance at once.

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

Milton B. Koffroth, Guardian of Barbara Shuman

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affidavit

order of sale

95-73,

The State of Ohio, Union County, ss.
Milton B. Koffroth being duly sworn, says that the various matters set forth in the foregoing application are true, as he truly believes. Milton B. Koffroth.

Done & before me, and signed in my presence, this 13-day of January, 1927. ~~Seal~~ Maud Piers, Notary Public.

Affidavit of Disinterested Persons.

The State of Ohio, Union County, ss.
W.C. Moon, and Frank Callier, 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 Barbara Sherman and her estate to sell said real estate at private sale than at public sale - as they truly believe. W.C. Moon, Frank Callier.

Done & before me, and signed in my presence, this 13-day of January, 1927. ~~Seal~~ Maud Piers, Notary Public.

Order of Sale - free from Debt, Probate Court.

The State of Ohio, Union Co.,

Milton B. Koffroth, Ketting;

In obedience to an order, said decree of the Probate Court, within and for said county, made this day in an certain cause, wherein J.W. as Guardian of Barbara Sherman, an Indebted and Plaintiff and Barbara Sherman et al. are Defendants, you are commanded to proceed according to law, to sell at private sale - for not less than \$2500.00 the appraised value, thereof free from the dower of Jacob Sherman, therein, husband of Barbara Sherman, the following described premises, to-wit: Being situated in the Township of Paris, County of Union, Ohio State, Ohio, a part of Survey No. 2725. Beginning at a stake and stone marked corner to Tobias Brightler's land (now owned by Jacob Elliott) and in the center of the Bellefontaine Gravel Road; thence with said Elliott's west line S. 9° E. 17.27 poles to a stone corner to said Elliott's land; thence with Willis Brightler's line S. 51° W. 41 poles to a stone in the Parr Road and in the survey line; thence with the center of said Parr Road and survey line N. 36° W. 42.73 poles to a stone corner to W.H. Robinson's heirs land; thence with one of said Robinson's lines N. 8° E. 41.24 poles to a stone in the center of said Bellefontaine Gravel Road, and corner of said Robinson's lands; thence with the center of said Gravel Road S. 72 3/4° E. 43.62 poles to the place of beginning containing 31 1/4 acres, more or less. Excepting therefrom ten (10) acres off the south end thereof conveyed to Tobias Brightler, on the 12 day of

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January, A. D. 1872, see vol. 36, Pg. 196, of the Records of Deeds of Union County, O. Said sale to be private and to be upon the following terms: one-third in cash in hand on day of sale; one-third in one year, and one-third in two years from the day of sale - The deferred payments to be secured by 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 Marysville, this 13-day of January, 1922

W. H. Gustaf, 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 13-day of January, 1922.

Millon B. Koffroth, Executor

Report

In obedience to the within order, I sold said premises on the 13-day of January, 1922, to Gus Peterson *vs. Edick Peterson*, for the sum of Twenty-five Hundred Dollars, said sum being the appraised value of the same.

Millon B. Koffroth, Executor of Barbara Sherman, Incubate

Dated the 13-day of January, 1922.

10226
Nov. 2, 1923
E. W. Porter
attorney

order confirming

The State of Ohio, Union County

The above named, *Millon B. Koffroth*, being duly sworn, dep. 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. *Millon B. Koffroth*, sworn to before me - and signed in my presence, this 13 day of January, 1922. *Edw. Grand Payer, Notary Public*

Petition

Journal entry: order approving and confirming sale, Probate Court, Union County, Ohio, January, 13-1922.

Millon B. Koffroth, Executor of Barbara Sherman, Incubate

Barbara Sherman, Incubate Plaintiff
Barbara Sherman, Incubate Defendant

This day, this cause coming on to be heard on the report of *Millon B. Koffroth*, Executor of *Barbara Sherman, Incubate*, 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 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 Barbara Shemenaw and Jacob Shemenaw, in said real estate to the purchasers, Gus Peterson and Edith Peterson, upon the said purchasers executing to said petitioners a mortgage upon the premises, good to secure the deferred payments of the purchase money. It is further ordered, that this proceeding be recorded, and that said petitioners pay the costs herein taxed at \$--.

W. H. Hackett, Probate Judge

10226
 Nov. 2, 1923
 E. W. Porter
 attorney,

Petition for Sale of Real Estate to Pay Debts
 Probate Court Union County, Ohio.
 No. 10226

Flora Truesd. Executrix
 of the estate of John Truesd. Dec'd.
 Plaintiff

Flora Truesd. and
 The Buckeye State Building
 Loan Company
 Defendants.

Civil Action
 Petition to Sell Real Estate
 Petition

The Plaintiff represents that she is the duly appointed and qualified executrix of the estate of John Truesd. late of Union County, Ohio, deceased, that the amount of debts due from the deceased is Twenty five hundred (\$2500.00) dollars, as near as can be ascertained that the charges of administration of said estate will amount to about one hundred dollars, and that the total value of the personal estate and effects of said deceased is but Eight Hundred Dollars being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said John Truesd died seized in fee simple of the undivided one half of the following described real estate, situate in the County of Union and State of Ohio, to wit: in the township of Jerome, and Beginning at a stake in the center of the Schrader and Dublin Grant Road, north east corner to lands of Simpson Anderson, and in the west line of Israel Hill's lands, thence with the center of said Grant Road, N. 10. W. 116 poles to stake in the center of the junction of a road on the township line, between the townships of Mill Creek, and Jerome with said Grant Road, thence

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with the center of said Road, on said Township line S. 80° W. 96.50 poles to the corner of the lands of John Moss; thence north-east corner of the lands of John Moss; thence with said Moss's east line S. 70° E. 116 poles to an Ash, sugar and Hornbeam, north line Simpson Anderson's land; thence with said Anderson's line N. 80° E. 96.50 poles to the place of beginning, containing seventy (70) acres of land more or less, and being a part of Survey No. 3005. Also, the whole of one other tract of land, situated in the County of Madison, State of Ohio, and in the village of Plain City and, being in lot No. fifty-one (51) in said village of Plain City (formerly Pleasant Valley) Madison County, Ohio, as shown on the recorded plat of said village in the records at Lancaster, Ohio.

The said decedent died leaving the defendant Flora Trues, his widow, who is entitled to dower in said premises; that the defendant Flora Trues, is the only heir-at-law and next of kin of said decedent, having the next estate of inheritance from said John Trues, deceased, in said premises; that the defendants The Buckeye State Building ^{Co} Loan Company of Columbus, Ohio, claims to have a mortgage lien upon said first above described real estate.

The Plaintiff therefore prays, that the dower of said Flora Trues in said premises may be assigned and set off to her; that the rights, interests and liens of the said The Buckeye State Building ^{Co} Loan Company may be fully determined, adjusted and protected according to equity, and that your petitioners may be authorized and ordered to sell said real estate free of said dower, according to the statute in such cases made, and, provided, and for all other proper orders and relief in the premises. E. W. Porter Atty. for Plaintiff.

The State of Ohio, Union County, ss.

Flora Trues, the within named Plaintiff, being duly sworn, say, that the various matters and things set forth in said petition are true, to the best of her knowledge and belief. Flora Trues,

Sworn to before me, and signed in my presence this 2-day of November, 1923.

Eduard W. Porter Notary Public Union County Ohio

Journal Entry: In the Probate Court of Union County, Ohio
 Flora Trues, Executrix of
 The Estate of John Trues, Deceased.
 vs. Plaintiff

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Filing, Return

Answer of widow

Oath.

Filing Petition

Flora Freese; The Burckeyr
Breedings to Loom Co. and
George Bell,
Defendants.

Friday, November 2 - 1923.

no. 10226 Journal Entry,
Filing Petition to
Free Real Estate

This day came the Plaintiff Flora Freese executrix
of the estate of John Freese, deceased, and pre-
sented to this Court her petition, duly verified,
praying an order for the sale of real estate of the
said John Freese, deceased, to pay the debts, and the
costs of administering the estate of 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

Answer of Widow,

Probate Court, Union County, Ohio,

Flora Freese, Executrix

no. 10226,

of the estate of
John Freese, dec'd. Plaintiff
v.
Flora Freese, et al, Defendants

Answer of widow.

And now comes Flora Freese, 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 John Freese, deceased, and as such is
entitled to dower in the premises described in said
petition, that her age is 54 years, and she
freely consents to said sale as prayed for, and
waives the assignment of dower in said premises
by meters and bounds, or, in rents and profits, and
asks the Court that said premises may be sold for
from 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
Flora Freese.

Oath.

The State of Ohio, Union County,

Flora Freese, being duly sworn, says, that the
statements in the foregoing answer are true, as she
verily believes.
Flora Freese

Known to before me, and, signed in my presence, this
2. day of November, 1923
Full Edward W. Porter
Notary Public, Union County, O.

Final Record, Union County Probate Court.

10226

Answer and Cross Petition of
The Buckeye State Building and Loan Co.,
Probate Court, Franklin County, Ohio,

Answer and

Cross Petition

Flora Freese, executrix of
The Estate of John Freese, dec'd,
Plaintiff

no. 10226

of
Buckeye B. & Loan
Co.

Flora Freese et al. Defendants.

Answer and Cross Petition.

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 December 12-1918. George A. Bell and Elizabeth
D. Bell executed and delivered to the defendant their
certain promissory note of which the following is a true
and correct copy:

Straight Loan

\$4500.00

Columbus, Ohio, Dec. 12-1918

we or before five (5) years after date 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 forty-five hundred dollars (\$4500.00) with
interest at the rate of six (6) per cent per annum,
payable semi-annually on or before the 12 day of June
and December of each year. Payments of One
hundred dollars, or more, in addition to the
interest may be made at any time and the same
shall cease to bear interest on the day paid. It is
further understood and agreed that if this note
be not paid when due, or if any installment of
interest hereon be not paid when due, or within
thirty days thereafter; or if the maker hereof, or the
owner of the real estate mortgaged to secure the
repayment of this note with the interest hereon, or
any one for them, fail to keep all taxes and assessments
levied on said real estate paid as they become due and
payable; or fail to keep the premises so mortgaged
insured in some reliable fire insurance company in
a sum of not less than \$2500. with a clause providing
that the loss, if any, shall be payable to said
company according to its mortgage interest; or,
fail to keep the buildings on the real estate mortgaged
to secure this loan in good and proper repair; then
and on such default in whole or in part, all the
indebtedness so secured, by such mortgage and
owing on this note shall thereupon become due
and payable at the option of said Company,

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Answer.

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of the legal owner thereof; and, said company or owner, may enforce the repayment of all said indebtedness, including all accrued interest and money expended for taxes, insurances 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 percent per annum until paid. George A. Bell, Elizabeth O. Bell" Rev. stamps attached.

For valuable consideration the said Flora Treese and John Treese, now deceased, assumed and agreed to pay the said note. This defendant is now the owner and holder of said note on which there is payable the sum of Forty-five hundred and thirty-one (\$45,310) with interest from the 3-day of January 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 December 12-1918, to secure the payment of the note set out in the first cause of action herein, George A. Bell, and Elizabeth O. Bell, husband and wife, executed, and delivered to this defendant their certain mortgages deed thereby to it conveying the premises real estate situate in the Township of Jerome County of Union, in the State of Ohio, and described as follows:

"Being a part of Survey No. 3055, bounded as follows: Beginning at a stake in the center of the straddler and Dublin Grant Road, northeast corner to lands of Simpson Anderson, and in the west line of Israel's Hill's lands; thence with the center of said Grant Road north 10° west 116 poles to a stake in the center of the junction of a road on the township line between the townships of Mile Creek, and Jerome - with said Grant Road; thence with the center of said Road on said Township line south 80° west 96 1/2 poles to two hornbrans and Swamp Ash, north-east corner of the lands of John Moss; thence with said Moss' east line south 10° east 116 poles to an ash sugar, and hornbrans, north line of said Simpson Anderson's land; thence with said Anderson's line north 80° east 96 1/2 poles to the place of beginning including seventy acres (70.2) or sixty-nine and

Answer.

10226

10226

ninety-six hundredths (69.96 ac) acres.

Being the same real estate conveyed to the said George A. Bell by Alexander C. McCartney and wife, by deed, dated November 23-1918, and recorded in the office of the Recorder of Union County, this

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 mortgagor their one certain promissory note of even date herewith due as herein after mentioned and in amounts as follows:

\$4000.00 due on or before 5 years from the date hereof; Together with the interest thereon at the rate of six percent per annum, payable semi-annually on or before the 12. day of June, Or, December of each year. That if said note be not paid when due; or, if any installment of interest, thereon be not paid when due, or within thirty days thereafter, then all of said note, together with all accrued interest thereon, shall thereupon become due and payable at the option of the owner of said note and mortgage.

That the said mortgagors further agree, as follows: To pay all taxes, assessments and other charges that may be assessed against the property herein conveyed promptly as they become due and payable; To keep the building on the real estate hereby mortgaged in good and proper repair; To keep said property insured in some responsible fire insurance company satisfactory to said mortgagor in the sum of not less than \$2000.00 with the loss, if any, payable to said mortgagor as its mortgagor interest may appear; and to leave said policy of insurance in the possession of said mortgagor until this mortgage is fully paid.

That if the said mortgagors, their heirs and assigns shall fail to pay promptly as they or either become due and payable, said taxes, insurance, assessments or other charges that may be levied against said property, the said mortgagor may pay the same, which sum so paid shall be charged against the said mortgagors, and bear interest from date of payment thereof at eight 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

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Order for
appraisement

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said building be not kept in good and proper repair all the money secured by this mortgage shall therefore become due and payable

now, if the said mortgagor 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 Union County, Ohio, on December 18-1918, at 9:30 o'clock A.M. and was thereafter by him recorded in Book 78, page 158, 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 ^{aw.} Rector attorneys

For The Buckeye State B. & Loan Company

State of Ohio Franklin Co - ss: -
Fred C. Rector, being first duly sworn, says that he is one of the duly authorized attorneys for The Buckeye State Building ^{aw.} Loan Company, a corporation, and that the facts stated, ^{aw.} allegations contained in the foregoing answer and cross-petition are true as he verily believes. Fred C. Rector

Sworn to before me, and subscribed in my presence, this 2-day of January, 1924.

Ray W. Poppelt ^{aw.} Notary Public, Franklin Co, O.

Ray W. Poppelt

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Order for appraisement

Journal entry; Probate Court, Union County, Ohio, Feb. 7, 1924.

Flora Brees, executrix of the estate of John Brees, deceased.

No. 10226

Plaintiff

Journal entry

Flora Brees, 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 John Brees, deceased. And Flora Brees, the widow of the said John Brees deceased

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having by her assumed, waived, the assignment of her
down by metes and bounds: it is therefore ordered and
adjudged by the Court that the said premises be appraised
free of down by the oaths of William Jennie Lewis Conklin,
and William Conklin, 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. Anderson, Probate Judge

Order of appraisement

The State of Ohio, Union County, ss.

Probate Court.

Order of appraisement.

To Flora Truse, Ex. of the estate of John Truse, deid. 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, Jas. D. Gentry of the
estate of John Truse, deceased, are Plaintiff and Flora
Truse, et al. are Defendants, you are commanded by the
oaths of W.H. Anderson, Lewis Conklin and William Conklin,
judicious disinterested men of the vicinity, not of kin
to the petitioner, who are freeholders, of the County in which
said real estate is situated, and upon actual view,
you cause a just valuation and appraisement
to be made according to law, of the undivided one-half
premises free of the down estate of Flora Truse, therein, to wit:
situate in the County of Union, State of Ohio, Township
of Jerome, and beginning at a stake in the center of the
Strander and Dublin Grant Road, north-east corner
to lands of Simpson Anderson, and in the 70th line of
Isaac Hill's lands; thence with the center of said Grant
Road, N. 10° W. 116 poles to a stake in the center of
the junction of a road on the Township line, between
the townships of Mill Creek and Jerome with said
Grant Road; thence with the center of said Road, on
said Township line S. 80° W. 96.50 poles to the corner
and Swamp Ash, north-east corner of the lands
of John Moss; thence with said Moss' east line
S. 10° E. 116 poles to an Ash, Sugar, and Hornbeam, north
line Simpson Anderson's land; thence with said
Anderson's line N. 80° E. 96.50 poles to the place of beginning,
containing seventy (70) acres of land more or less, and being
a part of Survey No. 3005. Also, the whole estate
of one other tract of lands situated in the County
of Madison, State of Ohio, and in the village of Plain
City, and being in Lot No. fifty-one (51) in said
village of Plain City (formerly Pleasant Valley) Madison
County, Ohio, as shown on the recorded plat of said
village in the records at London, Ohio.

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

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Return,

oath of appraisers

appraisers Return

application to

Sell Real Est. at Private Sale.

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Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 7th day of July, 1924.

W. H. Husted, Probate Judge

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 thereto attached, dated July 26-1924

Flora Freese, Executrix.

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. H. Anderson, L. H. Conklin, W. A. Conklin, Appraisers.

Sworn to before me, and signed in my presence, this 25th day of July - 1924

Flora Freese, Exx.

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 70 acres land, \$4200.00
Lots in Plain City 700.
\$4900.00

Free of said above estate said Flora Freese, widow of said John Freese, deceased, the undivided one-half of said tract is intended to be appraised herein at \$2100.00 and the whole interest of the small tract in Plain City, at said \$700.00

Sworn under our hands this 25th day of July - 1924.

W. H. Anderson, L. H. Conklin, W. A. Conklin, Appraisers

Application

Application to Sell Real Estate at Private Sale

Probate Court, Union County, Ohio.

Sell Real Est. at Private Sale.

Flora Freese, Exx., of the Estate of John Freese, Dec'd.

No. 10226

Plaintiff

Flora Freese, 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 at private sale, the property must bring the full appraisement, whereas, if sold at public sale, it might go for 2/3 the appraisement only.
2. It will save the costs of advertising
3. " " " " time

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Because a purchaser at the appraisement has already been secured, and she therefore asks for an order authorizing her to sell real estate at private sale. Flora Freese, Exr of estate of John Freese, deceased, The State of Ohio, Union County.

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

Sworn to before me, and signed in my presence this 10-day of March, 1924. Abr Cochran, J.P.

Affidavit of Disinterested Persons-

The State of Ohio, Union County

W. A. Conklin, W. H. Andrews, and L. B. Conklin being

duly sworn, say, that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate to sell said real estate at private sale than at public sale, for the reasons hereinbefore given, as they verily believe.

W. A. Conklin, W. H. Andrews, L. B. Conklin

Sworn to before me, and signed in my presence, this 10-day of March, 1924. Abr Cochran, J.P.

Journal Entry: For the Probate Court of Union County, Ohio, March 10-1924

Flora Freese, Executrix of the estate of John Freese, deceased, Plaintiff

No. 10226

Journal Entry,

Flora Freese, vs. The Bystays, State Building Loan Company, 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 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

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Order of Sale.

Free of

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Decree confirming appraisement and ordering sale.

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application and, the evidence adduced in support thereof in 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 Flora Truse, 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 terms thereof.

W. H. Husted, Probate Judge

Order of Sale - Free of Dower.

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Order of Sale. Free of Dower.

The State of Ohio, Union County, Probate Court. To Flora Truse, executrix of the estate of John Truse, 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 executrix of the estate of John Truse, deceased, are Plaintiff and Flora Truse, 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 Flora Truse, widow of John Truse, deceased, the undivided one-half of the following described premises, to wit:

Situate in the County of Union, State of Ohio, and in the Township of Jerome, and beginning at a stake in the center of the ostrander and Dublin Grant Road, north-east corner to lands of Simpson Anderson, and in the west line of Israel Hill's lands; thence with the center of said Grant Road, N. 10 W. 116 poles to a stake in the center of the junction of a road on the Township line between the townships of Mill Creek, and Jerome with said Grant Road; thence with the center of said Road, on said Township line S. 50° W. 96.50 poles to the corner of Honubans and Swamp ash, north-east corner of the lands of John Moss; thence with said Moss's east line S. 10° E. 116 poles to an ash, sugar, and Hornbeam, north line Simpson Anderson's land; thence with said Anderson's line N. 80° E. 96.50 poles to the place of beginning containing seventy (70) acres of land, more or less, and being a part of survey No. 3005.

I also, the whole of one acre tract of land situated in the County of Madison, State of Ohio, in the name of Plain City, and being in Lot No. Fifty-one (51) in said

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Village of Plain City, (formerly Pleasant Valley) Madison County, Ohio, as shown on the recorded plat of said village in the records at London, Ohio.

Said sale to be free of down, and upon following terms, to take on delivery of deed.

You will make return of your proceedings to this Court for entry upon execution of this Court.

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 17. day of March, 1924,

W. H. Stueber Probate Judge

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 15 day of June, 1924

Flora Freese, executrix as aforesaid

Report

Report of Sale -

In obedience to the within order, I sold, said lot # 51 in Plain City, Ohio, on the 5th day of June 1924, to Harry Warner, also of Plain City, Ohio, for the sum of seven hundred (\$700-) Dollars, said sum being the appraised value of the same. That said undivided half of said 70 acres tract has not been sold.

Dated the 5th day of June, 1924,

The State of Ohio, Union County,

The above named Flora Freese, 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.

Flora Freese, executrix.

Known to before me, and signed in my presence, this 5th day of June - 1924

Edmund M. Potter, Notary Public, Union County, Ohio

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Confirming sale

Journal entry: Probate Court, Union County, O. June, 5th 1924.

Flora Freese, Executrix of the estate of John Freese, dec'd. Plaintiff

Proceeding to Sell Real Estate

Flora Freese, et al. Defendants. Confirming Sale - This day this cause coming on to be heard on the return of Flora Freese, Executrix of the estate of John Freese, deceased, of her proceedings and sale under former order of this Court; the Court having carefully examined said return, and being satisfied that such sale has in all

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Nov. 14-

1923

Fackler

Fackler

attys.

Petition

reports have regularly and legally made. It is ordered that the same be and hereby is approved and confirmed, and it is further ordered that said Flora Freese as such executrix make to the purchaser Harry Warner, a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said executrix pay the costs herein taxed at \$13.00.

W. H. Husler Probate Judge

10206
Nov. 14-
1923.

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

Fackler
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attys.

Jake E. Dilsann, administrator
of the estate of
Albert Dilsann, deceased,
Plaintiff

no. 10206
kind action

Floyd H. Dilsann,
Anna Dilsann,
Jake E. Dilsann
Eva Dilsann
b. E. Fackler, adu. de bonis non,
of the estate of Michael Dilsann,
deceased.
Defendants.

Petition to Sell Real Estate

Petition.

Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Albert Dilsann late of Union County, Ohio, deceased; that the amount of debts due from the deceased is about one thousand six hundred dollars, as near as they can be ascertained, that the charges of administration of said estate will amount to about two hundred fifty dollars; and that the total value of the personal estate and effects of said deceased, is but Ten Hundred thirteen and ⁵⁰/₁₀₀ Dollars, which being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Albert Dilsann died seized in fee simple possessed, of the foregoing described real estate situated in the County of Union, State of Ohio, and in the township of Blairtown; Being part of S. W. Survey, no. 6293, and being Lot, No. 1, of the sub. division of the lands of John Dilsann, deceased. Beginning at a stone and piece of crockery in the line between Survey No. 7008 and 6293, and at the North West corner of the John Dilsann land; Thence N. 87 1/2° E. 204 1/2° poles to a stone and piece of brick in the south line of Elijah Harris' land, and corner of lands owned by O. P. ...

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Laura Surr: thence with the west line of said Surr land S. 1 E 51 poles to a stone and pieces of brick and N.E. corner of Lot No. 2. of the sub-division of John Dilsarr's land: thence with the north line of Lot No. 2. S. 89.0-0 N. 194. 5²/₁₀₀ poles to a stone and rockery in the line between said Surr's no. 7008 and 6293: thence with line of said Surr's N. 13 W. 51 1¹/₁₀₀ poles to the beginning containing 63 acres of land.

Excepting therefrom the right of way sold to the C. M. S. and N. Railway

Statement of Debts.

Statement of Subst

One sixty day note payable to the estate of Michael Dilsarr amount \$ 1400 - and interest,

Plaintiff asserts 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 and fifteen and 50/100 Dollars. The said decedent died leaving the defendants Jake E. Dilsarr and Floyd B. Dilsarr who are his children, and are the only heirs at law of said decedent, having the next of inheritance from said Albert Dilsarr deceased, in said premises, that the defendants Eva Dilsarr and Anna Dilsarr are the wives of the above mentioned children of Albert Dilsarr, and that G. E. Fackler is the administrator de bonis non of the estate of Michael Dilsarr, deceased. The Plaintiff therefore prays that the rights, interests and claims of the said parties defendant 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 debt, 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, Pet.

The State of Ohio, Union County,

Oath

Jake E. Dilsarr, 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. Jake E. Dilsarr.

Sworn to before me, and signed in my presence, this 12 - day of November, 1923 at W. W. Fackler, Probate Judge

Filing

Petition

Journal entry: In the Probate Court of Union County, Ohio November 14 - 1923. No - Journal entry: Filing Petition

Jake E. Dilsarr, Adm. of Estate of Albert Dilsarr, deceased. Plaintiff vs. Floyd B. Dilsarr et al. Defts.

This day came the Plaintiff Jake E. Dilsarr, adur,

10216

Warrant

Warrant

Answer and Cross-Petition

10206

of the estate of Albert Dilsarr, and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said Albert Dilsarr 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, 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. Husted, Probate Judge
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Jake E. Dilsarr, admr. of the estate of Albert Dilsarr, Plaintiff
vs.
Floyd H. Dilsarr, 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.

answer

Jake E. Dilsarr, Era Dilsarr, Floyd H. Dilsarr, Anna Dilsarr, Answer and Cross-Petition of
C. E. Fackler, admr. etc. of estate of Michael Dilsarr

Cross-Petition

Jake E. Dilsarr, admr. of the estate of Albert Dilsarr, decd., Plaintiff
vs.
Floyd Dilsarr - Jake Dilsarr et al. Defendants

answer

For answer to the petition herein, the said defendant says, that plaintiff's decedent on the 25-day of March, 1918, did make his certain promissory note, in writing, of ten date, and did deliver to this defendant's decedent, and thereby promise to pay to defendant's decedent or his order, the sum of \$1000.00 in one year from date thereof which period has elapsed.

answer

This defendant further says, that to secure the payment of said promissory note, and the money secured, thereby, plaintiff's decedent, a widow, by his certain mortgage deed of even date with said promissory note, duly executed and delivered to defendant's decedent, did convey to him, the said Michael Dilsarr, his heirs and assigns, forever, all said real estate described in the petition, to have

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and to hold the same to him, his heirs and assigns in
 form: that said deed of conveyance had a con-
 dition thereunder written, whereby it was provided,
 that if the said Albert Dilsam shall pay or cause
 to be paid, unto the said Michael Dilsam, his executor,
 administrator and assigns, his certain promissory note
 of even date herewith, for the sum of \$400- payable
 to the order of Michael Dilsam in one year from date,
 according to the tenor and effect thereof, then these
 presents shall be void, otherwise to be in full force and
 virtue in law form. and this defendant further
 says, that his decedent presented this mortgage to the
 recorder of Union County on the 26th day of March 1918,
 and the same was duly recorded in Volume 81 page
 118 of the Mortgage Records, and that no part of the
 money mentioned in said promissory note has been paid,
 but is with interest at the rate of five percent from
 March 25- 1920, still due and unpaid.

Wherefore, this defendant asks that out of the proceeds
 of the sale of said real estate herein, this debt with the
 interest be paid in full, and for all proper relief.

G. E. Fackler, adm. etc. of M. Dilsam, ^{Deid}

State of Ohio, Union County, ss.

Order

G. E. Fackler, adm. etc. of the estate of Michael Dilsam
 being duly sworn, says that he is defendant in
 the above case, and that he believes the facts stated
 in the foregoing answer and cross-petition to be true.

G. E. Fackler.

Sworn to before me, and signed in my presence, this
 15th day of January, 1924 ^{Sub} W. H. Husted Probate Judge

Bond

Bond.

Know all Men by these Presents: That we, J. E. Dilsam, and
 The United States Fidelity & Guaranty Co. are held and
 firmly bound unto the State of Ohio, in the sum of
 Twenty thousand Dollars, for the payment of which
 we hereby jointly and severally bind ourselves, our
 heirs, executors and administrators, by a bond
 and dated at Marysville, Ohio, this 18th day of January
 1924. The Condition of the above obligation is such,
 that whereas the above bound J. E. Dilsam was here-
 tofore duly appointed and qualified by the Probate
 Court of Union County, Ohio, administrator of the estate of
 Albert Dilsam, deceased, and whereas the said
 J. E. Dilsam as such Admin. 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 18th day of January 1924 made an order

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appointing
 Bond
 for
 Public Sale

order for
 Public Sale

102.6

requiring said Administrator to execute a bond according to the Statute in such cases - made and provided. Now, if the said J.E. Dilsarr, administrator, as aforesaid, shall account, for all the further assets, arising from the sale of said Real Estate and that shall remain after payment of the debts and charges for which the land shall be sold, and to dispose of the same according to law; Then this obligation to be void, otherwise to remain in full force, J.E. Dilsarr, United States

seal Fidelity & Guar. Co., N.Y. *seal*

This Bond, approved in open court, this 18th day of January, 1924

seal W. H. Huusted, Probate Judge

approving Bond for Public Sale

Journal Entry: Orders approving Bond for Public Sale - Probate Court, Union County, Ohio.

J.E. Dilsarr Administrator of the Estate of Albert Dilsarr, Decd. vs. Plaintiff

Floyd Dilsarr, 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 J.E. Dilsarr the plaintiff above named has given bond as heretofore ordered, in the sum of Twenty Thousand Dollars, with the United States Fidelity and Guaranty Company as sureties; it is ordered that said bond be and hereby is approved. It is therefore further ordered that said J.E. Dilsarr, as such administrator proceed according to law to sell the real estate described in the petition first of above, at public auction for not less than two-thirds the appraised value thereof, on the following terms to wit: cash in hand, on day of sale. It is further ordered that said petitioner give notice four weeks consecutively of the terms and time and place of sale, prior thereto, in some newspaper printed and 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. Huusted, Probate Judge

order for Public Sale

Journal Entry: Probate Court, Union County, Ohio

Jake E. Dilsarr, admr. of the Estate of Albert Dilsarr, Decedent. vs. Plaintiff

Floyd, H. Dilsarr, et al. Defendants Order for Public Sale

This day, this cause came on to be heard upon the petition, evidence, and testimony of Jake E. Dilsarr Admr. of the estate of Albert Dilsarr, and, the court, being fully advised in the premises finds:

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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 Albert Dilsarr 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 Dilsarr, described in the petition, to pay his debts. It is therefore further ordered that said Jake E. Dilsarr, as such adu., 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

Order of Sale

Order of Sale - Free from dower

The State of Ohio, Union County, Probate Court,
To Jake Dilsarr, administrator of the estate of
Albert Dilsarr, Deceased:

Free of Dower

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as, adu., of the estate of, Albert Dilsarr, are Plaintiff and Floyd B. Dilsarr 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 free from the dower of any widow of deceased, the following described premises, to wit: situate in Blairtown Township, Union County, Ohio and being part of V. M. Survey no. 6292, and being Lot No. 1, of the sub-division of the lands of John Dilsarr deceased. Beginning at a stone and piece of crockery in the line between Surveys, 40, 7008 and 6293, and at the north west corner of the John Dilsarr land; thence N. 89 deg E. 204.60 poles to a stone and piece of brick in the south line of Elijah Harris' land, and corner of lands owned by O. P. and L. Leroy; thence with the West line of said Leroy land, S. 1 E. 51 poles to a stone and piece of brick and N.E. corner of Lot No. 2, of the subdivision of John Dilsarr's land; thence with the north line of Lot No. 2, S. 89 deg 55 W. 194.52 poles to a stone and crockery in the line between said Surveys, no. 7008 and 6293;

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Return

Report

Confirmation

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thence, with the line of said Survey N 13 W. 51.16 poles to the beginning containing 63 a. of land. Excepting therefrom the right of way sold to the C. M. & N. Railway. Said sale to be cash-

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

In witness my signature and the seal of said Probate Court at Marysville, Ohio, this 19-day of January, A.D. 1924.

W.H. Husted, Probate Judge

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 thereto attached. Dated the 29th day of Feb., 1924.

J. E. Dilsarr.

Report

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 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 1 o'clock P.M. I attended the said public sale and offered said real estate for sale free from the dowry estate of any widow therein, when Floyd H. Dilsarr bid to pay for the same the sum of seven hundred one hundred and 85/100 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.

J. E. Dilsarr

Dated the 29th day of Feb., 1924.

The State of Ohio, Union County,

The above named J. E. Dilsarr, 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.

J. E. Dilsarr.

Brought before me, and signed in my presence, this 29th day of Feb., 1924.

W.H. Husted, Probate Judge

Confirmation

Journal Entry: Probate Court, Union County, Ohio.

J. E. Dilsarr, Adm'r.

Feb. 29 - 1924.

of the estate of - Albert Dilsarr, Dec'd, Plaintiff.

Floyd H. Dilsarr, et al. Defendants.

Confirmation

Distribution

10206

This day this cause came on to be heard on the report of J. E. Dilsaver Adm. of the estate of Albert Dilsaver of his proceedings under the former order of this Court and upon the motion of said petitioner to confirm the sale made in obedience to said order; and the Court having carefully examined said report and finding the proceedings of said petitioner in all respects correct and being satisfied that said sale was fairly and legally made; it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right title and interest of the said Albert Dilsaver in said real estate to the purchaser Floyd W. Dilsaver upon the said purchase. 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 \$7,100.⁸⁵

The Court finds that there is due the said estate of Michael Dilsaver upon the note set forth in its answer and cross-petition from the estate of said Albert Dilsaver the sum of Sixteen Hundred Twenty one ⁶⁶/₁₀₀ Dollars with interest thereon from the date of this entry; that the said Albert Dilsaver 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 all 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 \$35.⁰⁰ to C. E. Fackler and \$221.⁷⁵ the percentage of said J. E. Dilsaver herein.
- Fourth: To C. E. Fackler Adm. Est. M. Dilsaver on the note and mortgage set forth and described in his answer and cross-petition herein the sum of \$1691.⁶⁶ which the Court finds to be the amount due him.

It is further ordered that the balance of said proceeds amounting to the sum of \$--- be accounted for by said Ad- according to law.

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Legal Notice

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And it is further ordered, that this proceeding be recorded and, that said petitioner pay the costs herein \$ - out of the proceeds of said sale, within ten days.

W.H. Husted Probate Judge -
Legal notices.

Legal notice.

State of Ohio, Union County.

Personally appeared before me, O.W. Keigley, and 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.W. Keigley

Sworn to before me and signed in my presence, this 1-day of March, 1924.

Paul B. Van Winkle, Notary Public.

Administrator's Sale, Real Estate.

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction on the 28-day of February 1924, at 11 P.M. on premises, the following described real estate situate in the County of Union, State of Ohio, Township of Deloitome; Being part of Virginia Military Survey, No. 6293, and being lot No. 1, of the sub-division of the lands of John Dilsann, deceased, Beginning at a stone and pieces of crockery in the line between Surveys No. 7008 and 6293 and at the north west corner of the John Dilsann land; Thence N. 87° 40' E. 204.60 poles to a stone and piece of brick in the south line of Elijah Harris' land, and corner of lands owned by O.P. and L. Senox; thence with the west line of said Senox land, S. 1° E. 51 poles to a stone and pieces of brick and north east corner of Lot No. 2, of the sub-division of John Dilsann's land; Thence with the north line of Lot No. 2, S. 89° 50' W. 194.52 poles to a stone and crockery in the line between said Surveys No. 7008 and 6293, thence, with the line of said Survey No. 13° W. 51.16 poles to said beginning containing 63 acres of land. Said property is the old Albert Dilsann Home, located about one and one-half mile south of Richmond, Ohio. The property is appraised for \$10,000. and must bring 2/3 the appraisement.

Terms of Sale - cash.

John Dilsann admr., of the estate of Albert Dilsann.

Fackler & Fackler, attys.

J.M. Ackerman, Auct.

Jan. 24 - 1924 -

10225-
Dec. 19-1923

Richard L. Small
atty.

Guardian's Petition to Sell Real Estate.

Probate Court, Union County, Ohio,
No. 10225-

Joseph Fawn, Guardian,
Plaintiff

P-

High Ward,
Lennis Kriechbaum
Walter Kriechbaum
Ruffina Fawn
Emma Rowley
Mrs. Laura Roberts.

Petition to Sell Real Estate

Petition

Defendants.

The Plaintiff represents that he is the duly appointed and qualified guardian of Lennis Kriechbaum of the age of fifteen years, on the 16 day of September 1923, and residing with Ruffina Fawn, at Marysville, 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 Marysville, to wit: Beginning in the center of the Waldo Gravel Road and North east corner of three acre lot formerly owned by Andrew Jenkins (a stone and piece of crockery brass North 86° West 20 feet. Thence with the north line of said lot, North 86° West 30 ²/₁₀₀ poles to two small stones and pieces of crockery in the East line of D. W. Henderson's land: thence with said Henderson's line North 1° West 10 ⁶/₁₀₀ poles to two small stones and pieces of crockery and South west corner of S. V. Woodburn's ⁷/₄ acre lot of land. Thence, with the South line of said Woodburn's land, South 86° East 31 ⁶/₁₀₀ poles to the center of said Waldo Road (to a stone and a piece of crockery, brass North 86° West 20 feet) thence with the center of said road South 3° 30' West 10 ⁵/₁₀₀ poles to the beginning, containing 2 acres, more or less.

Said minor, Lennis Kriechbaum being seized of an undivided one-fifth interest in the above described real estate.

That no personal property of any nature belonging to said minor was same to the knowledge of the petitioner.

That there is no personal estate of said ward subject to the settlement of any decedent's estate or the execution of any trust. Said real estate is worth annually thirty-five dollars.

That said plaintiff has received no rents from the real estate of his ward, said property having been idle.

That the sale of said real estate is necessary to provide for the maintenance of said

Petition

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ward and his education that no liens exist upon said real estate to the knowledge of the petitioner. The plaintiff therefore prays that said Lewis Krickbaum his ward, Walter Krickbaum, his ward, Ruffina Farrow, Emma Rowley, and Laura Roberts, 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 hereuntofore proposed, and for other proper relief. Joseph E. Farrow, son of Lewis Krickbaum, minor.

Cath

The State of Ohio, Union County. Joseph Farrow, Guardian, being duly sworn says that he is the plaintiff mentioned in the foregoing petition and that the facts therein are as he verily believes.

Filing Petition

Joseph C. Farrow, Guardian of the estate of Lewis Krickbaum, minor.

Brought to before me - and signed in my presence, this 19 day of December, 1923. Richard C. Thrall, Notary Public, Union Co - Ohio

Journal Entry: Filing Petition to Sell Real estate, The Probate Court of Union County, Ohio, December, 19-1923

Joseph Farrow, Guardian of Lewis Krickbaum, minor, Plaintiff vs. Lewis Krickbaum, his ward, Emma Rowley, Walter Krickbaum, Ruffina Farrow & Laura Roberts, Defendants. Journal entry: Filing Petition to Sell Real estate.

Filing Time

This day came the Plaintiff Joseph Farrow guardian of the estate of Lewis Krickbaum, a minor, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Lewis Krickbaum minor, to provide for the support and education of said minor. 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. Journal Entry: Orders Filing Time of Hearing for notice Probate Court, Union County, Ohio, December 19-1923.

Joseph Farrow, Guardian of Lewis Krickbaum, minor, Plaintiff vs. His wards, et al, Defendants. Order for notice.

This day Joseph Farrow Guardian of Lewis Krickbaum a minor, appeared in open Court, and filed his

Final Record, Union County Probate Court.

10220-

petition duly verified, asking for the sale of real estate therein described, belonging to his said Ward, Lewis Krickbaum. It is ordered, that the time of hearing said petition to and hereby is fixed for the 14 day of January 1924, 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 Lewis Krickbaum his ward, and to Emma Rowley, Laura Roberts, Ruffina Fawn, and Walter Krickbaum, all persons, entitled to the next estate of inheritance in such real estate, Defendant, in writing to be served upon them personally and by leaving copies thereof, at their usual place of residence, of each, of those who cannot be served personally, 21 days before said day of hearing, and, this cause is continued. W. B. Husted, Probate Judge.

Order for notice.

Probate Court, Union County, Ohio.

10225-

Order for notice

Joseph Fawn, Guardian.

vs. 10225-

Lewis Krickbaum et al. Pet.

against His said ward et al. Def. Order for notice.

To Joseph Fawn, Guardian: you are hereby ordered to give notice to Lewis Krickbaum your ward, and Walter Krickbaum, Ruffina Fawn, Emma Rowley, and Laura Roberts Defendants, to your petition, this day filed in said Probate Court, for assignment of court, 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 21 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 Union State of Ohio, and Village of Marysville, and bounded and described as follows: Beginning in the center of the Waedo Grant Road and Northeast corner of the same tract formerly owned by Andrew Jenkins. (a stone and piece of crockery, bears north 86°) west 20 feet; thence with the North line of said lot North 86° West 30 7/100 poles to two small stones and pieces of crockery in the east line of W. D. Henderson's land, thence with said Henderson's line North 1° West 10 6/100 poles to two small stones and pieces of crockery and Southwest corner of S. B. Woodburris 7 3/4 acre lot of land; thence with the South line of said Woodburris land South 86° East 31 6/100 poles to the center of said Waedo Road; (to a stone and piece of crockery.

10225-

Return

Return

Order

of appraisement

Partial transcription of the right page, including words like 'Return', 'Order of appraisement', and 'This'.

10225- bears north 26° west 20 feet) thence with the center of said Road South 3° 30' west 10 5/100 poles to the beginning, containing two acres more or less. Said minor Lewis Krickbaum being seized of and undivided one-fifth interest in fee simple in the above described real property. Said petition will be for hearing before said Probate Court, at the office of the Judge of said Court, in Marysville, Ohio, this January 14 1924 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 19 day of December, 1923.

sent

W. J. Husted, Probate Judge

Return

Return of order.

Received this order the 19-day of December, 1923, and thereupon served the same, as shown hereon, Joseph E. Farrow, Guardian.

Mr. the undersigned defendants named herein, do each of us acknowledge due and legal service of the foregoing writ.

Emma Rowley,
Laura Roberts

Ruffina Farrow,
Walter Krickbaum

Return

Return.

The State of Ohio, Union County.

I, Joseph Farrow, being duly sworn, say, that on the 19-day of December, 1923, I served this writ by delivering a true copy thereof personally to the within named Lewis Krickbaum a minor and to Ruffina Farrow, the person with whom he resides

Joseph E. Farrow, Guardian.

Done to before me, and signed in my presence, this 21-day of December, 1923.

Richard C. Hull,

Notary Public in and for Union Co. Ohio,
Probate Court, Union County, Ohio.

Order

of appraisement

Journal Entry:

Joseph Farrow, Guardian of
the estate of Lewis Krickbaum, Minor
Plaintiff

January, 14 - 1924.

His Ward, Lewis Krickbaum, et. al.
Defendants.

order of appraisement.

This day, this cause came on to be heard upon the petition, evidence and testimony of Joseph Farrow Guardian of the estate of Lewis Krickbaum, 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

10225-

... true. And the court being satisfied that it is necessary to sell the real estate of said Lewis Krickbaum described in the petition to provide for the education and maintenance of said minor.

It is ordered that William Merg, G. M. Haines, and J. C. Calloway three suitable and judicious disinterested men of the vicinity of said real estate and free holders be and they hereby are appointed to appraise said lands as in whole at their true value in money free from down therein. It is further ordered that said appraisers be sworn as required by law, and afterward upon actual view perform the duties required of them and make return of their proceedings to this court. This cause is continued. W. H. Busted, Probate Judge.

Order of appraisement.

Order of appraisement

The State of Ohio, Union County ss. Probate Court. To Joseph Lamm Guardian of Lewis Krickbaum Minor. Greeting.

In obedience to an order and decree of the Probate Court within and for said county made this day in a certain cause wherein you as Guardian of Lewis Krickbaum a minor are Plaintiff and your Ward et al are Defendants you are commanded that by the rates of William Merg, G. M. Haines and J. C. Calloway judicious disinterested men of the vicinity not of kin to the petitioner who are freeholders of the County in which said real estate is situated and upon actual view you cause a just valuation and appraisement to be made according to law of the following described premises free from down, to wit:

One undivided one-fifth interest in fee simple in the following tract: situated in the village of Marysville, County of Mason, and State of Ohio, and described as follows:

Beginning in the center of the Wades Grant Road at north east corner of their own lot formerly owned by Andrew Jenkins (a stone and piece of crockery brass north 26°) west 20 feet thence with the north line of said lot North 26° west 30 2/100 poles to two small stones and pieces of crockery in the east line of D. W. Henderson's land thence with said Henderson's line North 1° west 10 1/100 poles to two small stones and pieces of crockery and south west corner of S. B. Woodburn's 7/4 Acre lot of land thence with the south line of said Woodburn's land South 26° East 31 6/100 poles to the center of said Wades Road (to a stone and piece of crockery brass north 26° W. 20 feet) thence with the center of said Road South 3° 30' west 10 5/100 poles to the beginning.

10225-

Return

oath of appraisers

appraisers Return

application

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Containing two 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
14. day of January, 1924 ¹⁹²⁴ W. H. Husted, Probate Judge.

Return

Return

In the Probate Court of Union County, Ohio.
In obedience to the foregoing order, I have caused the
same to be duly executed. As will fully appear by the
proceedings hereto attached. Dated the 16-day of Jan'y, 1924
Joseph Fawn, Guardian of
Loris Krickbaum, minor.

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.

appraisers

G. M. Haines, F. C. Calloway, Wm. J. Mergl, appraisers
Subscribed to before me, and signed in my presence, this
16-day of January, 1924 ¹⁹²⁴ Richard C. Hall, Notary Public, Union Co., Ohio
Appraisers Return.

application

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 \$300.⁰⁰
Given under our hands, this 16 day of January 1924
G. M. Haines, F. C. Calloway, Wm. J. Mergl, appraisers
Application to sell Real Estate at Private Sale -
Probate Court, Union County, Ohio

Joseph Fawn, Guardian of
Loris Krickbaum, minor
Plaintiff

No. 10220-

His Ward, Loris Krickbaum, et al. Application
Defendants.

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

1. Because the property can be sold for the full appraised value instead of part thereof.
 2. Because the costs of sale and advertising can be avoided.
 3. Because a purchaser has already been secured.
- And he thereupon asks for an order authorizing him to sell said real estate at private sale -
Joseph Fawn, Guardian of Loris Krickbaum, minor.

10225-

The State of Ohio, Union County
 Joseph Laron, guardian, bring duly sworn, says
 that the various matters set forth in the foregoing
 Application are true, as verily believes, Joseph Laron.
 Sworn to before me, and signed in my presence, this
 16. day of January, A.D. 1924 ^{at} Richard C. Small, Notary Public.

affidavit
of
Disinterested
Person

Affidavit of Disinterested Person.

The State of Ohio, Union County
 William J. Mery, G. M. Baines, Mr. Paul C. Williams
 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 said minor, to sell said real
 estate at private sale than at public sale, as they believe.

Mrs J. Mery, G. M. Baines, Paul C. Williams
 Sworn to before me, and signed in my presence, this
 16. day of January, 1924 ^{at} Richard C. Small, Notary Public

approving
appraisement
for Bond

Journal entry: orders approving appraisement for Bond.
 Probate Court, Union County, Ohio.
 February, 26-1924

Joseph Laron, as Guardian of
 Lewis Kriechbaum, minor.
 Plaintiff.
 v.
 His Ward, et al. Defendants
 This day came, the said Plaintiff, by his attorney, ^{Mr.}
 produced to the Court, the report of an appraisement herein
 made by G. M. Baines, F. C. Callaway, ^{Mr.} William Mery, in
 pursuance of a former order of this Court; and, it
 appearing upon examination that said report is
 in all respects correct and correct, it is ordered, that the
 same be and hereby is approved and confirmed.

It is further ordered, that said Joseph Laron
 as such Guardian execute within three days, to the
 State of Ohio, a bond with sufficient freehold sureties,
 to be approved by the Court, in the sum of six hundred
 dollars, conditioned according to law, and, this cause
 is continued.
 W. H. Husted, Probate Judge

order
of

Journal entry: orders approving appraisement for Private Sale
 Feb. 26 - 1924

Joseph Laron, as Guardian of
 Lewis Kriechbaum, minor.
 Plaintiff
 v.
 His Ward, et al. Defendants

Order of Sale

This day came, the said Plaintiff by his atly, ^{Mr.}
 produced to the Court, the report of an appraisement
 herein made by G. M. Baines, F. C. Callaway & Wm Mery
 in pursuance of a former order of this Court
 and, it appearing upon examination that said

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10225- 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 minor to sell the real estate at described in petition at private sale -

It is therefore further ordered, that said Joseph Fawn, as Guardian of Lewis Kricklam, a minor, as such Guardian, proceed to sell said real estate free from 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 case is continued.

W.H. Husted Probate Judge
Guardian's Bond.

Bond
Guardian's

Know all men by these presents, That we, Joseph Fawn, Le Wilkins and F. C. Callaway, are held and firmly bound unto the State of Ohio (in the sum of \$600.00) for the payment of which we, hereby jointly and severally bind ourselves, our heirs, executors and administrators Signed by us, and dated at Marysville, Ohio, this 16-day of January, A.D. 1924. The condition of the above obligation is such, That whereas, the above named Joseph Fawn, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of the estate of Lewis Kricklam, a minor, and, whereas, the said Joseph Fawn, 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 \$300.00 - and, whereas, said Court, on the 26-day of January 1924, made an order requiring said Guardian to execute a bond according to the Statute in such cases made ^{and} provided.

Now, if the said Joseph Fawn 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.

Joseph Fawn, Le Wilkins, F. C. Callaway -
in Presence of - Paul C. Williams - D. W. Shultz

This Bond approved in open Court, this 26-day of July, 1924

W.H. Husted
Probate Judge

10225-
approving
Bond
an.
ordering Sale.

Journal Entry. Probate Court, Union County, Ohio,
Joseph Fawn, Guardian of
Loris Kriechbaum, minor. Feb. 26-1924

Plaintiff vs. Defendant. approving Bond, an.
ordering Sale.
This day this cause came on for docket to be heard,
and it appearing to the Court that the said Joseph
Fawn, Guardian of the plaintiff above named has
given bond as heretofore ordered, in the sum of Six hundred
Dollars, with Lu Watkins and F. C. Calloway 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 minor to sell the real
estate described in the petition at private sale.

It is therefore ordered that said Joseph Fawn Guardian
of Loris Kriechbaum minor as such Guardian proceed
according to law to sell at private sale the real estate
described in the petition from from down 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.
From of Down.

Order of Sale - From from Down.
The State of Ohio, Union County, Probate Court.
To Joseph Fawn, guardian of the estate of
Loris Kriechbaum, minor, being;

In obedience to an order and decree of the
Probate Court, within and for said County, made this
day in a certain cause, wherein you as guardian
are Plaintiff and Loris Kriechbaum et al. are Defendants,
you commanded to proceed according to law, to
sell at private sale, for not less than the appraised
value thereof from from down, the following described
premises, to wit: an undivided one-fifth interest
in the following, to wit: Situated in the village of
Marysville, County of Union and State of Ohio, and
described as follows: Beginning in the center
of the Walds Lane Road, and Northeast corner of
three acre lot formerly owned by Andrew Jenkins
(a stone and piece of crockery brass North 8¹/₂ West
20 feet. Thence with the North line of said lot,
North 8¹/₂ West 30²/₁₀₀ poles to two small stones
and pieces of crockery in the East line of D. L.
Henderson's land; Thence with said Henderson
line North 1¹/₂ West 10⁶/₁₀₀ poles to two small
stones and pieces of crockery and Southwest

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10225- Corner of S. B. Woodburn's 7 ³/₄ acre lot of land; thence with the South line of said Woodburn's land, South 86° East 31 ¹/₂ poles to the center of said Waldor Road (to a stone and piece of crockery bears, North 86° West 20 feet) thence with the center of said Road South 3° 30' West 10 ⁵/₂ poles to the beginning containing two acres, more or less.

Said sale is to be 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 Marysville, this 26. day of May, A.D. 1924. W. H. Keated Probate Judge

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 11 June, 1924.

J. E. Law, Esq. Executor of Lewis Kriebbaum, minor.

Report

Report of Sale - In obedience to the within order, I, sold said premises on the 10th day of June, 1924 to Pearl E. Lockwood for the sum of \$300 - said sum being the appraised value of the same.

J. E. Law, Esq. of Lewis Kriebbaum, minor.

The State of Ohio Union County. The above named Joseph Law, Esq., of the Estate of Lewis Kriebbaum, minor, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

J. E. Law, Esq. sworn to before me - and signed in my presence this 11th day of June 1924 Richard C. Hull Notary Public.

Confirming Sale -

Confirming Sale - Journal Entry: Probate Court, Union County, Ohio June 16 - 1924.

Joseph Law, as Esq. of The Estate of Lewis Kriebbaum, minor. Plaintiff

Confirming Sale -

Emma Roder, et al. Defendants.

This day Felix came on to be heard on the return of Joseph Law, Guardian of the Estate of Lewis Kriebbaum, minor of his proceedings and sale under the former order of this Court, the Court having carefully examined said return, and being satisfied that said sale, was, 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 Joseph L. Faxon Guardian of Lewis Kirschbaum as such Guardian, make to the purchaser Paul E. Lockwood 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, \$ -- within ten days of this date. Probate Judge

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Feb 4, 1924

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Petition for Sale of Real Estate to Pay Debts.

Probate Court Union County, Ohio

No. 10258.

Civil Action

W. K. Curry, admr. of the
Estate of William Chard, deceased,
Plaintiff

v.

- Eida E. Chard (widow)
- Eida E. Chard (mother)
- Robert Chard.
- Bernice Chard
- Lonell Chard.
- Kenneth Chard.
- Dorothy Chard
- Betty Chard
- Alice Chard
- Wm Chard Jr.

Petition to Sell
Real Estate

The Ohio-Penns. Joint
Stock Land Bank, Cleveland, Ohio

Defendants

The Plaintiff represents that he is the duly appointed and qualified admr. of the estate of William Chard late of Union County, Ohio, deceased; that the amount of debts due from the deceased is \$ 1462.50 due various and six thousand three hundred (\$6300) mortgages Dollars as near as they can be ascertained. That the charges of administration of said estate will amount to about \$200.00 and that the total amount of the personal estate and effects of said deceased, is but one thousand six hundred and ninety seven ²⁰/₁₀₀ Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said William Chard, 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 Charbourne, to-wit: In Survey # 6307 Beginning at a white ash tree in the N. line of the Hallett Charbourne Society # 6293 and in the S. line of Survey # 6307 of which the land herein conveyed is a

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part. thence N. 85 E. 112 poles to three ashes. thence N. 5 W. 144 poles to a dogwood and bark, thence S. 80 W. with the N. line of Survey no. 6307. (entered in the name of William Pelham, of which the land herein conveyed is a part) 112 poles to a sugar tree and Burr oak, thence S. 5 E. 136 poles to the place of beginning. Containing 98 acres more or less.

Excepting therefrom 5 acres off the East side thereof conveyed by George Kleiber and Mary B. Kleiber, his wife, to Frank L. Adams June 7 - 1901, and recorded in Vol. #80, Pg. 5-15, leaving 93 acres hereby conveyed.

Schedule of Debts unpaid.

Mortgage held by The Ohio Pennsylvania Joint Stock Land Bank of Cleveland, Ohio amount \$6300.00

Due to widow Elida Chad, balance on years allowance \$ 1402.50

Petitioner

Plaintiff represents that said real estate was appraised under 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 thousand eight hundred and thirty five Dollars. The said decedent died leaving the defendant Elida C. Chad his widow who is entitled to dower in said premises that the defendants Robert Chad, Bernice Chad, Lowell Chad, Kenneth Chad, Dorothy Chad, Betty Chad, Alice Chad, and William Chad Jr. are all minors of the ages of fourteen, twelve, ten, eight, six, four two years, and two months, respectively, are the only children and heirs of said decedent, having the next estate of inheritance from said William Chad, decedent, in said premises that the defendants The Ohio Pennsylvania Joint Stock Land Bank of Cleveland, Ohio, holds a mortgage against the above described premises.

The Plaintiff therefore prays that the dower of said Elida Chad in said premises may be commuted to money and paid to her; that the rights, interest and claims of the said The Ohio Pennsylvania Joint Stock Land Bank may be fully determined, adjusted, and protected according to equity, and that your petitioner may be authorized and ordered to sell said real estate free from said dower, according to the Statute in such cases made and provided, and for all other proper orders and relief in the premises.

W. R. Curry
Administrator

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The State of Ohio, Union County.

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

W. H. Curry, Adm.

known to before me, and signed in my presence this 4th day of February, 1924, ^{W. H. Curry} W. H. Curry, Trustee Probate Judge

1025-8

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

W. H. Curry, adm. of the Estate of William Beard, Decd. February 4 - 1924

Filing Petition

Plaintiff Journal Entry. Filing Petition Elida E. Beard, et al. Defendants vs. Real Estate

This day came the Plaintiff W. H. Curry, adm. of the estate of William Beard, and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said William Beard, deceased, to pay the debts, and the costs of Administration of the Estate of the said deceased.

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. Curry, Trustee Probate Judge.

Answer of widow.

Probate Court, Union County, Ohio.

No. 10258

Answer of widow

W. H. Curry, adm. of the estate of William Beard, Decd.

Plaintiff.

Elida E. Beard, et al. Defendants.

Answer of widow.

And now comes Elida E. Beard, 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 William Beard, deceased, and as such is entitled to dower in the premises described in said petition, that her age is 37 years, and she freely consents to said sale as prayed for, and waives her 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 right of 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, by such sum of money as the Court deems the just and reasonable

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Cross Petition

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value of her down interest in said real estate
Elida E. Chard.

The State of Ohio, Union County.

Elida E. Chard, being duly sworn, says, that the statements in the foregoing answer are true as she verily believes.
Elida E. Chard.

Sworn to before me, and signed in my presence, this 4-day of March, 1924. ^{W. H. Curry} J. E. Lasker, Notary Public.

summons -

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County.

Probate Court.

To the administrator of the Estate of William Chard, Dec'd:

You are commanded to notify Elida E. Chard, Robert Chard, Bernice Chard, Lowell Chard, Kenneth Chard, Dorothy Chard, Betty Chard, Alice Chard, William Chard Jr., The Ohio - Pennsylvania Joint Stock Land Bank that on the 4-day of February, 1924, W. H. Curry, Admin. of the estate of William Chard, 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 18-day of March, 1924, said petition will be taken as true, and an order granted accordingly. Said administrator will make due return of this writ on the 18-day of February, 1924.

Witness my hand and the seal of said Court this 4-day of February, 1924. ^{W. H. Curry} W. H. Curry Probate Judge.

The State of Ohio, Union County.

W. H. Curry being duly sworn, says that on the 12-day of February, 1924, I served this writ by delivering a copy thereof personally to the following named persons, to wit: Robert Chard, Bernice Chard, Lowell Chard, Kenneth Chard, Dorothy Chard, Betty Chard, Alice Chard, W. William Chard Jr., Elida E. Chard, and D. E. Ogans, local agent for The Ohio - Pennsylvania Joint Stock Land Bank and to Elida E. Chard, the mother of said minor defendants, and the person with whom they reside, their father being deceased, and they having no legal guardian. W. H. Curry.

Sworn to before me, and signed in my presence, this 18-day of February, 1924. ^{W. H. Curry} W. H. Curry Probate Judge.

Answer an

Answer, and cross-petition

In the Probate Court, Union County, Ohio

Cross Petition

W. H. Curry, Admin. of the Estate of William Chard, Plaintiff
Elida E. Chard, et al, Defendants

No. 10258.

Answer and Cross

Petition

1025-8

Now comes this defendant, and for answer to the petition of the plaintiff, admits the allegations of the petition and consents to the sale of the premises.

Cross-Petition

Cross-Petition.

First cause of action.

1. For its cross petition this defendant says, that it is a corporation organized and doing business in the State of Ohio. Defendant further says, that on June 1- 1923 William Lehard and Elida E. Lehard, executed and delivered to this defendant their promissory note for an amount of six thousand three hundred dollars, payable on an amortization plan in sixty six semi-annual installments, a copy, which note is hereto attached and marked "Exhibit A" and made a part of this cross-petition. Defendant further says, that one installment on said note has been paid and, that there is now due, on said note the sum of six thousand two hundred sixty eight dollars, and fifty cents, with interest at 6% per annum from December 1- 1923.

Defendant further says that to secure the above note, William Lehard and his wife Elida E. Lehard, did execute and deliver their certain mortgage deed conveying to this defendant, the premises described in the petition, a copy of which mortgage deed is hereto attached and made a part of this cross-petition. Defendant further says that said mortgage deed, contained a defeasance clause which in substance provides that if the mortgagor pay the above note according to the terms of said note and carry out the covenants, terms and commands of said mortgage, then, said deed is to be null and void, otherwise to remain in full force and virtue in law.

Defendant further says, that all installments have been paid up to the present time.

Defendant recorded said mortgage deed in Union County, same being recorded, in Volume 92 Pg. 145;

wherefore, defendant prays judgment in an account of six thousand two hundred, sixty eight dollars and fifty cents, with interest at six percent, from December 1- 1923, until premises are sold, and, that its lien may be declared to be first lien on said premises and that the plaintiff be ordered and directed to pay this defendant said sum out of the sale.

The Ohio-Pennsylvania Joint Stock Bank of Cleveland.

By L. J. Labor, V. Pres.

State of Ohio, Cuyahoga County ss.

L. J. Labor, being duly sworn, says he is

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Exhibit a

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Vice President of The Ohio-Pennsylvania Joint Stock Land Bank of Cleveland, one of the defendants in the entitled action, and that the allegations and statements in the above answer and cross-petition are true as he verily believes.

L. J. Labor.

Done to and subscribed in my presence this 4 day of March, 1924 at J. W. Neese, Notary Public

Exhibit a.

United States of America, State of Ohio, Pennsylvania, No. 169. \$ 6300.00

10 25-8.
First mortgage note, Cleveland, O. June 1 - 1923.
For value Received, we promise to pay to the order of the Ohio-Pennsylvania Joint Stock Land Bank, of Cleveland, at its office in the City of Cleveland, Ohio, the principal sum of Six thousand three hundred and ^{no} ₁₀₀ dollars, with interest on the whole amount of said principal sum remaining from time to time unpaid, at the rate of six per centum per annum, payable semi-annually; both principal and interest being payable on an amortization plan in 65 equal semi-annual installments of Two hundred twenty ^{no} ₁₀₀ dollars, each, and one installment of one hundred eighty four and ¹⁵ ₁₀₀ dollars, all due ^{no} ₁₀₀ payable as follows: Two hundred twenty ^{no} ₁₀₀ dollars on the 1-day of December - 1923, and a like sum semi-annually thereafter on the 1-day of June and December, in each, and every year to and including the first day of December 1955, and the last installment of one hundred eighty four and ¹⁵ ₁₀₀ dollars, on the first day of June, 1956, unless this note shall be sooner matured as herein provided. The maker of this note shall have the option after five (5) years from the date hereof on any regular installment payment date, to make additional payments in the sum of \$25.00 or any multiple thereof, to apply on the principal, or to pay the entire amount of principal then owing. Such additional payments if any, shall not affect the amount to be paid semi-annually hereunder but shall operate to discharge the indebtedness at an earlier date by reducing the percentage applicable to interest and increasing the percentage applicable to principal. If any installment payment herein provided for is not paid when due such defaulted installment or installments shall bear simple interest from the date of such default until paid, at the highest rate allowed by law not exceeding 8% per annum. This note is secured by first mortgages of even date herewith made by

William M. Beard & Elida E. Beard (husband & wife)

10258

To the Ohio-Pennsylvania Joint Stock Land Bank of Cleveland, conveying certain real estate situated in the County of Union, and State of Ohio. If default be made in any of the payments provided for in this note, or in case of failure to comply with any of the conditions or covenants contained in the said mortgage, then or at any time thereafter during the continuance of such default, at the option of the holder hereof, and without demand, or notice, the entire principal sum hereof, and all accrued interest thereon may be declared due and shall thereupon become immediately due and payable.

First mortgage note \$6300.00, William M. Lehard on Elida E. Lehard, husband & wife

Dated June 1 - 1923. 66 payments each \$220.25

Last payment \$184.15

Payable at The Ohio-Pennsylvania Joint Stock Land Bank of Cleveland, Ohio.

10258 application for appointment of Guardian ad Litem

Application for appointment of Guardian ad Litem, Probate Court, Union County, Ohio

W. H. Curry, admr. of the Estate of William Lehard, Decd. Plaintiff

March 8 - 1924.

Elida E. Lehard, et al. Defendants

To the Hon. W. H. Huston, Judge of said Court: The undersigned W. H. Curry, administrator of the estate of William Lehard, makes application for the appointment of a Guardian ad Litem for the minor defendants in the above entitled case. The defendants Robert Bernice, Lowell, Kenneth, Alice, William Jr., Betty, Dorothy are all minor defendants and have been duly served with summons herein and have neglected for a period of twenty days to make application for a guardian. The undersigned suggests that Kate Moffitt who is a suitable person to be appointed as such Guardian ad Litem. Respectfully W. H. Curry

10258 appl.

Journal entry: on application on appt. of Guardian ad Litem Probate Court Union County, Ohio March 8 - 1924.

W. H. Curry, Admr. of the Estate of William Lehard, Decd. Plt.

March 8 - 1924.

Elida E. Lehard, et al. Defendants

This day W. H. Curry admr. of the estate of William Lehard, 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 Lehard, Bernice Lehard, Lowell Lehard, Kenneth Lehard, Alice Lehard

10258

Answer of Guardian ad Litem

W. H. Curry
Elida E. Lehard
Bernice Lehard
Lowell Lehard
Kenneth Lehard
Alice Lehard
Robert Lehard
Dorothy Lehard
Betty Lehard
William Jr. Lehard
Application for appointment of Guardian ad Litem
March 8 - 1924
Order for Private Sale
June 10 - 1924
W. H. Curry
Elida E. Lehard
Bernice Lehard
Lowell Lehard
Kenneth Lehard
Alice Lehard
Robert Lehard
Dorothy Lehard
Betty Lehard
William Jr. Lehard

10258

William Lehard Jr. Betty Chard, and Dorothy Chard, have
duly and legally served with summons herein, and have
neglected for a period of twenty days from return of
the summons, it is ordered that Kate L. Moffitt be and he
hence is appointed Guardian for the suit, for said
minor defendants, and now comes the said Kate
L. Moffitt and in open Court accepts said appointment.

W. H. Husted Judge

Answer of Guardian ad Litem

Probate Court, Union County, Ohio,

no. 10258.

W. H. Curry, admr. of the
estate of Wm. Lehard, dec'd.
vs. Plaintiff

Answer of Minor Defendants

Elida E. Lehard, et al. Defendants,

and now comes, the said Robert Lehard, Bernice
Lehard, Lonell Lehard, Kenneth Lehard, Dorothy Lehard,
Betty Lehard, Alice Lehard, William Lehard Jr.
The minor defendants to the petition in said cause,
by Kate 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 8 day of March, 1924.

Robert Lehard, Bernice Lehard, Lonell Lehard, Kenneth Lehard, Dorothy
Chard, Betty Chard, Alice Lehard, William Lehard Jr.

By Kate L. Moffitt Edm. ad. Litem.

Probate Court, Union County, Ohio.

April 28 - 1924.

order for

Private Sale

Journal Entry:

W. H. Curry,

admr. of the estate of

William Lehard, deceased,

vs. Plaintiff

order for Private Sale

Elida E. Lehard, et al. 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 volun-
tarily entered their appearances herein, and all have
properly appeared before the Court. That the statements and
allegations in said petition are true, that said
William Lehard, deceased, did leave a residuary estate
to be sold 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

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Answer of
Edm. ad Litem

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dispensed with. And the Court, being satisfied that it is necessary to sell the real estate of said William Chard, 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 estate to sell the real estate described in the petition at private sale.

It is therefore further ordered that said W. H. Currey, admr. of the estate of William Chard, 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 foregoing 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. Currey, Probate Judge.

Application to sell Real Estate at Private Sale

Application to sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.
No. 10258.

W. H. Currey, admr. of the Estate of William Chard, Dec'd

Plaintiff

Elida E. Chard, et al Defendants Application

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

- 1. It will dispense with the expense of advertisement and sale at public auction.
- 2. The administrator can sell the same to the widow, Elida E. Chard for the full appraised value, and he therefore asks for an order authorizing him to sell said real estate at private sale.

W. H. Currey, admr. of Est. of Wm Chard.

The State of Ohio, Union County.

W. H. Currey being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.

W. H. Currey.

Sworn to before me, and signed in my presence, this 16 day of April, 1924.

H. I. Tackler, Notary Public.

Affidavit of Disinterested Persons.

The State of Ohio, Union County.

I, M. L. Fieds and P. W. Embury 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 matters therein referred to, and that it will be more for the interest of the said estate of William Chard, to sell said real estate at private sale than at public sale as they verily believe.

I, M. L. Fieds, P. W. Embury.

Affidavit of Disinterested Persons.

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Known to know me, and signed in my presence, this 17th day of April, 1924, ~~John~~ L. E. Fackler, Notary Public.

Order of Sale Free from Doubt.

The State of Ohio, Union County ss, Probate Court,
To W. H. Curry, adm. of the estate of William Lehard, 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 adm. of the estate of William Lehard, are Plaintiff and Elida E. Lehard, 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 claim of Elida E. Lehard, widow of William Lehard, deceased, the following described premises, to wit:

Situated in the township of Blairtown, County of Union the State of Ohio and more particularly described as follows: In Survey no. 6307, Beginning at a white ash tree in the N. line of the Butler Blairtown Survey no. 6393, and in the S. line of Survey no. 6307 of which the land herein conveyed is a part thence N. 55° E. 112 poles to three ashes; thence N. 5° W. 144 poles to a dogwood and beech; thence S. 80° W. with the N. line of Survey no. 6307 (entered in the name of William Lehard, of which the land herein conveyed is a part); 112 poles to a sugar tree and bare oak; thence S. 5° E. 136 poles to the beginning, containing 98 acres, more or less. Excepting therefrom 5 acres off the east side thereof conveyed by George Kleiber and Mary B. Kleiber his wife, to Frank L. Adams June 7, 1901, and recorded in Vol. 80 pages 5-15, leaving 93 acres hereby conveyed. 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 Court this 28 day of April, 1924 ~~John~~ W. H. Husted, Probate Judge

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 May 14 - 1924
W. H. Curry, adm.

Report

Report of Sale

In obedience to the within order, I sold this said premises on the 14 day of May, 1924, to Elida E. Lehard, for the sum of Eight Thousand Eight Hundred and Thirty five Dollars said sum being the appraised value of the same.

May 14th 1924

W. H. Curry, Administrator

10258

The State of Ohio, Union County, ss
 The above named W.H. Curry, Adm^r, of the estate of William Lehard, 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.H. Curry, Adm^r, sworn to before me, and signed in my presence, this 14. day of May, 1924 W. L. Fackler, Notary Public.

Confirmation of Sale.

Journal Entry: Probate Court, Union County, Ohio, May 16th - 1924
 W.H. Curry, as Adm^r, of the Estate of William Lehard, Dec'd

Plaintiff Confirming Sale -
 Elida E. Chard, et al, Defendants.

This day this cause coming on to be heard on the return of W.H. Curry administrator of the estate of Wm Lehard, 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 W.H. Curry, as such, Adm^r, make to the purchaser Elida E. Chard, a good and sufficient deed for the premises so sold. It is further ordered that this proceeding be recorded, and that said W.H. Curry pay the costs & ... W.H. Husted, Probate Judge

10279

March 16 - 1924
 G.A. Hoopes, attorney.

Pearl Tray, Adm^r, of the Estate of John B. Miller, deceased, Plaintiff

v.

Louis B. Miller, Annette Miller and Pearl Tray, sole heirs at law of John B. Miller, deceased, and, their Miller wife of Louis B. Miller and The Buckeye State Building and Loan Company, Defendants.

The Plaintiff represents she is the duly appointed and qualified adm^r of the estate of John B. Miller late of Union County, Ohio, deceased - that the amount of debts due from the deceased is few thousand three hundred and forty-eight dollars - as near as they can be ascertained.

Petition to sell Real Estate
 Civil action
 Petitioner,

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Petition

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The Burkeys Building and Loan Company
 Walter Leonard of
 Mrs Pearl Gray
 Farmers and Merchants Bank

\$ 5,000.⁰⁰
 600.⁰⁰
 876.⁸²
 3,872.⁰⁰

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 Forty three Hundred and Twenty-eight and 34/100 Dollars being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said John B. Miller did seized in fee simple of the following described real estate situated in the Counties of Union, Madison and Champaign, State of Ohio, and in the Virginia Military District and bounded and described as follows. Part of Survey nos. 4942, 9217, 7142, 7737, and 4735:

Petitioner

Beginning at a stone in the line of George Moss's land corner to Mary Hagels land; thence one of her lines N. 45 1/2° E. 151- 3/100 poles to a stone in said line; thence S. 8° E. 155 poles to a stone; thence S. 33° W. 12 poles to a stone; thence S. 33 1/4° E. 8- 1/100 poles to a stone in the line of land owned by the C.C. & S. Railway Co. and thirty feet from the center of the track of their road as now used by them; thence parallel with the center of said track, and 30 feet distant therefrom S. 33° W. 99 4/100 poles to a stone; thence S. 56 1/4° W. 32 4/100 poles to a black oak corner to J. A. Warr's land; thence with one of said Warr's lines N. 33 3/4° W. 139- 3/100 poles to a stake corner to Warr's and in the line of said George Moss; thence with one of said Moss's lines North 46 1/2° E. 26 7/100 poles to a stake, one of his corners; thence with another of his lines N. 43 1/2° W. 19 1/100 poles to the beginning, containing one hundred and fifty three acres, more or less.

also three-fourths of an acre, bounded as follows: Beginning at a point where the center of the Hill Howard Turnpike intersects the Milford and Irwin Turnpike; thence with said Milford and Irwin Turnpike N. 59° E. 24 poles to a stake in the center of said Turnpike; thence S. 27° E. 13 poles to a stone; thence S. 63° E. 9- 30/100 poles to a stone; thence N. 27° W. 13 1/100 poles to a stake in the center of said Turnpike; thence with the center of said Turnpike S. 59° N. 9- 7/100 poles to the stake at the north west corner of said lot.

And all the estate, title and interest of the said James C. Miller and Emeline S. Miller, either in law or equity of, in and to said premises,

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Also the following premises situate in Goshen Township
 Ashcampain County, Ohio, and in Union Township Union
 County, Ohio, and being part of Virginia Military Survey
 No. 4735 and 7142. Beginning at a large stone at the
 north east corner of Survey No. 4507; thence with the south-
 east line of said Survey S. 48° 45' W. 29 ⁴/₁₀₀ poles to a stake;
 thence S. 5° 10' E. 3-24 ¹/₁₀₀ poles to a stone; thence
 N. 48° 45' E. 5-6 poles to a post and corner of Frank
 C. Miller land; thence N. 30° W. 59 ²⁰/₁₀₀ poles to an iron pin
 in the center of the Grant Road; thence with the center of
 said road S. 60° W. 38 ²⁷/₁₀₀ poles to an iron pin in the
 center of said Grant Road in Ashcampain County, and in
 line with a hedge fence; thence with said fence S. 41°
 E. 63 ²⁴/₁₀₀ poles to the beginning; containing 13 ¹⁰/₁₀₀ acres of
 land, more or less, being 13 acres in Union County, and
 15 ⁷/₁₀₀ Ashcampain County.

Petition

Also the following premises situate in State
 of Ohio, County of Union, and Madison Townships of Union
 County, Ohio, being part of Survey No. 7142 and 4735 bounded
 and described as follows:

Beginning at a stake in the west margin of C.C.C.
 St. L. R.R. lands, 30 feet from the center of the travelled
 track thereof, and most southerly corner of Frank C.
 Miller land; thence with said Miller's line N. 6° W.
 148.60 poles to a stone corner to said Frank C. Miller's
 land, and in line of John B. Miller's line S. 49 ¹/₄
 N. 37.5-6 poles to a stone corner to said John B. Miller's
 land; thence with three consecutive lines of his land S.
 5° E. 102 poles to a stone; thence S. 35° W. 11.60 to a
 stake; thence S. 30 ¹/₄° E. 8.12 poles to a stake in the west line
 of said Railroad; thence with said R. R. line N. 37° E.
 55.40 poles to the beginning, containing 31.40
 acres, more or less, 26.50 acres, being in Union County,
 and 4.40 acres being in Madison County.

and all the estate, title and interest of the
 said James C. Miller either in law or in equity of
 in and to the said 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
 Nineteen thousand and six hundred dollars. The
 said decedent died leaving the defendants,
 Louis B. Miller, Annette Miller, and Pearl Tray as the
 only children and sole heirs at law of the said
 John B. Miller; that the defendant, Elsie Miller is the
 wife of the said Louis B. Miller, that, the defendants
 Annette Miller and Pearl Tray are unmarried;

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Cash

Filing
Petition

affiant
for service
By
Publication

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that the defendant The Buckeye State Building and Loan Co. claim some lien in the premises by virtue of a mortgage. The Plaintiff therefore prays that the rights, interests, and liens of the said Louis B. Miller, Arnette Miller, Pearl Tray, and The Buckeye State Building & 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, according to the statute in such case made and provided and for all other proper orders and relief in the premises.

Pearl Tray, advx.

The State of Ohio, Union County,

Cash.

Pearl Tray advx. 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. Pearl Tray, advx.

known to before me, and signed in my presence, this 4-day month, A.D. 1924. J. J. Southerick, Notary Public

Filing Petition

Journal entry: In the Probate Court of Union County, Ohio, March 6-1924.

Pearl Tray, advx. of the Estate of John B. Miller, Deceased, Plaintiff

March 6-1924. No. 10279

Journal entry: Filing Petition to Give Real Estate.

This day came the Plaintiff Pearl Tray, advx. of the estate of John B. Miller and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said John B. Miller 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 the 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 service By Publication

affidavit for Service By Publication

Pearl Tray, advx. of the Estate of John B. Miller, Dec'd, Plaintiff

In the Probate Court, Union County, Ohio, No. 10279

Louis B. Miller, et al. Defendants.

affidavit for Service By Publication.

State of Ohio, Union County, ss.

Pearl Tray, being first duly sworn, says, that she is the Plaintiff in the above entitled case, that service of summons can not be made within this State on the defendant, Elsie Miller; that this case is

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one of those mentioned in Section 11294, of the General Code
bring an action which relates to real property in this
State, said defendants having a continued interest
therein: that the residence of said defendant, Elsie
Miller, is 12 Westuse Street apartment A, Brooklyn, New York
Pearl Gray.

Brought to before me, and subscribed in my presence.
This 6 day of March, 1924 C.A. Hoopes, Notary Public

Entry: In the Probate Court, Union County, Ohio

Pearl Gray, Adm^r of the estate of | Case No. 10279

John B. Miller, Deceased | Plaintiff

Louis B. Miller et al. Deceased. | Defendant

This day C.A. Hoopes, attorney for Pearl Gray, Adm^r of the
estate of John B. Miller, Deceased, and delivered to the
clerk of this Court, a copy of the Mansfield Tribune,
a newspaper of general circulation in Union County, Ohio,
containing a publication of notice of the pendency and
time of hearing of this action, and one copy of said
newspaper was thereupon mailed to Elsie H. Miller
by registered mail, requesting a signed receipt, and
said receipt was duly signed by said defendant
Elsie H. Miller and is attached to this order.

W.H. Husted Probate Judge.

Registered article no. 2098.

Return to Robinson & Hoopes, Mansfield, Ohio

Return Receipt

Receives from the Postmaster the Registered
or Insured article, the original number of which
appears on the face of this card. Mrs Elsie H. Miller

Date of Delivery 3-14-24.

Warrant

Warrant of Summons

Probate Court, Union County, Ohio

10279

Pearl Gray, Adm^r of the
estate of John B. Miller, Deceased,
v- Plaintiff

Case No. 10279

Louis B. Miller, et al. Defendants | Warrant of Summons.
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. March 4 - 1924.

Pearl Gray, L.B. Miller, Annette Miller

The Buckeye State Building 400 Loan Co.

By Frank Pastor Atty.

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Legal
notice

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Legal Notice.

Legal notice

In the Probate Court, Union County, this Pearl Tray, Adm^r of the estate of John B. Miller Dec^d, Plaintiff vs. Louis B. Miller et al, Defendants case no 10279.

Elsie Miller who resides at 12 Madison Street, apt. A Brooklyn, N.Y. will take notice that Pearl Tray as Adm^r of the estate of John B. Miller, deceased, on the 6-day of March, 1924 filed her petition in the Probate Court of Union County, alleging that the personal estate of said decedent is insufficient to pay his debts and charges of administration of his estate, that he died seized in fee simple of the following described real estate to wit:

situated in the counties of Champaign, Madison and Union, in the State of Ohio, and in the Virginia Military District, and bounded and described as follows, to wit:

Part of Survey no. 6312, 9842, 9217, 7142 and 4735, Beginning at a stone in the line of George Moss's land, corner to Mary Hazel's land; thence one of her lines north 45° 4' east 151.56 poles to a stone in said line; thence south 8° east 155 poles to a stone; thence south 33° west 12 poles to a stone, thence south 38 1/4° east 8.12 poles to a stone in the line of land owned by the C.C. & St. L. Railway Co. and 30 feet from the center of the track of their road as now used by them; thence parallel with the center of said track and 30 feet distant therefrom, south 33° west 99.48 poles to a stone; thence south 56 1/4° west 32.48 poles to a black oak corner to J. P. Warr's land; thence with one of said Warr's lines, north 33 1/4° west 139.36 poles to a stake, corner to Warr; and in the line of said George Moss; thence with one of said Moss's lines, north 46 1/4° east 25.72 poles to a stake, one of his corners; thence with another of his lines north 43 1/2° west 19.12 poles to the beginning. Containing 153 acres more or less.

also 3/4 of an acre bounded as follows: Beginning at a point where the center of the Hill Road and Turnpike intersects the Miford and Iron Turnpike, thence with said Miford and Iron Turnpike, north 59° east 24 poles to a stake in the center of said turnpike, thence south 27° east 13 poles to a stone; thence 63° east 9.03 poles to a stone; thence north 27° west 13.64 poles to a stake in the center of said turnpike; thence with the center of said turnpike south 59° west 9.3 poles to the stake at the northwest corner of said lot. and all the estate, title interest of the said James C. Miller and Emeline S. Miller

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either in law, or equity of, in and to said premises.
Also, the following premises, situated in Koshen township
Champaign County and in Union Township, Union County,
Ohio, and being part of Virginia Military Survey No. 4735-
7142.

Beginning at a large stone at the northeast
corner of Survey No. 4507, thence with the southeast line of
said survey south 45° 45' West 29.40 poles to a stake;
thence S. 5° 10' East 3.24 poles to a stone; thence
North 48° 45' East 56 poles to a post and corner of
Frank C. Miller's land; thence North 30° West 59.20 poles
to an iron pin in the center of the gravel road; thence
with the center of said road south 60° West 38.24 poles
to an iron pin in the center of said gravel road in
Champaign Co. and in line with a hedge fence; thence
with said fence south 41° East 63.20 poles to the
beginning, containing 13.15 acres of land, more or less.

Being 13 acres in Union County and .15 in Champaign
County. Also the following premises situated in
the State of Ohio, County of Union and Madison Township
of Union and Pike being part of Survey No. 7142 and
4735, bounded and described as follows:

Beginning at a stake in the West margin of the
C.C.C. St. L. Railway lands 30 feet from the center of
the travelled track thereof, and most southerly corner
of Frank C. Miller's land; thence with said Miller's
line north 6° West 148.60 poles to a stone corner, to
said Frank C. Miller's land, and in line of John B.
Miller's line south 49° 4', West 37.56 poles to a
stone corner to said John B. Miller's land; thence with
three consecutive lines of his land south 5° East 152
poles to a stone; thence South 35° West 11.60 to a
stake; thence South 30 1/4° East 8.12 poles to a
stake in the West line of said railroad; thence
with said railroad line, North 37° East 50.40
poles to beginning, containing 31.40 acres, more or less.

26.50 acres being in Union County, Ohio.

4.40 acres being in Madison County, Ohio.

That The Buckeye State Building and Loan Co.,
Charles is hold a mortgage thereon for \$5000-

The prayer of the petition is that said The
Buckeye State Building and Loan Company be
required to answer setting forth the particulars
of its mortgage lien thereon, and that said
property be sold to pay debts and charges, aforesaid.

Elise Miller is hereby notified that she has
been made a party defendant to said petition
and that she is required to answer same on
or before the 26-day of April, 1924.

Legal
Notice.

Answer
to
Petition

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C. A. Hoopes, Attorney for Plaintiff.

(March, 7-1924-67)

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 six consecutive weeks on and next after March 7-1924, in the Daily Marietta Tribune, a newspaper of general circulation in the county aforesaid.

John H. Shearer

Notary Public for Ohio and signed in my presence, this 12th day of April, 1924, J. W. Huber, Notary Public. Permitted Fees \$5.68

Answer and Cross-Petition

Answer and Cross-Petition of

The Buckeye State Building and Loan Company,

in the Probate Court of Union Co., Ohio.

Pearl Tray, administratrix of the estate of John B. Miller, deceased, Plaintiff

No. 10279

Louis B. Miller, Arnette Miller, now Pearl Tray, sole heirs at law of John B. Miller, deceased. Mrs. Elsie Miller, wife of Louis B. Miller. The Buckeye State Building and Loan Company, Farmers Merchants Bank of Milford, Center, Walter Howard, 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 March 13-1919, John B. Miller executed and delivered to this defendant his certain promissory note of which the following is a true and correct copy - \$6000 - Columbus, Ohio, March 13-1919. On or before five (5) years after date for value received, I, Mrs. or either of us, promise to pay to The Buckeye State Building and Loan Co., at Columbus, Ohio, the sum of six thousand (\$6000-) Dollars, with interest at the rate of 5 1/2 percent per annum, payable semi-annually on or before the 13-day of September and March of each year. Payments of one hundred Dollars or more in addition to the interest may be made at any time and the same shall cease to bear interest on the day paid. It is further understood and agreed that if this note be not paid when due or if the installments of interest be not paid when due, or within thirty days -

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hereafter, or, if the maker hereof, or, the owner of the real estate mortgaged to secure the repayment of this note with the interest hereon, or, any one for them fail to keep all taxes and assessments levied on said real estate paid as they become due and payable - or, fail to keep the premises so mortgaged insured in some reliable fire insurance company in a sum of not less than \$-... with a clause providing that the loss, if any, shall be payable to said company according to its mortgage interest; or, fail to keep the buildings on the real estate mortgaged to secure this loan in good and proper repair; then and on such default in whole or in part, all the indebtedness so secured by such mortgage and owing on this note shall thereupon become due and payable, at the option of said company, or, the legal owner thereof; and, said company or, owner may enforce the repayment of all said indebtedness including all accrued interest and money expended for taxes, insurance, and assessments as provided for in said mortgage according to law.

All of the principal of this note not paid when due, and any installment of interest not paid when due, shall draw interest at the rate of eight per cent, per annum, until paid. John B. Miller

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-one and 30/100 (\$6041.³⁰) Dollars, with interest from April 14, 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 rewritten herein, and further says, that on March 13, 1919, to secure the payment of the note set out in the first cause of action herein, John B. Miller, an married, executed and delivered to this defendant, his certain mortgage deed, thereby to it conveying the following real estate situated in the Townships of Union, Gosport and Pike, Counties of Madison, Union and Champaign, in the State of Ohio, and, described as follows:

Being part of surveys nos. 7142, 7737, 9217, & 4942; First tract: Beginning at a stone in the line of George Moses' land, and corner to Mary Hazel's land; thence with one of her lines north 45 1/2°

First tract

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Second tract.

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east 181.56 poles to a stone in said line. thence south 8° east 15.5 poles to a stone; thence south 33° west 12 poles to a stone; thence south 33 1/4° east 8.12 poles to a stone in the line of land owned by the C.C.C. St. L. Railway Company, and 30 feet from the center of the track of their Road as now used by them; thence parallel, with the center of said track and 30 feet distant therefrom south 33° west 99.48 poles to a stone; thence south 56 1/4° west 32.48 poles to a black oak corner to J. R. Ware's land. thence with one of said Ware's lines north 33 3/4° west 139.36 poles to a stake corner to Ware and in the line of said George Morse; thence with one of said Morse's lines north 46 1/4° East 26.73 poles to a stake one of his corners; thence with another of his lines north 43 1/2° 17.12 poles to the beginning, containing one hundred and fifty-three (153) acres, more or less.

Second Tract.

Second Tract:
 also the following premises situate in the State of Ohio, counties of Hudson and Champaign, townships of Union and Rochester, being part of surveys nos. 4735 and 7142, and bounded and described as follows:
 Beginning at a large stone at the northeast corner of Survey No. 4804; thence with the southeast line of said Survey south 48° 45' west 29.40 poles to a stake; thence south 5° 10' east 3.24 poles to a stone; thence north 48° 45' east 56 poles to a post and corner of Frank B. Miller's land; thence north 30° west 59.20 poles to an iron pin in the center of the Travel Road; thence with the center of said Road, south 60° west 38.28 poles to an iron pin in the center of said Travel Road, in Champaign County, and in line with a hedge fence; thence with said fence, south 41° east 63.20 poles to the beginning, containing thirteen and fifteen hundredths (13.15) acres of land, more or less. Being 13 acres in Union County, and 15/100 acres in Champaign County. Excepting therefrom the following premises situate in the State of Ohio, County of Union and township of Union, being part of survey no. 4735, and bounded and described as follows: Beginning at a stake in the center of the Mechanistery and Iron Turnpike Road, being south 59 3/4° west 1.10 chains from the intersection of the Iron and Woodstock Pike, being also the southeast corner of Frank C. Miller's land, and the northeast corner to John B. Miller's land; thence with the center of said Mechanistery and Iron Turnpike Road, south 59 3/4° west 3.51 chains to a stake; thence, south 37 1/2° east

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10279 4.95 chains to a stake: thence north $87\frac{1}{2}^\circ$ east 3.43 chains to a stake: thence north $31\frac{1}{2}^\circ$ west 6.52 chains to the place of beginning, containing one and eighty-three hundredths acre (1.83 a) of land.

Third tract.

Third tract:

also, the following premises situate in the State of Ohio, Counties of Union and Madison, Townships of Union and Pike, being part of Surveys No. 7142 and 4735, and bounded and described as follows: Beginning at a stake in the west margin of the C. C. St. L. R. R. lands 30 feet from the center of the travelled track thereof, and west southerly corner of Frank B. Miller's land: thence with said Miller's line north 6° west 148.60 poles to a stone corner to said Frank B. Miller's land and line of John B. Miller's land: thence with said John B. Miller's line south $48\frac{1}{4}^\circ$ west 37.56 poles to a stone corner to said John B. Miller's land: thence with three consecutive lines of his land, south 5° east 15.2 poles to a stone: thence south 35° west 11.60 poles to a stake: thence south $35\frac{1}{4}^\circ$ east 8.12 poles to a stake in the west line of said Railroad: thence with said Railroad line north 37° east 58.40 poles to the beginning, containing 31.40 acres more or less, 26.50 acres being in Union County, and 4.90 acres in Madison County.

Said mortgage is conditioned as follows:— Provided, nevertheless, and these presents are, upon these conditions:

That the said mortgagor has executed and delivered to the said mortgagee his own certain promissory note of even date herewith due as herein after 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 $5\frac{1}{2}$ per cent. per annum, payable semi-annually on or before the 13-day of September and March of each year. That if said note be not paid when due, or if any installment of interest thereon be not paid when due, or within thirty days thereafter, then all of said note, together with all accrued interest thereon shall thereupon become due, and payable— at the option of the owner of said note and mortgage.

That the said mortgagor further agrees as follows: To pay all taxes, assessments and other charges that may be assessed against the property herein conveyed promptly as they become due and payable: to keep the buildings on

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The real estate hereby mortgaged in good and proper repair, to keep said property insured in some responsible fire insurance company satisfactory to said mortgagor in a sum of not less than \$ --, with the loss, if any, payable to said mortgagor as its mortgage interest may appear, and to leave said policy of insurance in the possession of said mortgagor until this mortgage is fully paid.

That if the said mortgagor, his heirs or assigns shall fail to pay promptly as they or either become due and payable, said taxes, insurance, assessments, or other charges that may be levied against said property, the said mortgagor may pay the same, which sum so paid shall be charged against the said estate mortgagor, and bear interest from date of payment thereof at 8% 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 mortgagor shall pay to said company, its successor 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 Madison County, Ohio, on March 17, 1919, at 8:30 o'clock, a.m., and was thereafter by him recorded in Book 56, page 357 of the Mortgage Records of said County.

Said mortgage was duly filed for record with the Recorder of Union County, Ohio, on March 14, 1919, at 4:10 o'clock, P.M., and was thereafter by him recorded in Book 78, page 181 of the Mortgage Records of said County.

Said mortgage was duly filed for record with the Recorder of Champaign County, Ohio, on March 17, 1919, at 8:20 o'clock, a.m., and was thereafter by him recorded in Book 65, page 324 of the Mortgage Records of said County. Said mortgage is now the first and best lien upon the lands described, therein.

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 sale; and that it may have all other and further relief to which

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It may be entitled either in law or in equity,
Wilson, ^{as} Pector, attorneys,
for The Buckeye State Buildings ^{and} Loan Company,
State of Ohio, Franklin County, ss.

Carth.

Fred C. Pector, 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 allegation
contained in the foregoing answer and cross
petition are true as he verily believes.
Fred C. Pector.

Sworn to before me, and subscribed in my presence,
this 15th day of April, 1924 ^{at} Richard T. Pector
Notary Public, Franklin Co., Ohio

application

application to sell real estate at private sale,
Probate Court, Union County, Ohio

Real Estate
at Private Sale

Pearl Tray, administratrix of
the estate of John B. Miller, Decd.
vs. Plaintiff

no. 10279

Louis B. Miller, 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:

Said real estate can be sold for money at
private than at public sale, and she therefore
asks for an order authorizing her to sell
said real estate at private sale. Pearl Tray,
admx. of the estate of John B. Miller, Deceased
The State of Ohio, Union County.

Pearl Tray, admx., being duly sworn, says that
the various matters set forth in the foregoing application
are true as she verily believes. Pearl Tray,
sworn to before me, and signed in my presence,
this 5th day of May, 1924 ^{at} Joseph V. Southwick
Notary Public.

affidavit

Affidavit of Disinterested Persons-

Disinterested
Persons

The State of Ohio, Union County.

W. H. Burdycus, and A. F. Robinson, being duly sworn,
say that they know the facts set forth in the
application to which this affidavit is attached;
that they have no interest whatever in the matters
therein referred to, and that it will be more for
the interest of the said estate to sell said
estate at private sale, than at public sale, as
they verily believe.

W. H. Burdycus.

A. F. Robinson.

10279

Order
for
Private Sale.

Order of
Date 9

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sworn to before me, and signed in my presence. This 5th day of May, 1924 ~~and~~ Jessie V. Southwick, Notary Public
Journal entry: Probate Court, Union County, Ohio.

Pearl Tray, Adm. of the estate of John B. Miller, Dec'd. Plaintiff
vs.
Louis B. Miller et al. Defendants.

Order for Private Sale.

Order for Private Sale - This day this cause came on to be heard upon the petition, evidence and testimony of Pearl Tray, adm., 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 John B. Miller 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 John B. Miller 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 Tray, 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. W. H. Husted Judge

Order of Sale.

Order of Sale - The State of Ohio, Union County ss. Probate Court. To Pearl Tray, adm. of the estate of John B. Miller, 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, adm., are Plaintiff and Louis B. Miller et al. are Defendants you are commanded to proceed according to said to sell at private sale, for not less than the appraised value thereof, the following described premises, to wit: Situated in the Counties of Union, Madison & Champaign, the State of Ohio and bounded as described as follows: Part of Survey, no- 4942, 9217, 7142, 7737, or 4735-

10279

Beginning at a stone in the line of George Morse's land corner to Mary Hazel's land: thence over of her lines N. $45\frac{1}{2}^\circ$ E. 181 - $54\frac{1}{100}$ poles to a stone in said line thence S. 8° E. 15.5 poles to a stone: thence S. 33° W. 12 poles to a stone: thence S. $33\frac{1}{4}^\circ$ E. $8 - \frac{12}{100}$ poles to a stone in the line of land owned by the C.C.C. & St. L. Railway Co. and thirty feet from the center of the track of their road as now used by them; thence parallel with the center of said track, and 30 feet distant therefrom S. 33° W. $99\frac{48}{100}$ poles to a stone: thence S. $56\frac{1}{4}^\circ$ W. 32.48 poles to a black oak corner to J. R. Harris's land: thence with one of said Harris's lines N. $33\frac{3}{4}^\circ$ W. $139\frac{36}{100}$ poles to a stake corner to Harris and in the line of said George Morse: thence with one of said Morse's lines North $46\frac{1}{4}^\circ$ E. $26\frac{70}{100}$ poles to a stake, one of his corners: thence with another of his lines N. $43\frac{1}{2}^\circ$ W. $19\frac{12}{100}$ poles to the beginning, containing 15.3 acres, more or less. Also three-fourths of an acre bounded as follows: Beginning at a point where the center of the Hill Howard Turnpike intersects the Miford and Iron Turnpike: thence with said Miford and Iron Turnpike N. 09° E. 24 poles to a stake in the center of said Turnpike: thence S. 27° E. 13 poles to a stone: thence S. 63° E. $9\frac{30}{100}$ poles to a stone: thence N. 27° W. $13\frac{64}{100}$ poles to a stake in the center of said turnpike: thence with the center of said turnpike S. 59° W. $9 - \frac{3}{10}$ poles to the stake at the northwest corner of said lot. And all the estate title and interest of the said James C. Miller and Emeline S. Miller, either in law or equity of, in and to said premises.

also the following premises, situate in Gosport Township, Champaign County, Ohio, and in the Union Township, Union County, Ohio, and being part of Virginia Military Survey No. 4733 and 7142. Beginning at a large stone at the northeast corner of Survey No. 4807: thence with the southeast line of said Survey S. $48^\circ 45'$ W. $29\frac{4}{100}$ poles to a stake: thence S. $15^\circ 10'$ E. $24\frac{1}{100}$ poles to a stone: thence N. $48^\circ 46'$ East 56 poles to a post and corner of Frank C. Miller land: thence N. 30° W. $59 - \frac{20}{100}$ poles to an iron pin in the center of the Grand Road: thence with the center of said road S. 60° W. $38\frac{20}{100}$ poles to an iron pin in the center of said Grand Road in Champaign County, and in line with a hedge fence: thence with said fence S. 41° E. $63\frac{20}{100}$ poles to the beginning.

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containing 13 ¹⁵/₁₀₀ acres of land, more or less, being 13 acres in Union County and ¹⁵/₁₀₀ acres in DeChampaign County.

also, the following premises situate in State of Ohio, County of Union, and Township of Union and Pike, being part of Survey No. 7142, and 4735, bounded and described as follows:

Beginning at a stake in the west margin of C.C.C. 1st L.R. lands, 30 feet from the center of the travelled tract, thence and, most southerly corner of Frank C. Miller's land; thence with said Miller's line N. 6° W. 148.60 poles to a stone corner to said Frank C. Miller's land and in the line of John B. Miller's land S. 49 ¹/₄ W. 37.56 poles to a stone corner to said John B. Miller's land; thence with these consecutive lines of his land S. 5° E. 15.2 poles to a stone, thence S. 35° W. 11.60 to a stake; thence S. 20 ¹/₄ E. 8.12 poles to a stake in the west line of said Railroad; thence with said R.R. line N. 37° E. 55.40 poles to the beginning. Containing 31.40 acres, more or less, 26.50 acres being in Union County, and 4.90 acres being in Madison County.

and all the estate, title and interest of the said James B. Miller, either in law or in equity of, in and to the said premises.

Excepting, therefore the following premises, situate in the State of Ohio, County of Union and Township of Union, being part of Survey No. 4735, and bounded and described as follows: Beginning at a stake in the center of the Mechanistery and Iron Dumppike Road, being South 59 ³/₄ West 1.10 chains from the intersection of the Iron and Woodstock Pike, being also the south west corner of Frank C. Miller's land and the north east corner to John B. Miller's land; thence with the center of said Mechanistery and Iron Dumppike Road, South 59 ³/₄ West 3.51 chains to a stake; thence South 37 ¹/₂ East, 4.95 chains to a stake; thence North 87 ¹/₂ East 3.43 chains to a stake; thence South 37 ¹/₂ East 4.95 chains to a stake; thence North 87 ¹/₂ East 3.43 chains to a stake; thence North 31 ¹/₂ West 6.52 chains to the place of beginning. Containing one ¹/₁₀₀ acre, more or less, of land.

Said sale to be the highest and best bidder to be taken 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

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6-day of May, 1924 ^{W.H. Husted, Probate Judge}
Return

Return

In 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, May 6-1924,
Pearl Gray, Admⁿ.

Report

Report of Sale

In obedience to the within order, I sold said premises,
on the 6-day of May, 1924, to Annette Miller for the
sum of fifteen thousand and six hundred dollars
said sum being the appraised value of the same.

Pearl Gray, admⁿ of the
Estate of John B. Miller Dec^d. May 6-1924.

The State of Ohio, Union County, ss.

Oath

The above named, Pearl Gray, Admⁿ of est. of
John B. Miller, Dec^d, 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. Pearl Gray, Admⁿ.

Sworn to before me, and signed in my presence,
this 6-day of May, 1924 ^{Joseph B. Smith, Notary Public}

Confirmation

Journal with: Probate Court, Union County, O. May 6-1924.
Pearl Gray, as admⁿ.

of the estate of
John B. Miller, Dec^d.

Confirming
Sale

Plaintiff
Louis B. Miller et al, Defendants

This day this cause coming on to be heard on the
return of Pearl Gray, admⁿ of the estate of
John B. Miller, 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 thereby is approved and confirmed;
and it is further ordered, that said Pearl Gray, as
such administratrix make to the purchaser

Annette Miller good and sufficient deed for the
premises so sold.

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

W.H. Husted, Probate Judge

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March

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March

24-1924

May Langrey, Guardian
Plaintiff

Guardian's Petition to Sell Real Estate,
Probate Court, Union County, Ohio.
no. 10287

vs -
Her Ward.

Viola Dilsarr.

Edmond Dilsarr.

Marie Dilsarr.

Opal Hollenshead,

May Langrey.

Defendants.

Petition to Sell Real Estate,

Petition.

The Plaintiff represents, that she is the duly appointed and qualified Guardian of Viola Dilsarr of the age of 19 years on the 8 day of September A.D. 1924 and residing with her mother near Marysville, Ohio. Plaintiff further says that no personal estate in possession or expectancy belonging to said Ward has come into the hands of her as guardian, and that no rents have been received.

Plaintiff further represents that Ward will not receive any rent, or receive any benefit from the premises herein after described, until the death of E. Franklin Dilsarr, who holds the life estate, and that it would be for the interest of said Ward to sell said property and invest in interest bearing securities. That said Ward is

Petition

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 Clairborne town:

Being an undivided one-ninth of the following described tracts of land, subject to the life estate of E. Franklin Dilsarr: Tract No. 1. Part of Survey No. 6793 in Clairborne Township, Union County, Ohio, beginning at a stake in the middle of the Marysville and Marion State Road, and S.E. Corner of A. Cochran's land; thence S. 30 W. 114 poles to a stake in the middle of said road; thence N. 60 W. 55 poles to a stake in the East line of security survey and one-half acres now owned by W. C. Conkright & Co., thence N. 4 W. 93 poles to a stake and corner of said Conkright & Co. land; thence N 85 1/2 E. 55 poles; thence S. 2 E. 6 poles to a stake; thence S. 52 E. 28 poles, thence S. 70 E. 26 poles to the place of beginning, containing fifty acres of land.

Tract No. 2.
Being in the same County, State Township & Co.

10287

Sunny, as above. Beginning at a stake in the middle of the Manville and Marion State road, at the S. E. corner of said Alex Cochran's land: Thence N. 61 W. 54 poles to a stake at the south west corner of said A. Cochran's; Thence S. 52, E. 28 poles to a stake; Thence S. 70 E. to the place of beginning, containing 128 1/2 poles more or less.

Excepting from the above, two tracts a strip of land 26 feet wide off the north side, which strip is given by the will of Edmund Dilsann to the 35-acre tract, devised to Opal Hollenshead and others,

that said plaintiff has received no rents from the real estate of his wards. The plaintiff therefore prays that said May Langhury, Viola Dilsann, Edmund Dilsann, Marie Dilsann, and Opal Hollenshead 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 hereinafore proposed, and for other proper relief.

May Langhury, Guardian of the State of this Union County, may Langhury, being duly sworn, says that she is the plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as he verily believes.

Witness my hand and seal, this 24th day of March, 1924. *[Signature]* Probate Judge

Journal Entry. Orders hearing time of hearing, notice. Probate Court, Union County, this March, 24 - 1924.

May Langhury, Guardian of, Plaintiff
Viola Dilsann, minor. Defendants: order for notice.
Her wards, et al.

This day May Langhury, Guardian of Viola Dilsann appeared in open Court and filed her petition duly verified, asking for the sale of real estate therein described, belonging to her said Ward Viola Dilsann. It is ordered, that the time of hearing said petition be and hereby is fixed for the 17th day of April, 1924, 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 Viola Dilsann her ward. All persons entitled to the next estate of inheritance in such real estate Defendants, in writing to be served them personally, and by leaving copies thereof at the usual place of residence of each of those

Filing time

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Order for Notice

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who cannot be served personally, 15 days before said day of hearing, and this cause is continued.

W.H. Husted, Probate Judge

Order for notice.

Probate Court, Union County, Ohio.

Order

may Langhrey, Exor. of No. 10287

vs. Dilsaver, Ref.

for

the said ward. Defts. Order for notice.

To may Langhrey, Guardian:

You are hereby ordered, to give notice to Viola Dilsaver your ward, Defendant to your petition, this day in said Probate Court, for assignment of dower and sale of the following described real estate of said ward, if 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 hereafter named for said hearing. The real estate so asked to be sold, is described as follows, to-wit:

Being one third of the undivided third in remainder after the death of E. Franklin Dilsaver of the following real estate, Part of Survey No. 6293 in Lelaiborne Township, Union County, Ohio. Beginning at a stake in the middle of the Marysville and Marion State Road, and S.E. Corner of A. Cochran's land; thence S. 30° W. 114 poles to a stake in the middle of said road; thence N. 60° W. 50 poles to a stake in the east line of survey seven and one half acres, now owned by W. K. Conkright & Co., thence N. 7° W. 93 poles to a stake and corner of said Conkright & Co.'s land; thence N. 85 1/2° E. 50 poles; thence S. 2° E. 6 poles to a stake; thence, S. 52° E. 28 poles; thence S. 70° E. 26 poles to the place of beginning containing fifty acres of land.

also, the following tract of land in Lelaiborne Township, Union County, Ohio, described as follows: beginning at a stake in the middle of the Marysville and Marion State Road, at the S.E. Corner of said Alex Cochran's land; thence N. 61° W. 54 poles to a stake at the S.W. corner of said A. Cochran's land; thence S. 57° E. 28 poles to a stake; thence S. 70° E. to the place of beginning, containing 128 1/2 poles more or less, except from the above two tracts a roadway 26 feet wide off the north side. Said petition will be for hearing before said Probate Court, at the office of the Judge of said Court, in Marysville, Ohio, on the 17th day of April, 1924, at one 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.

10287

at Mansville, Ohio, this 24th day of March, 1924
W.H. Hustid, Probate Judge.

Return

Return

The State of Ohio, Union County.

I, May Langrey, being duly sworn, says that on the 25th day of March, 1924, I served this writ by delivering a true copy thereof personally to the within named Viola Dilsant, May Langrey, Guardian

known to before me, and signed in my presence, this 27th day of March, 1924
W.H. Hustid, Probate Judge

Warrant

Warrant

Probate Court, Union County, Ohio.
No. 10287

May Langrey, adm. of
Viola Dilsant minor
Plff.

Opal Hollenhead,
Edmond Dilsant,
Diana Dilsant,
Viola Dilsant,
May Langrey, Defendant.

Warrant of Summons.
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 Langrey, Opal Hollenhead, Viola Dilsant
Marie Dilsant, Edmond Dilsant.

Order for appraisement.

Journal Entry: Probate Court, Union County, Ohio, April 17, 1924.

May Langrey, adm. of
Viola Dilsant, Plff.
Viola Dilsant, Dfts.

No. 10287

Journal entry.

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,

it being to the best interest of said ward, it is therefore ordered, and adjudged by the Court that the said premises be appraised by Percy Sanders, R. P. Perry, George W. Lee, three 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. Hustid, Probate Judge

10287

order of appraisement

Return
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Order of appraisement.

order of appraisement

The State of Ohio, Union County, ss. Probate Court,
 To May Langrey, Guardian of Viola Dilsarr, 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, Guardian of Viola
 Dilsarr are Plaintiff and Edmond Dilsarr, et al are
 Defendants, you are commanded, that by the oaths of
 Percy Sanders, R. P. Perry, and H. W. Lee, judicious disint-
 erested men of the vicinity, met of kin, to the petitioners,
 who are freeholders of the county in which said real
 estate is situated, and upon actual view, you cause
 a just valuation and appraisement to be made
 according to law of the following described premises.
 Being one-third of the undivided third in remainder
 after the death of E. Franklin Dilsarr of the following
 real estate. Part of Survey 40, 6293, in Blairtown
 Township, Union County, Ohio. Beginning at a stake
 in the middle of the Mansville and Marion State
 road and S.E. corner of A. Cochran's land: thence
 S. 30° W. 114 poles, to a stake in the middle of said
 road; thence N. 60° W. 50 poles to a stake in the
 east line of security sown and one-half acres now
 owned by W. H. Conkright & Co., thence N. 4° W. 93
 poles to a stake and corner of said Conkright & Co.'s
 land; thence N. 85½° E. 55 poles; thence S. 2° E. 6 poles
 to a stake; thence S. 52° E. 28 poles; thence S. 70° E. 26
 poles to the place of beginning, containing fifty acres of
 land. also, the following tract of land in
 Blairtown Township, Union County, Ohio, described
 as follows. Beginning at a stake in the middle
 of the Mansville and Marion State Road, at the S.E.
 corner of said Alex. Cochran's land; thence N. 61°
 W. 54 poles to a stake at S.W. corner of said A.
 Cochran's land; thence S. 52° E. 28 poles to a stake;
 thence S. 70° E. to the place of beginning, containing
 128½ poles more or less. Excepting from the above
 land tract a roadway 26 feet wide off the north side.
 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 17 day of April, 1924.
 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. May 16 - 1924.

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Final Record, Union County Probate Court.

May Langrey.

Oath of Appraisers.

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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.

Percy Sanders, G.P. Perry, Geo. W. Lee & appraisers.

Shown to before me and signed in my presence,

this 18. day of April 1924 at L. E. Facker, Notary Public.

appraisers
Return

Appraisers Return

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

Two thousand three hundred and fifty Dollars.

The above appraisement is the value of the remainder of the estate after the death of E. Franklin Dilsaver. The wards interest

is worth 1/9 of the above appraisement or the sum of \$261.11

Shown under our hands, this 18. day of April 1924

Percy Sanders, G.P. Perry, Geo. W. Lee } appraisers.

Journal Entry: Probate Court, Union County, Ohio

Confirmation

May Langrey, Et al. of Viola Dilsaver. Minor vs. Viola Dilsaver

Viola Dilsaver

Plff

Def.

Confirming appraisement
Ordering Private Sale

This day this cause came on further to be heard, and it appearing to the Court that the appraisement heretofore ordered, has been duly made, the same is heretofore confirmed; said appraisement being Two thousand six hundred and sixty one and eleven hundredths Dollars

and the plaintiff above named having given bond, dated Mar. 1-1924, in the sum of Fifty Hundred Dollars, with United States Fidelity and Surety Co. surety, conditioned according to law and approved by the Court, and it appearing to the Court, that it would be the interest of said estate to sell the real estate described in the petition at private sale. It is now ordered

that said plaintiff proceed to sell said real estate at private sale at not less than the appraised value thereof, and upon the following terms, to wit: Cash on day deed is delivered,

W. H. Husted, Probate Judge

Application To Sell at Private Sale

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application

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Private Sale of

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Order of Sale.

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Probate Court, Union County, Ohio.
No. 10287

May Langhrey, Guardian of
Viola Dilsant, minor.
Plaintiff
vs
Edw. Hollensted et al.
Defendants

Application

The said Plaintiff represents, that it would be for the best interest of the said Viola Dilsant she need to sell the real estate described in the petition in this case, at private sale, for the following reasons:
1. She is securing all the property is worth.
2. Private sale will dispense with all costs of public sale -
and, she therefore asks for an order authorizing her to sell said real estate at private sale -

Oath.

May Langhrey, Guardian, Viola Dilsant ^{minor}
The State of Ohio, Union County.
May Langhrey being duly sworn, says that the various matters set forth in the foregoing application are true as she verily believes. May Langhrey -
Sworn to before me, and, signed in my presence, this 14 - day of May, A. D. 1924.
b. E. Fackler, Notary Public.

affidavit
of
Disinterested
Persons.

Affidavit of Disinterested Persons,
The State of Ohio, Union County.
Fred Smartout and Thomas Vestal 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 Viola Dilsant a minor, to sell said real estate at private sale than at public sale, as they verily believe.
F. C. Smartout, T. R. Vestal,

Order of Sale.

Sworn to before me, and, signed in my presence, this 16 - day of May, 1924. b. E. Fackler, Notary Public.
Order of Sale - Turn of Down.
The State of Ohio, Union County. Probate Court.
To May Langhrey, Guardian of Viola Dilsant. Kneeling:
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 Viola Dilsant, are Plaintiff and Edward Dilsant, Edw. Hollensted et al, are Defendant, 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 one-third of the undivided third in remainder after the death

Final Record, Union County Probate Court.

10287

of E. Franklin Dilson, of the following real estate:
 Part of Survey no. 6293, in Blairtown Township, Union County,
 Ohio, Beginning at a stake in the middle of the
 Marysville and Marion State Road and S. E. corner of A.
 Cochran's land; thence S. 30 W. 114 poles to a stake in
 the middle of said road; thence N. 60 W. 50 poles to a
 stake in the East line of Survey Twenty seven and one-half
 acres, now owned by W. H. Conright & Co. thence N. 47. 93
 poles to a stake S. E. corner of said Conright and Co's land;
 thence N. 85 1/2 E. 55 poles; thence S. 2. E. 6 poles to a stake;
 thence S. 52. E. 28 poles; thence S. 70 E. 26 poles to the place
 of beginning containing fifty acres of land.

also the preceding tract of land in Blairtown Township,
 Union County Ohio described as follows: Beginning at
 a stake in the middle of the Marysville and Marion
 State Road, at the S. E. corner of said Alex Cochran's land;
 thence N. 61. W. 54 poles to a stake at the S. W. corner
 of said A Cochran's land; thence S. 52. E. 28 poles
 to a stake; thence S. 70 E. to the place of beginning
 containing 128 1/2 poles more or less.

Excepting from the above two tracts a roadway
 26 feet wide off the north side. 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 16 day of May, 1924.

W. H. Husted, Probate Judge

Return

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. May, 16-1924.

May Langhry

Report

Report of Sale

In obedience to the within order, I sold said premises
 on the 16 day of May, 1924, to Franklin Dilson for
 the sum of Two Hundred and sixty seven Dollars,
 said sum being the appraised value of the same.

May Langhry

Dated the 16 day of May, 1924.

Oath

The State of Ohio, Union County

The above named, May Langhry, Quardian of Viola
 Dilson 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.

May Langhry

10287

Confirmation

10292

April 8-1924

Mrs. L. Myers
attorney

Petition

10292

10287 known to before me, and signed in my presence, this 16-day of May, 1924 ~~at~~ L. E. Gackler, Notary Public.

Journal Entry: Probate Court Union County, O., May, 16th, 1924, May Langhrey, as Guardian, of Viola Dilsarr, Plaintiff.

v.

Confirming Sale

Viola Dilsarr, et al. Defendants

Confirmation.

This day this cause coming on to be heard on the return of May Langhrey, as guardian of the estate of Viola Dilsarr 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 and confirmed; and it is further ordered that said May Langhrey as such guardian, make to the purchaser Franklin Dilsarr, a good and sufficient deed for the premises, so sold. It is further ordered that this proceedings be recorded, and that said May Langhrey, pay the costs herein. W. H. Husted, Probate Judge.

10292

April 8-1924

Mrs. L. Myers, attorney

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

J. George Ernest, Adm.

of the estate of

Henry Blumenschein, deceased.

Plaintiff.

vs. 10292

bind action.

Mary S. Blumenschein.

Elmer Blumenschein.

William Blumenschein.

George Blumenschein.

Bernard E. Blumenschein.

John Blumenschein.

Philip Blumenschein, ^{Adm.}

Petition

Lillian Louny, ^{Adm.}

Edna Blumenschein, ^{Adm.}

of the estate of Adam

Blumenschein, deceased.

Defendants.

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Henry Blumenschein late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is three thousand and ^{no}/₁₀₀ dollars as near as can be ascertained, including years allowance to widow that the charges of administration of said estate will amount to about Two hundred and ^{no}/₁₀₀ dollars;

10292

Petition

to

sell Real Estate

Petition

10292

and that the total value of the personal estate and effects of said deceased, is but Two Thousand Four Hundred and no/100 Dollars, being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said Henry Blumenschein, died seized in fee simple of the following real estate, situate in the County of Union and State of Ohio, to-wit:

and in the village of Marysville, within said County and State aforesaid. Being all of Deed lot no. 287 in the eastern addition of said village as represented upon the plat of said village addition recorded in plat book no. 1, page 114 records of Union County, Ohio, and known as lot no. 304 under the new numbering of lots. Excepting therefrom a strip of ground 12 feet wide off of the east side of said lot hereunto for deed to Barry S. Wood and Sarah P. Wood, his wife.

Petition

Second tract: also, the said Henry Blumenschein died seized in fee simple of the undivided one-half interest in the following described real estate situated in said village of Marysville, Township of Paris, County of Union and State of Ohio, and bounded and described as follows:

Being 44 feet off the east side of lot no. 406, a new number 423 in Loyalwater's addition to said village of Marysville. For a more particular description reference is hereby made to the recorded plat of said Addition in the Recorder's office of said County of Union.

The said decedent, died leaving the defendant, Mary S. Blumenschein his widow, who is entitled to dower in said premises; that the defendants, William Blumenschein, George Blumenschein, Herman P. Blumenschein, John Blumenschein, Phillip Blumenschein, and Lily Loung are the only children of said decedent, having the next estate of inheritance from said Henry Blumenschein deceased, in said premises; that the defendant Edna Blumenschein has or claims to have some interest in said premises herein described as the widow of Adam Blumenschein, deceased, who was a son of the said Henry Blumenschein deceased, and Edna Blumenschein as Adm^{or} of the estate of Adam Blumenschein deceased.

The Plaintiff therefore prays, that the dower of said Mary S. Blumenschein in said premises may be assigned and set off to her, that the rights, interests and claims

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Filing
Petition

Answer

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of the said other defendants named herein, may be fully determined, adjusted, and protected according to equity, and that they be required to set up, whatever interest they may have, or claim, herein, and that your petitioner may be authorized and ordered, to sell the said premises, all said real estate according to the statute in such cases, made and provided, and, for all other proper orders and relief in the premises.

The State of Ohio, Union County, ss. J. George Emmert, the within named Plaintiff bring, duly sworn, says, that the various matters and things set forth in said petition are true, to the best of his knowledge, and belief J. Geo. Emmert, admr.,

Dunn to before me, and signed in my presence, this 7th day of April, 1924. W. H. Trustees, Probate Judge

Journal Entry: In the Probate Court of Union County, Ohio, J. George Emmert, admr., of the estate of Henry Blumenschein, Plaintiff. April, 8- 1924 case no- 10292

10292

Filing Petition

Journal Entry: Filing Petition to sell Real Estate. Mary F. Blumenschein, et al, Defendants.

This day came the Plaintiff J. George Emmert, admr., of the estate of Henry Blumenschein, deceased, presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Henry Blumenschein deceased, to pay the debts, and the cost of administration of the estate, of the said deceased; 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.

Answer

Answer

In Probate Court, Union County, Ohio, J. George Emmert, admr., of the Estate of Henry Blumenschein, Dec'd, Plaintiff. No. 10292. Plaintiff Guardian of Mary F. Blumenschein et al, Defendants. William Blumenschein, now comes George Blumenschein, one of the defendants named in the plaintiff's petition, and says, that he is the duly appointed, qualified, and acting guardian of the person and property of William Blumenschein a feeble minded person, of full age, and one of the defendants named in the said plaintiff's

10292

petition. That he was appointed as such guardian by the probate court of Hardin County, Ohio, and qualified therein. Further, the said George Blumenschein, says, that as such guardian, he hereby voluntarily enters the appearance of the said William Blumenschein, herein, and his appearance herein as such guardian. And, for answer, says, that his ward, the said William Blumenschein is a son of the said Henry Blumenschein deceased, and as such is entitled to the one-seventh part of the estate of the said Henry Blumenschein, deceased, that may be subject to distribution, subject to the dower interest therein of the widow, Mary S. Blumenschein.

Further, this defendant, as such guardian says, that he consents to the sale of the premises described in the plaintiff's petition as prayed for, free from any interest of his ward, therein.

Wherefore, this defendant prays, that the Court protect the interest of his said ward in the premises, and that if sold, that he be paid out of the proceeds received from said sale the amount found due his said ward. *Kerry Blumenschein Adm. of William Blumenschein*

State of Ohio, Union County ss.

Date

The above named, George Blumenschein, being duly sworn, says, that the facts stated and the allegations made and contained in the foregoing are true as he believes.

George Blumenschein.

Known to before and signed in my presence, this 12th of April, 1924 *Not. Public* *Wm. L. Myers, Notary Public*

Answer

Answer of Edna Blumenschein,

The Probate Court, Union County, Ohio,

J. George Ewert, adm. of the estate of

No. 10292

Kerry Blumenschein, Deif.

Answer

Plaintiff

Mary S. Blumenschein, et al.

Edna Blumenschein,

Defendants.

Now comes Edna Blumenschein, defendant named in plaintiff's petition, and for herself and as admt. of the estate of Adam Blumenschein, hereby voluntarily enters her appearance, for herself, and as such admt., and for answer says, that she is the widow of the said Adam Blumenschein, deif. who died on the 28th day of November, 1923, and who was a son of Henry Blumenschein, deif.

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Answer
of
Widow.

10292 who died on the 13-day of March, 1923; That she said Adam Blumenschein died intestate, leaving no children or their descendants surviving him, that as such widow she is entitled to dower in the one-seventh part of the premises described in the plaintiff's petition subject however to the dower interest of Mary B. Blumenschein therein, that her age is 43 years. Further the said Edna Blumenschein says, that she is the duly appointed qualified and acting ady. of the estate of the said Adam Blumenschein, deceased, and was appointed as such by the probate Court of this county. Further she says, that for herself as such widow, and as such ady. she consents to the sale of said real estate as prayed for in the said plaintiff's petition, and waives the assignment of her dower interest in said premises, by metes and bounds, or in rents and profits and asks the Court that said premises be sold free from her dower estate therein, and that the value of such may be allowed and paid her in cash in lieu thereof out of the proceeds of the sale; and that out of the proceeds of the sale, she be paid as ady. of the estate of the said Adam Blumenschein deceased, whatever interest his estate may have therein as may be found by the Court. Edna Blumenschein,

State of Ohio, Union County ss-

Edna Blumenschein, being duly sworn, says, that the statements made and the allegations contained in the foregoing are true as she believes.

Edna Blumenschein

Sworn to before me, and signed in my presence, this 12. day of May, 1924 ^{cont.} Mrs. L. Myers, Notary Public.

Answer of widow.

Probate Court, Union County, Ohio.

J. George Emmert, Ady.

no. 10292

of the estate of Henry Blumenschein Dec.

Plaintiff

Mary B. Blumenschein et al. answer of widow.

Defendants

and now comes Mary B. Blumenschein 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 Henry Blumenschein deceased, and as such is entitled to dower in the premises described in said petition, that her age

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answer

of widow.

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Final Record, Union County Probate Court.

10292

is 67 years. 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, by such sum of money as the Court deems the just and reasonable value of her dower interest in said real estate.

Mary S. Blumenschein,
The State of Ohio, Union County.

Mary S. Blumenschein being duly sworn, says that the statements in the foregoing answer are true, as she verily believes. Mary S. Blumenschein, known to before me, and signed in my presence, this 12. day of May, A.D. 1924.

(Witness)

In the Probate Court of Union County, Ohio,
No. 10292

J. George Ernest, Adm. of
the estate of
Henry Blumenschein, Decd.

Plaintiff

Mary S. Blumenschein, et al.
Defendants.

(Witness)

Now comes the undersigned George Blumenschein, for and on behalf of himself, and as guardian of William Blumenschein, and hereby voluntarily enters appearance, for himself, and for and on behalf of his ward, waives the issuing and service of summonses, and joins out either himself or his said ward in this cause, and consents to the sale of said real estate as prayed for in plaintiffs petition.

George Blumenschein,
William Blumenschein,

By George Blumenschein his guardian

(Witness)

Probate Court, Union County, Ohio,
No. 10292.

J. George Ernest, Adm.
of the estate of
Henry Blumenschein, Decd.

Plaintiff

Mary S. Blumenschein, et al.
Defendants.

(Witness)

We, the undersigned Defendants 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

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Appraisal
to
due at
Private Sale

Oath

Affidavit
of
Disinterested

Person, say

Ordering sale.

10292 the sale of said real estate, described in the petition in said action according to the prayer of the same. John Blumenschein, Lillie Lowry, H. C. Blumenschein, Philip Blumenschein, Mary S. Blumenschein, Edna Blumenschein.

10292 Application to sell Real Estate at Private Sale - Probate Court, Union County, Ohio.

J. George Ewert, adur. of. no. 10292
 Henry Blumenschein, decd. Plaintiff
 v. Plaintiff

Mary S. Blumenschein et. al. Defendants. application

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

1. That said real estate can be sold, forthwith at the appraised value thereof and for cash - in full.
2. That the appraised value, in all said real estate is worth.
3. Will save expenses to sell at private sale - and he therefore asks for an order authorizing him to sell said real estate at private sale.

J. Geo. Ewert, adur. of the estate of Henry Blumenschein.

The State of Ohio, Union County.

Oath J. George Ewert, being duly sworn, says, that the various matters set forth in the foregoing application are true as he verily believes. J. Ewert.

Known to before me, and signed in my presence, this 24 day of May, A.D. 1924. Miss L. Myers, Notary Public.

Affidavit of Disinterested Persons.

The State of Ohio, Union County.

J. M. Lentz, and E. H. Hutton 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 matters therein referred to, and that it will be upon for the interest of the said, estate to sell said real estate at private sale than at public sale, as they verily believe.

J. M. Lentz, E. H. Hutton.

Known to before me, and signed in my presence, this 24 day of May, 1924. Miss L. Myers, Notary Public.

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

J. George Ewert, adur. of. no. 10292.
 The Estate of Henry Blumenschein, decd. Entry.
 v. Plaintiff
 Mary S. Blumenschein et. al. Defendants. Ordering Sale.

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This day this cause came on to be heard upon the petition, evidence, testimony, answer of Mary S. Blumenschein answer of Edna Blumenschein and answer of George Blumenschein as guardian of William Blumenschein a feeble minded person of legal age, and the Court being fully advised in the premises, on consideration thereof finds: That all the defendants named in the plaintiffs petition have voluntarily entered their appearance herein, and are now properly before the Court, and that the statements and allegations contained in said petition are true. That said Mary S. Blumenschein the widow of the said Henry Blumenschein having by her answer, waived the assignment of her answer, waived the assignment of her dower, by metes and bounds, and an appraisement of said real estate is contained in the inventory of the personal property, case no. 10062 of this Court. It is ordered, that another appraisement be and hereby is dispensed with: tract number one as described in plaintiffs petition being appraised at \$1700.00 and tract number two at \$800. the said appraisement is hereby approved and confirmed.

The Court being satisfied that it is necessary to sell the real estate of the said Henry Blumenschein deceased, described in the plaintiffs petition, to pay debts: and it being made to appear to the Court upon satisfactory evidence, that it would be for the best interest of said estate to sell said real estate at private sale, and it further appearing to the Court that the plaintiff as such, administrator has given bond, conditioned according to law, and approved by this Court, that further bond be dispensed with.

It is therefore further ordered and adjudged that the said J. George Emmert, as, such, administrator proceed to sell said real estate, at private sale, free of dower, for not less than the appraised value thereof, on the following terms, to wit: Cash in full in hand, on day of sale. It is further ordered that the said plaintiff 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 Dower.
 Probate Court.

The State of this Union County.

To J. George Emmert, Returning:

In obedience to an order and decree of the Probate Court, within and for said County made this day, in a certain cause, wherein I am as Administrator of the estate of Henry Blumenschein

Order of Sale

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Return

Report

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deceased, are Plaintiff and Mary B. Blumenschein et al. are Defendants. you are commanded to proceed according to law. to sell at Private sale, for not less than \$1700.⁰⁰ and \$800.⁰⁰ the appraised value, thereof respectively free from the dower of Mary B. Blumenschein, widow of Henry Blumenschein deceased, and Edna Blumenschein, widow of Adam Blumenschein, deceased, the following described premises, to wit:

Situated in the village of Marysville, county of Union and State of Ohio. First Tract:

Being all of In-lots No. 287 in the eastern addition of said village as represented upon the Plat of said village addition recorded, in Plat Book 1, page 114 records, of Union County, Ohio, and known as Lot No. 304, under the new numbering of lots of said village.

Excepting therefrom a strip of ground 12 feet wide off of the east side of said lot heretofore deeded to Henry B. Wood, and Sarah P. Wood, his wife.

Second Tract: Situated in the village of Marysville County of Union and State of Ohio, and being the undivided 1/2 interest in the following described real estate, to wit: Being 44 feet off the east side of Lot No. 406, new No. 423 in Freshwaters addition to said village.

For a more definite description thereof reference is hereby made to the recorded plat of said addition as found in the recorder's office of said Union County, Ohio. Said sale to be 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 24th day of May 1924.

Wm. H. Husted Probate Judge

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, May 24th 1924.

J. George Emmert.

Report

Report of Sale.

In obedience to the within order, I sold, said premises on the 24th day of May, 1924, that is, Tract No. 1, to Mary B. Blumenschein, for the sum of \$1700.⁰⁰ and Tract No. 2, to Anna Hubman, for the sum of Eight Hundred and ^{no} five Dollars - said sum being the appraised value of the same.

J. George Emmert, adm. of the est. of Henry Blumenschein

10292

Dated the 24. day of May, 1924.

The State of Ohio, Union County.

The above named, J. George Emmert, 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.

J. George Emmert.

Known to before me, and signed in my presence, this 24. day of May, 1924

Miss L. Sawyer, Notary Public

Journal entry: Probate Court, Union County, O., May 24-1924

J. George Emmert, as Adm.

of the estate of Henry Blumenschein, dec'd.

vs. Plaintiff

Mary S. Blumenschein, et al.

Defendants.

Confirming Sale-

This day this cause coming on to be heard on the return of J. George Emmert, Adm., of the estate of Henry Blumenschein, 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, confirmed, and it is further ordered, that said J. George Emmert, as such Adm., make to the purchasers, Mary S. Blumenschein and Anna Kubenaw, respectively good and sufficient deeds for the premises so sold. It is further ordered, that this proceeding be recorded, and that said Adm., pay the costs herein taxed at \$ ---.

W. H. Husted, Probate Judge.

10307

April 23-

1924 John L. Longberg, attorney.

Guardian's Petition to Sell Real Estate.

Probate Court, Union County, Ohio,

No. 10307.

Petition to

Sell Real Estate,

Gladys F. Parthemer, Guardian of, Hannah L. McManis, Incompetent.

Plaintiff,

vs.

Her said Ward,

Hannah L. McManis, Ans.

Gladys F. Parthemer and

Her said Parthemer, husband & wife.

Defendants.

Petition

The Plaintiff represents that she is the duly appointed and qualified Guardian of Hannah L. McManis, of the age of 75 years, on the 7 day of

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Petition

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January 1924. and, residing with Gladys P. Parthamer at Marysville Ohio. And the defendants Gladys P. Parthamer and her husband John C. Parthamer have the next estate in the within described property and they are the legal representatives of said ward. The Plaintiff further says that her ward Hannah L. M. Mannis is unmarried. That said ward has a life estate in the following described real estate situated in the County of Union State of Ohio, and in the village of Marysville town:

The house and lot at house number 536, W. 4th St., Marysville, Ohio being the property and all the property owned by the said Hannah L. M. Mannis, in the village of Marysville County of Union and State of Ohio. For a more definite description reference is made to the recorded plat of the village of Marysville and record of deeds, Recorder's office, Union County, Ohio. Beginning at a stake S.W. corner of lot formerly owned by Templeton Diggitt and in the center of 4th St. formerly North Street in said village of Marysville; thence with said street 88° W. 52 feet to a stake in the center of said street and S.W. corner of a lot formerly owned by E. B. Foste; thence with said line S. 2° W. 12 poles and 1/2 links to a stake; S. 88° E. 52 feet to a stake in the west line of said lot formerly owned by Templeton Diggitt; thence with said line S. 2° W. 12 poles 1/2 links to the beginning containing 38 square poles more or less.

Petitioner

The plaintiff further says that in a Warranty Deed from Gladys P. Parthamer to Hannah L. M. Mannis dated June 30 - 1913. Deed Recorded, Vol. 120. Pgs. 5-6th Union County, Ohio. That said deed provides as follows: "For and in consideration of the sum of one dollar in hand paid to me and that the Grantee does fully provide and can for me, during the remainder of my natural life, and in consideration that I am to occupy the property during my life time, and Grantee is to pay all my funeral expenses." Said deed further provides: "A lien is expressly retained upon the property herein conveyed to secure all the deferred payments of purchase money." The Plaintiff asks that said life estate be sold, including any and all other rights or equities for special contract. Said Ward may have in said property in order that the

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purchaser may be given a good clear Title ^{and} sufficient deed. Said real estate is worth annually Eighty (\$80-) Dollars That said Plaintiff has received rents from the real estate of his ward, at seven (7⁰⁰) Dollars per month, and the same is insufficient to pay taxes and to support said ward, and the sale of said Real estate is necessary for the maintenance of said ward, and the petitioner claims it will be for best interest of said ward to sell said real estate, and if there be sufficient amount to reinvest the same, and real estate is depreciating in value. Plaintiff further says her ward is 83 years of age and she asks that the amount of her estate be determined. The Plaintiff prays that Plaintiff may be ordered to sell said real estate for the reasons and purposes herein before proposed, and for other proper relief. Gladys J. Parthemer, Edw.

The State of Ohio, Union County ss.
Gladys J. Parthemer Guardian of Hannah L. McManis, being duly sworn, says that she is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as she verily believes.

Gladys J. Parthemer, Edw. of
Hannah L. McManis, Incompetent
known to before me, and signed in my presence, this 23rd day of April, 1924 ~~at~~ Notarized Probate Judge
Journal entry: In the Probate Court of Union County, Ohio
Gladys J. Parthemer, Plaintiff April, 23 - 1924 No.

Filing Petition

Hannah L. McManis et al. Filing Petition to Sell
Defendants. Real estate.
This day came the Plaintiff Gladys J. Parthemer Guardian and presented to this Court, her petition, duly verified, praying an order for the sale of real estate of the said Hannah L. McManis 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.
Notarized Probate Judge

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order for notice

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Warrant Probate Court, Union County, Ohio.
Gladys F. Parthemer, Exor., of
Hannah L. McManis, Incompetent.
Plaintiff

Warrant

Her Ward, Hannah L. McManis.
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,
April 23-1924. Gladys F. Parthemer, John C. Parthemer,
Warrant.

Warrant

In the Probate Court of Union County, Ohio
Gladys F. Parthemer Exor., of
Hannah L. McManis, Incompetent
Plaintiff

Her Ward, et al. Defendants.

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

10.307

Journal Entry: order fixing time of hearing and for
notice

order for
notice

Probate Court, Union County, Ohio.
Gladys F. Parthemer, Exor. of
Hannah L. McManis, Incompetent
Plaintiff

Her Ward, et al. Defendant

Order for Notice.

This day Gladys F. Parthemer, Guardian of Hannah
L. McManis, Incompetent, appeared, in open Court,
and filed her petition duly verified, asking for
the sale of real estate therein described, belonging
to her said Ward. It is ordered that the
time of hearing said petition be and hereby is
fixed for the 3-day of May, 1924, at ten 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

Final Record, Union County Probate Court.

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Hannah, L. M^c Mannis her ward. And to John L. Parthemer 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, ⁱⁿ this cause is continued.

order for notice.

W.H. Husted, Probate Judge
Order for notice.
Probate Court, Union County, Ohio

Gladys I. Parthemer, Gdn. of
Hannah, L. M^c Mannis, Incompetent.
Plaintiff.
v.
Her said ward, et. al. Defs.

no. 10307

order for notice.
You are hereby ordered, to give notice to Hannah, L. M^c Mannis, 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 5 days before the time hereinafter named for said hearing.

order of appraisement.

The real estate so asked to be sold is described as follows: to wit: see description in Petition page - 93.

Said petition will be for hearing before said Probate Court, at the office of the Judge, of said Court, in Marysville, Ohio, on 3rd day of May of A.D. 1924, at 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 23rd day of April, 1924.

W.H. Husted Probate Judge

Return

Return, of service made by Gdn., Directly.

The State of Ohio, Union County,

I, Gladys I. Parthemer, being duly sworn, say, that on the 25th day of April, 1924, I served this writ by delivering a true copy thereof personally to the within named Hannah L. M^c Mannis

Gladys I. Parthemer, Gdn.,

swore to before me, and signed in my presence, this 25th day of April, 1924.

W.H. Husted Probate Judge,
Order for appraisement.

order for appraisement

Probate Court, Union County, Ohio,

Gladys I. Parthemer, Gdn.,
of Hannah L. M^c Mannis, Incompetent.
Plaintiff.
v.
Her ward, Hannah, L. M^c Mannis,
Defendants.

May, 27-1924.

Journal entry,

order for appraisement.

10307

10307

This day this cause came on to be heard upon the petition, proofs, and exhibits, Gladys F. Parthenier Guardian of Hannah L. McManis, Incompetent. 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 of Hannah L. McManis, ward, Incompetent, therein described, to pay the debts of the said Hannah L. McManis, Incompetent and remain it is therefore ordered, and adjudged by the court that the said premises be appraised free of doubt, by the oaths of Walter Kennedy, John L. Sellers, and Paul McIlroy, 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. Keusted, Probate Judge

Order of appraisement.

order of appraisement

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

To Gladys F. Parthenier, Guardian of Hannah L. McManis, Incompetent, Executrix; Court, Union County, Ohio, for said County

made this day in a certain cause, wherein you as Gladys F. Parthenier, Guardian of Hannah L. McManis, Incompetent are Plaintiff and Hannah L. McManis, et al, are Defendants, you are, commanded by the oaths of Walter Kennedy, John L. Sellers, and Paul McIlroy, 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, upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free from the doubt estate of Hannah L. McManis, therein to wit Situated in the County of Union, State of Ohio, and in the village of Marysville, Ohio: The house and lot at house number 536 West Fourth Street, Marysville, Ohio, being the property and all the property owned by the said Hannah L. McManis in the village of Marysville, County of Union and State of Ohio, for a more definite description reference is made to the recorded plat of the village of Marysville, and record of deeds recorder's office Union County, Ohio, beginning at a state S. W. corner of lot formerly owned by Templeton Lyggett and in the center of Fourth Street formerly North Street in said village of Marysville; thence with said street 55 1/2 ft. 5-2 feet to

Final Record, Union County Probate Court.

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a stake in the center of said street and S.W. corner of lot formerly owned by E. B. Foose; thence with said line S. 2° W. 12 poles and 1/2 links to a stake; S. 88° E. 5-2 feet to a stake in the west line of said lot formerly owned by Lempleton Diggatt; thence with said line S. 2° W. 12 poles 1/2 links to the beginning containing 38 square poles more or less.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 27-day of May, 1924
W. H. Husted, Probate Court.

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 thereto attached, dated May 31 - 1924.

Gladys I. Parthemer

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. J. H. Kennedy, John L. Sellers, Pearl M. Troy appraisers.

Brought before me, read, signed in my presence, this 27-day of May, 1924
John L. Longrey, Notary Public,

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 Nine Hundred (\$900 -) Dollars free from said life estate of Hannah L. McManis and said appraisement including life estate and remainder in fee simple. Brought under our hands, this 31-day of May, 1924.

J. H. Kennedy, John L. Sellers, Pearl M. Troy appraisers,

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

Application to sell at Private Sale

Gladys I. Parthemer, Guardian of
Hannah L. McManis, incompetent.

No. 10307

Plaintiff

Application

Herb Ward, et al. Defendants

The said Plaintiff represents that it would be for the best interest of the said Gladys I. Parthemer, Guardian of Hannah L. McManis,

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To sell the real estate described in the petition in this case at private sale, for the following reasons:

First: It would be a great saving of Court costs to sell at private sale -

Second: Said property could be sold at once, at a reasonable value.

Third: It would be for the best interest of the estate and a saving to said estate.

and she therefore asks for an order authorizing her to sell said real estate, at private sale -

Gladys I. Parthemer, Edm. of Hannah L. McManis, Incompetent.

The State of Ohio, Union County.

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

Known to before me, and signed in my presence, this 27. day of May, A.D. 1924, W.H. Husted Probate Judge

affidavit

of Disinterested Person -

The State of Ohio, Union County.

Disinterested

Don D. Carmean, Ray G. Morse and L.J. Zurrner.

Persons, 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 Gladys I. Parthemer Guardian to sell said real estate at private sale, than at public sale - as they verily believe.

Don D. Carmean, Ray G. Morse - L.J. Zurrner.

Known to before me, and signed in my presence, this 27. day of May, 1924, John D. Longhry, Notary Public, Minico, Pa.

Guardian's Bond.

Bond

Know all men by these presents, that we, Gladys I. Parthemer and John W. Gilchrist, States Licitator, of Baltimore Md., are held and firmly bound unto the State of Ohio, in the sum of Nine Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors, administrators, signed by us, and dated at Mansfield, Ohio, this 27. day of May, 1924. The condition of the above obligation is such, that whereas, the above bound Gladys I. Parthemer was, heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Hannah L. McManis. and whereas, the said Gladys I. Parthemer, as such Guardian, has filed a petition in said Probate Court asking an order for the sale of certain real estate goods and ward, described in said petition, which

Final Record, Union County Probate Court.

10307

under proceedings in said court, duly had, has been appraised at the sum of One Thousand Dollars, and whereas said court on the 27th day of May, 1924, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided. Now of the said Gladys P. Parthenot as Guardian aforesaid shall faithfully discharge her duties as such Guardian and faithfully discharge her duties as such Guardian, and faithfully give 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.

Gladys P. Parthenot, F.M. Silcrest.

This bond approved in open Court, this 27th day of May, 1924 ~~at~~ W.H. Husted Probate Judge

approving Bond and ordering date.

Journal entry: Probate Court, Union County, Ohio,

Gladys P. Parthenot, Guardian, May 27- 1924.

of Hannah L. McManis, Incompetent

vs. Plaintiff Herward, et al. Defendants

approving Bond, and ordering date

This day this cause came on further to be heard, and it appearing to the court that the said Gladys P. Parthenot, guardian of Hannah L. McManis the plaintiff above named has given bond as heretofore ordered, in the sum of nine hundred dollars (\$900-) with Gladys P. Parthenot, and F.M. Silcrest freeholders as sureties; it is ordered, that said bond be, and hereby is approved,

and it is made, 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 Gladys P. Parthenot as such Guardian proceed according to law, to see at private sale, the real estate described in the petition free from court, for not less than the appraised value of said real estate, on the following terms, to wit: Cash in hand on the 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

ordering Private

Journal entry: Probate Court, Union County, Ohio,

Gladys P. Parthenot, as Guardian

Sale of Hannah L. McManis, Incompetent

Hannah L. McManis, et al.

Ordering Private Sale.

This day this cause came on further to be heard, and it appearing to the court, that the appraisement heretofore ordered has been duly made, the same

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is hereby confirmed: said total appraisement being nine Hundred (\$900.00) Dollars; including the life estate therein of Hannah M^c Mannis, to be computed according to law and said property is, ordered, sold free from any life estate, special contract, or any other equities said ward may have in said property.

And the plaintiff above named, having given bond, dated, May, 27-1924, in the sum of One Thousand Dollars, with J. M. Gilchrist and Gladys L. Parthemer, 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 that said plaintiff proceed to sell said real estate including life estate, at private sale, at not less than the appraised value thereof and upon the following terms to-wit: Cash.

W. H. Husted, Probate Judge.

Order of Sale - free from life estate.

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

To Gladys L. Parthemer, Guardian of Hannah L. M^c Mannis, 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 Hannah L. M^c Mannis, are Plaintiff and Her Ward, et al. are Defendants you are commanded, to proceed according to law, to sell at private sale, for not less than the appraised value thereof free from the life estate of Hannah L. M^c Mannis, the following described premises, to-wit: that is said life interest.

Situated in the county of Union State of Ohio, and in the village of Mansville, to-wit: The house and lot at house number, 536, West Fourth Street, Mansville, Ohio, being the property and all the property owned by the said Hannah L. M^c Mannis in the village of Mansville, County of Union, and State of Ohio. For a more definite description reference is made to the recorded plat of the village of Mansville and record of deeds recorder's office, Union County, Ohio. Beginning at a stake S. W. corner of lot formerly owned by Templeton Liggott and in the center of Fourth Street formerly North Street in said village of Mansville; thence, with said street 88° W. 52 feet to a stake in the center of said street, and S. W. corner of a lot formerly owned by E. B. Fouts; thence, with said line S. 2° W. 12 poles and 1 1/2 links to a stake; S. 88° E. 52 feet to a stake in the West line of said lot formerly owned by Templeton Liggott; thence, with said line S. 2° W. 12 poles - 1 1/2 links to the

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beginning containing 38 square poles, more or less
said sale to be cash - and, upon the following terms:
Lease. You will make return of your proceeding to
this court, forthwith upon execution of this order.

Witness my signature and the seal of said court,
this 2^d day of June, 1924 ^{seal} W. H. Husted, Probate Judge

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. June 7 - 1924
Bladys F. Parthemer

Report

Report of Sale

In obedience to the within order, I sold, said
premises on the 7th day of June, 1924, to Willard G.
Malone, and Bladys F. Malone, for the sum of
nine hundred (\$900-) Dollars, and her life interest being
\$63.81 due said ward. said sum being the
appraised value of the same. Bladys F. Parthemer

Dated the 7th day of June - 1924

The State of Ohio, Union County ss.

The above named, Bladys F. Parthemer, Guardian
of Harrah L. McManis 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.

Bladys F. Parthemer

Sworn to before me, and signed in my presence, this
3rd day of June, 1924 ^{seal} John L. Longmire, Notary Public, Union Co. Ohio

Confirmation

Journal Entry: Probate Court, Union County, Ohio.

Bladys F. Parthemer, Edu., June 7 - 1924

of Harrah L. McManis.

vs. Plaintiff
Her Wards. Defendant's Order of Confirmation.

This day, this cause came on to be heard on the
report of Bladys F. Parthemer Guardian of Harrah L.
McManis, 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 truly is approved
& confirmed. It is further ordered that said
petitioner execute a deed of all the right, title
and interest of the said Harrah L. McManis,

10323

May 23 -

1924

C. P. Hornbeck
Attorney

Petition

in said real estate, to the purchaser, Willard G. Malone, and Gladys H. Malone, and now this cause coming on for trial to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale amounting to \$63.81 and the said ward asked that the value of such life estate be allowed and paid her out of the proceeds of the said sale; the court finds the just and reasonable value of her life estate interest in said real estate to be the sum of \$63.81

It is further ordered that said said Indian out of the money in her 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 \$25.00 to John L. Longmy, and of \$13.00 making total \$38.00

Third: To Hannah L. McManis life estate, the sum of \$25.81 which the court finds to be the value of her interest in said premises. W. H. Husted, Probate Judge.

10323

Petition To Sell Real Estate.

May 23-

Probate Court of Union County, Ohio.

1924

C. R. Hornbeck
Attorney.

Matilda Sherman, Administratrix

of the estate of Sewell O. Sherman, deceased.

vs. 10323.

Plaintiff.

vs.

The Prudential Insurance Company,
of America.

Matilda Sherman, widow
of the said Sewell O. Sherman,
deceased.

Vadina McWhirt,
Mabel Cross,
Nellie Cross,
Evel Jones, and,
Orval Sherman.

Petition.

Petition

Defendants.

Plaintiff represents that on the 15 day of October 1923, she was duly appointed and qualified, Administratrix of the estate of Sewell O. Sherman, late of Union County, Ohio, and is still acting as such administratrix; that the amount of debts due from the deceased is \$5800.00, as near as they can be ascertained, a schedule of which debts, is herewith attached, marked exhibit "A"; that the charges of said estate will be about \$200.00; that the total value,

10323

value of the personal property and effects of said deceased, was about \$801- being insufficient to pay the debts and costs, aforesaid.

The plaintiff further represents that the said Samuel O. Sherman died, seized in fee simple of the undivided one-half interest in the following described real estate, situated in the county of Union State of Ohio, to-wit:

Lot number two (2) and part of lot number one (1) of the sub-division of the lands of Samuel B. Scott in Survey No. 14632, bounded and described as follows, to-wit: Beginning at a stone in the east line of said survey and southeast corner of lands owned by Margaret Cosnell; thence N. 89° W. 39.84 poles to a stone; thence S. 6° E. 49.40 poles to a stone; thence N. 129.76 poles to a stone; thence S. 5° 15' E. 91.31 poles to a stone (red oak) bears south 83° 30' W. 12 ft. N.W. corner to lot number three (3) of said sub-division; thence with the north line of said lot number three (3) N. 83° 30' E. 168.40 poles to a stone and brick in the east line of said Survey N. 14632; thence with said survey line N. 5° W. 116.78 poles to place of beginning, containing 95-acres, more or less, in Taylor Township, Union County, Ohio.

Petition

Plaintiff represents that said real estate was appraised, as a whole, in accordance, with the order of the Probate Court, of Union County, Ohio, by the appraisers of the personal estate of said decedent; that the undivided one-half interest in said real estate is owned by the said Matilda Sherman, widow, in fee simple and that the undivided one-half interest in said real estate is owned by the said decedent, in fee simple; that the said undivided one-half of said real estate which is owned, by the said decedent is encumbered by the dower interest therein of the said Matilda Sherman, widow, of the said Samuel O. Sherman; that the amount of the appraisement of the whole of said real estate is \$9500⁰⁰; that plaintiff has given an additional bond as such administrator in the sum of Nineteen thousand dollars.

That said decedent died leaving the defendant, Matilda Sherman, who is the plaintiff herein and widow of said decedent, who is entitled to dower in the said undivided one-half of said premises owned by said decedent; that the said Matilda

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Petition

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Exhibit "a"

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Sherman is 66 years of age. That the defendants
Vadna McWhirt, Matilda Grable, Nellie Grable, Ethel Jones,
and Orval Sherman, are the only children and
heirs at law of said decedent, having the next
estate of inheritance from the said Samuel O. Sherman,
deceased, in said premises.

That the defendant, The Prudential Insurance
Company of America is a corporation duly
incorporated under the laws of the State of New
Jersey, whose place of business is 763 Broad Street,
Newark, New Jersey, that, the said The Prudential
Insurance Company of America has, or claims
to have a mortgage lien on the whole of said
premises, said mortgage and note secured thereon
is signed by the said decedent, Samuel O. Sherman
and by the said Matilda Sherman, widow of
said decedent.

Petition

The plaintiff therefore prays that the undivided
one-half interest of the real estate, described in
this petition, belonging to said decedent, Samuel O.
Sherman, may be appraised as provided by law, by three
judicious and disinterested men, freeholders of the
vicinity, after being first duly sworn, and upon
actual view of the premises in said petition,
described. That the dower interest of the said
Matilda Sherman, widow of said decedent, in the
premises, described, herein, or that part thereof be-
longing to said decedent, may be assigned and set
off to her, unless she file her answer therein, and
consents that the same may be sold, free from her
said dower, homestead and other rights which she may
have therein; that the right, interest and lien of the
said The Prudential Insurance Company of America
may be fully determined, adjusted and protected,
according to equity and, that your petitioners
may be authorized and ordered to sell that part
of the real estate described herein, owned by said
decedent subject to said dower estate of said widow,
unless she release the same according to the statute
in such case made and provided and for all
other proper orders and relief in the premises.

C. R. Koubek, Attorney for Plaintiff
Exhibit "A"

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Exhibit "A"

Samuel Sterns Columbus Ohio about \$ 200.00
The Prudential Insurance Company
of America, Newark, New Jersey - \$ 5600.00
\$ 5800.00

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The State of Ohio, Madison County, ss.
Matilda Sherman, being first duly sworn, deposes and says that she is the administratrix of the estate of Samuel O. Sherman, deceased, that the various matters and things set forth in the foregoing petition are true to the best of her knowledge, faith and belief.
Matilda Sherman.

Sworn to before me, and signed in my presence, this 20th day of May, 1924
C.R. Koorubick
Notary Public, Madison County, O.

10323

Filing Petition entry

Journal entry: In the Probate Court of Union County, Ohio, Matilda Sherman, administratrix of the estate of Samuel O. Sherman, Dec'd
May 23-1924
No. 10323

Plaintiff
The Prudential Insurance Co. et al.
Journal entry: Filing Petition to sell Real estate
Defendants

This day came the Plaintiff Matilda Sherman, adx., of the estate of Samuel O. Sherman, and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said Samuel O. Sherman, 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.

10323

May 23-1924

Answer of Widow.
Probate Court of Union County, Ohio.
No. 10323
Matilda Sherman adx.,
of the estate of Samuel O. Sherman, Dec'd.

Answer of Widow

Plaintiff
The Prudential Insurance Company
of America et al. Defendants.
Answer of Widow.

And now comes Matilda Sherman, 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 Samuel O. Sherman, deceased, and, as such is entitled to dower in the premises described in said petition which are sought to be sold. That her age is 66 years, and she fully consents to said sale as prayed for, and waives the assignment of dower in said premises, by metes and bounds or in rents and profits and asks the Court

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May 23-1924

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May 29-1924

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July 21-1924

Answer by Cross Petition
Lvs. Co.

10323 That said premises may be sold 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 a just and reasonable value of her dower interest in said real estate.

Matilda Sherman
 The State of Ohio, Madison County, ss:
 Matilda Sherman, being first duly sworn deposes and says that the statements in the foregoing answers are true, as she truly believes
 Matilda Sherman,
 sworn to before me, and signed in my presence, this 20-day of May, A. D. 1924.
 Margaret E. Bailey,
 Notary Public, Madison County, O.

10323
 Matilda Sherman, administratrix
 of the estate of Samuel O. Sherman, deceased
 Plaintiff,
 vs.
 The Prudential Insurance Company
 of America, et al. Defendants
 Probate Court of Union County, Ohio
 no. 10323

Waiver
 The undersigned, defendants in the above entitled action, hereby waive the issuing and service of summons and process and voluntarily enter their appearance as party defendants in this action and freely consent to the prayer of plaintiff's petition filed in this case.
 Vadna McWhirt, Mabel Crabbe,
 Nellie Crabbe - Orval Sherman -
 Waiver

10323
 Matilda Sherman, administratrix of the
 estate of Samuel O. Sherman, deceased,
 Plaintiff
 vs.
 The Prudential Insurance Company,
 of America, et al. Defendants
 Probate Court, Union County, Ohio,
 no. 10323

May 29-1924
 The undersigned, one of the defendants in the above entitled action, hereby waives the issuing and service of process and voluntarily enters her appearance as a party defendant, to this action.
 Ethel Jones.

10323
 Answer and Cross Petition - of
 The Prudential Insurance Company of America
 State of Ohio,
 County of Union, ss.
 Union Probate Court.

Answer &
 Cross Petition
 Ins. Co.

10323

Matilda Sherman, Adm.
of the estate of
Samuel O. Sherman, deceased.

No. 10323

Plaintiff
The Prudential Insurance
Company of America.
Matilda Sherman, widow of
the said Samuel O. Sherman, deceased.
Vadew McWhirt
Mabel Krabb
Mellie Krabb
Ethel Jones
Orval Sherman.

Answer and
Cross-Petition
of the Defendant
The Prudential
Insurance Company
of
America.

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July 21-1924.

Answer
Prudential
Ins. Co.

Answer
Now comes the defendant, The Prudential Insurance
of America, of Newark, New Jersey, and waives the
issuing and service of summons, in this cause
and voluntarily enters its appearance as a party
defendant herein, and for answer to the petition
of the administrator herein, to sell real estate,
says:

That is a body corporate, existing under
and by virtue of the laws of the State of New Jersey,
and having its chief office in the City of Newark
and State of New Jersey; that it admits that one
Frank Simpson, being indebted to the Prudential
Insurance Company of America in the sum of Five
Thousand, Six Hundred (\$5600.00) Dollars, on March
1st 1923 together with his wife, Lavin Simpson, executed
and delivered a first mortgage to this defendant,
The Prudential Insurance Company of America, to secure
the repayment of a promissory note of Five Thousand
Six Hundred (\$5600.00) Dollars, dated March 1- 1923, as will
hereafter be shown in the cross-petition of the
defendant. The Prudential Insurance Company of
America; that said note and mortgage have the
first and paramount lien on the real estate
described in said mortgage, which real estate is
the same as that described in the petition of the
Administrator herein; and for want of information,
this defendant denies each and every other
allegation of said petition and the various answers
and cross-petitions filed herein, inconsistent with
the facts hereinafter stated.

10323

Cross-Petition
This answering defendant, The Prudential Insurance
Company of America, by way of cross-petition,
herein says: That on the 1st day of

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Cross-Petition
Ins. Co.

Matilda Sherman
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March, 1923, one Mack Simpson, being indebted to the said The Prudential Insurance Company of America, in the sum of Five thousand Six Hundred (\$5600⁰⁰) Dollars, executed to the said The Prudential Insurance Company of America his promissory note of that date and thereby promised to pay to the order of the said The Prudential Insurance Company of America the principal sum of Five thousand, Six Hundred (\$5600⁰⁰) Dollars with interest thereon from March 1st, 1923, until due, at the rate of five per cent (5%) per annum, payable semi-annually on the first day of September and March in each year until due, on the first day of March 1928, with interest on said note after maturity, and on all accrued interest after maturity, at the rate of eight per cent (8%) per annum, payable annually, all of which will more fully appear by said principal note for Five thousand Six Hundred (\$5600⁰⁰) Dollars ready to be produced in Court, and by a photographic copy of the same attached hereto, filed herewith marked Exhibit "A" and made a part of this Cross-petition.

Cross-Petition
Luc. Co.

This answering defendant further alleges that to secure the payment of the said principal note as aforesaid, as well as the sum evidenced thereby, said Mack Simpson and one Susie Simpson, being then husband and wife, did on the first day of March, 1923, execute and deliver to the said The Prudential Insurance Company of America their certain mortgage of that date by which they conveyed to the said The Prudential Insurance Company of America the foregoing described real estate in Union County, State of Ohio, Lot No. 2, and Part of Lot No. 1 of the subdivision of the lands of Samuel B. Scott in Survey No. 14632, bounded and described as follows, to-wit: Beginning at a stone in the East line of said Survey and Southeast corner of lands owned by Margaret Gosnell; thence north 89° West 39.84 poles to a stone; thence South 6° East 49.40 poles to a stone; thence West 129.76 poles to a stone; thence 5° 15' East 91.30 poles to a stone (red oak bears South 83° 30' West 12 feet) northwest corner to Lot No. 3, of said subdivision; thence with the North line of said Lot No. 3, North 83° 30' East 168.40 poles to a stone and Brick, in the East line of said Survey No. 14632; thence with said Survey line North 5° West 116.78 poles to the place of beginning, containing 90 acs. more or less in Taylor Township, Union County, Ohio.

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Answer
Cross-Petition
Prudential
Ins. Co.

which real estate is the same, as that described in the administratrix's petition herein; that said Mack Simpson and Susie Simpson were the owners in fee simple of the said real estate on March 1-1923, the term of the execution of said mortgage, and that said mortgage was duly acknowledged on the 14-day of March, 1923, and, on the 14 day of March, 1923, duly filed for record at 1:25 o'clock P.M., and recorded on March 15th 1923, in Volume 86, at page 609 of the records of Union County, Ohio; all of which well more fully appear by said mortgage and its accompanying certificate of acknowledgment and recording, ready to be produced in court, and, by photographic copy of the same attached hereto, filed herein, marked Exhibit "B" and made a part of this cross-petition; that in joining with her husband, the said Mack Simpson, in the execution of the mortgage to this defendant and cross-petitioner hereinbefore described, the said Susie Simpson released and relinquished to this defendant and cross-petitioner all her dower right, interest, claim or demand in said real estate; and that, as against the said mortgage of this defendant and cross-petitioner, she nor the heirs of any of her grantors have no such dower right, interest, claim, or demand; that, as against the mortgage of this defendant and cross-petitioner, the said Susie Simpson, wife of the said Mack Simpson, and the said Matilda Sherman, wife of the decedent, Dr. Will. O. Sherman, have no dower interest, dower right, claim or demand in the said real estate;

That this answering defendant, The Prudential Insurance Company of America, further alleges, that if the said decedent, Dr. Will O. Sherman, died, seized in fee simple of the undivided one-half interest in the real estate described in plaintiff's mortgage, as alleged in the petition of the administratrix, herein, and, if the said Matilda Sherman, wife of said Dr. Will O. Sherman, was seized in fee simple of the remaining undivided one-half interest in said real estate, they secured said title through mesne conveyance from the said Mack Simpson and Susie Simpson, his wife, subject to the first mortgage lien of this defendant, and cross-petitioner which said mortgage the said Dr. Will O. Sherman, and Matilda Sherman assumed and agreed to pay as part of the purchase price of said real estate; and, further, that the

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Answer
Cross-Petition
Prudential
Ins. Co.

10323

said Matilda Sherman, took title to the said real estate remembered by any down interest therein of the said Matilda Sherman, so far as this answering defendant and cross-petitioner is concerned,

This answering defendant and cross-petitioner further alleges that the semi annual interest on said mortgage due, March 1st 1924, has been paid and, that interest in the sum of One Hundred Forty (\$140.00) Dollars, for the six months from March 1-1924, to September 1-1924, will not be due and payable until September 1st 1924.

Therefore, this answering defendant and cross-petitioner hereby consents to a sale of the real estate described in the administrative's petition herein, subject to its said first mortgage; the purchaser to give bond, conditioned to the payment of said mortgage in accordance with its terms, or it consents to a sale free and clear

answer an
Cross-Petition
Prudential
Ins. Co.

of liens, provided, however, that the following amounts be paid out of the first proceeds of the sale of said real estate and that a lien for the said amounts be a lien on the proceeds; namely, principal Five Thousand Six Hundred (\$5600.00) Dollars, plus five per cent (5%) interest thereon from March 1- 1924, to date payment is made, payable semi-annually.

Wherefore, this answering defendant and cross-petitioner, The Prudential Insurance Company of America, prays that the amounts due it, as therein above alleged, be so adjudged and decreed by the Court; that the validity and priority of its mortgage be determined; that said real estate described in its said mortgage and in the petition of the administrative herein be sold subject to its mortgage, the purchaser to give bond conditioned to the payment of the same, in accordance with its terms, or that, if said real estate be ordered sold free and clear of liens, it be paid, out of the sale of said real estate, the amount herein above alleged, to be due it, in the order of the priority of its said mortgage lien upon said real estate, and for such additional judgment, order and decree to which it may be entitled in law, or in equity.

William R. Stewart, Attorney for
The Prudential Insurance Company of America,
State of Indiana, County of Union, ss-

William R. Stewart, being duly sworn, according to law, says, that he is attorney for the defendant and cross-petitioner, The Prudential Insurance Company of America; that said defendant and cross-

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petitioner is a body corporate, duly incorporated under the laws of the State of New Jersey, with its principal office in Newark New Jersey; that as such attorney said affiant has authority to make this affidavit; and that the allegations contained in the foregoing answer and cross-petition are true, as he well believes. William R. Stuart

Subscribed and sworn to before me, this 10-day of July, 1924. Harriet L. Jordan, Notary Public
My Commission expires May, 5, 1924.

10323

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on Record in Recorder's office, Union County, Ohio, as follows:
No. 2233- 100272-

Reference.

compared and indexed according to Law,
Mch. 16-1923.

Abner Lowry, Recorder.

Record in Recorder's office, Union Co., Ohio.

This Mortgage Deed,
with Dower.

Mark Simpson and Lucie Simpson, his wife,
To

The Prudential Insurance Company of America,
Remains for Record this 14 day of March, 1923.

at 1-25 o'clock P.M., and recorded March 15-1923,
in Vol. No. of mortgages, at page 609 of the records of Union County, Ohio.

Abner Lowry,

Recorder of Union County, Ohio, #3- Od.
(Farmers Trust Co - 155 East Market St, Indianapolis, Ind.)

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Reply.

July

21 1924

Matilda Sherman, adm. of.
The estate of Saml O. Sherman, Deceased.

Court of Probate of Union County, Ohio.

no. 10323,

Plaintiff.

The Prudential Insurance Company,
of America, et al. Defendants.

Reply.

now comes the plaintiff, Matilda Sherman, adm. of the estate of Saml O. Sherman, and admits the statements and matters contained in the answer and cross-petition of the defendant, The Prudential Insurance Company of America, are true.

C. R. Kumbach attorney for.

Plaintiff, Matilda Sherman, Administrative, etc

Bond.

10323

may 23-1924

Bond

Know all men by these Presents, That Mr. Matilda Sherman, as principal, and American Surety Company of New York, as surety, are bound and firmly bound unto the State of Ohio, in the sum of nineteen thousand dollars, for the payment of which

10323

July 26- 1924

application the re-appraisal of 12 Sur Co in de af in son 95 22 of.

10323

we hereby jointly and severally bind ourselves, our heirs, Executors and administrators signed by us, and dated at Loudon, Ohio, this 20 day of May, 1924.

The condition of the above obligation is such, that whereas the above bound Matilda Sherman was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio Administratrix of the estate of Samuel O. Sherman deceased.

Bond.

and whereas the said Matilda Sherman, as such Administratrix 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 20 day of May, 1924, made an order requiring said Administratrix to execute a bond according to the statute in such cases made and provided,

now if the said Matilda Sherman, Adm., 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 said 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.

Matilda Sherman,

American Sureties, of New York, by C. R. Koubek ^{Real} its attorney in fact.

Executed in Presence of John Crabbe - Margaret E. Bailey.

This Bond approved in open Court, this 23 day of May, 1924 ^{Real} W. H. Hustid Probate Judge.

Application

Probate Court of Union County, Ohio,

No. 10323.

10323

July 26

1924

Matilda Sherman, administratrix of the estate of Samuel O. Sherman, Dec'd
Plaintiff

vs. The Prudential Insurance Company, application re- appraisal of America, et al. Defendants

Now comes Matilda Sherman, adm. of the estate of Samuel O. Sherman, deceased, and represent to the Court that the appraisers heretofore appointed in this matter to appraise the assets belonging to said decedent, Samuel O. Sherman, through an error appraised 95 acres of land belonging to said decedent, where in truth, and in fact the said decedent only owned the undivided one-half of said 95-acre tract of land: wherefore the said administratrix prays the Court that the appraisement of the real estate heretofore made by said

appraisers, be set aside and held for naught. ^{was}
that a new appraisement may be ordered by this
Court, of said undivided one-half of said real
Estate belonging to said decedent, as provided by law.

Matilda Sherman, Adm.
By, C.R. Hornbeck, Her Attorney,

Entry:

Filed

July 26-
1924

Matilda Sherman, Adm. of
The Estate of Samuel O. Sherman, Decd.
Plaintiff

Probate Court, of Union County, Ohio,
no. 10323

v.

Re- appraisement ordered.
entry.

Re- appraisement
ordered.

The Prudential Insurance Company,
of America, et al. Defendants.

It appearing to the Court, that the real
estate described in the petition, containing 95 acres,
more or less, was appraised by the appraisers, heretofore
appointed by this court, as the property of said decedent,
where in truth and in fact, said decedent only
owned an undivided one-half interest in said
95 acres of land, and, said undivided one-half
interest should have been appraised by said
appraisers instead of the whole tract. By reason
of said error, said appraisement is, by this court,
set aside and a re- appraisement, of said undi-
vided one-half thereof, is ordered, and,
W. W. Seiper, George Oppido, ^{was} Edward Fletcher, three judicious
and disinterested free holders of the vicinity are
hereby appointed as appraisers of the said
undivided one-half interest of said real estate,
belonging to said decedent in accordance with
the application of the said Matilda Sherman,
Administratrix, filed herein.

W. H. Husted, Probate Judge
Application to Sell Real Estate at Private Sale -
Probate Court, Union County, Ohio,
no. 10323

10323,
July 28th
1924

Matilda Sherman, Adm. of the
Estate of Samuel O. Sherman, Decd.,
Plaintiff

v.

The Prudential Insurance Co., et al.
Defendants.

application,

application
to
Sell Real
Estate at
Private Sale.

The said Plaintiff represents that it would be for
the best interest of the said estate of Samuel O.
Sherman, deceased, to sell the real estate described
in the petition in this case at private sale, for
the following reasons: that if sold at Public
Sale there would be of necessity a large
amount of money to be expended, in adver-

10323.

10323.

10323

July 28-1924,
Sub. and
appraisement.

10323

tising said land, and employing and paying an Auctioneer, to sell said Real Estate, for further reason, an undivided interest in Real Estate is difficult to sell, unless you can find a purchaser by personal solicitations, which can not be done as well, if sold at Public Sale. And she therefor asks for an order authorizing her to sell said real estate at private sale. Matilda Sherman, adx. of Estate of Samuel O. Sherman, Dec'd

The State of Ohio, Union County,

Matilda Sherman, being duly sworn, says that the various matters set forth in the foregoing application are true, as she verily believes. Matilda Sherman, known to before me, and signed in my presence, this 28th day of July, A.D. 1924. W.H. Husted, Probate Judge -
Affidavit of Disinterested Persons.

10323

affidavit of Disinterested Person

The State of Ohio, Union County,

Matilda Sherman, 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 of Samuel O. Sherman, to sell said real estate at private sale, than at public sale, as they verily believe.

H.W. Seifer, George Oppihile, Ed Fletcher known to before me, and signed in my presence, this 28th day of July, 1924.

Inventory, and appraisement.

10323

July 25 1924

In the matter of the estate of Samuel O. Sherman, Dec'd order to appraise.

Sub. ans.

appraisement.

To H.W. Seifer, George Oppihile, & Edward Fletcher, apprs., meeting: you are hereby notified that you have been appointed by order of the Probate Court of said County, appraisers of the estate and effects of Samuel O. Sherman late of Taylor Township, in said County, deceased. you will therefor, after doing being duly sworn faithfully to discharge your trust, appraise all the estate and effects of the deceased, comprised in the inventory thereof, and which shall be exhibited to you and (appraise upon actual view, the real estate of the deceased, and) perform all other duties required by law of you in the premises as such appraisers. you will thereupon deliver this order, with your proceedings thereon, to Matilda Sherman, Administratrix of said estate, that she may return the same

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To this Court, within thirty days, from the date of her appointment. Witness my hand and the seal of said Probate Court at Marysville, Wis. this 28th day of July, A.D. 1924. W.H. Husted Probate Judge

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Per

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Return, to the Hon. W.H. Husted, Probate Judge:

10323

Mr.

The undersigned Matilda Sherman, admx., of the estate of Small O. Sherman, deceased, makes return of the order hereto attached, with the proceedings had in pursuance thereof, together with a copy of the notice given of the time and place of the making of the within inventory and appraisement, Dated July 28-1924. Matilda Sherman.

Real estate up

10323

notice

of appraisement

notice of appraisement. Estate of Small O. Sherman, Deceased. Notice is hereby given that an inventory and appraisement of the estate and property of Small O. Sherman, late of Union County, deceased, will be taken at his late residence, in Taylor Township, on the 28th day of July, 1924, commencing at 10 o'clock A.M. and continuing from day to day until completed. Dated this 19th day of July, 1924. Matilda Sherman, admx.

10323

affidavit

The

oath

of the estate of Small O. Sherman, deceased. The State of Wis. Union County ss. Matilda Sherman, as administratrix of the estate of Small O. Sherman, deceased, makes oath, that copies of the above notice of the time and place of the making of the within inventory and appraisement, were posted up in two of the most public places in Taylor Township, in which the said deceased last dwelt and were served on Matilda Sherman widow, and legals next of kin of said decedent, residing in said County, at least five days prior thereto. Matilda Sherman.

10323

July 28-1924

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oath of appraisers

Administratrix of the estate of Small O. Sherman, Deceased. Sworn to before me, and signed in my presence, this 28th day of July A.D. 1924. W.H. Husted, Probate Judge. Oath of appraisers. The State of Wis. Union County ss. We, the undersigned, do make solemn oath that we will truly, honestly and impartially appraise the estate and property that may be exhibited to us, belonging to the estate of Small O. Sherman, deceased, and perform the other duties required by law of us in the premises, as appraisers, according to the best of our knowledge and ability.

H.W. Super, George Oppitule, Ed. Fletcher.

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10323 sworn to before me, and signed in my presence, this 28 day of July, A.D. 1924. *W.H. Husted, Probate Judge*

Personal ^dGoods & Chattels - Heretofore appraised.

10323 Schedule No. Real Estate

Real Estate Mr. the undersigned, appraisers, do on our oaths, and upon actual view appraise the real estate of said decedent, hereinafter described, as follows, to-wit:

Two thousand eight hundred and fifty dollars,
Total appraisement of real estate as per Schedule #, \$ 2850.⁰⁰
" " " " assets \$ 2850.⁰⁰

We certify that the foregoing Inventory is a true and correct appraisement of the property exhibited to us.

Dated July, 28- 1924.

H. W. Super, George Oppihile, Ed. Herscher } appraisers.

10323 Affidavit

The State of Ohio, Union County, ss.

affidavit The undersigned Matilda Sherman, Adm^r of the Estate of Samuel O. Sherman, late of said County, deceased, being duly sworn according to law, deposes and says that the foregoing inventory is, in all respects, just and true, that it contains a true statement of all the estate and property of the said deceased which has come to the knowledge of affiant, and, particularly of all money, bank bills, or other circulating medium belonging to the deceased, and of all just claims of the said deceased against the said affiant or other persons, according to the best of her knowledge. Matilda Sherman.

Adm^r of the estate of Samuel O. Sherman, Dec'd.

sworn to before me, and signed in my presence this 28 day of July, 1924 *W.H. Husted, Probate Judge*

10323 Journal of entry

July 28-1924 In the matter of } Journal entry, no. 10323
The estate of }

Samuel O. Sherman, Dec'd. (Filing Inventory & appraisement.
This day came Matilda Sherman, adm^r of the estate of Samuel O. Sherman, late of Union County, Ohio, deceased, and presented a corrected appraisement of the real estate of said estate, duly verified.

Whereupon the Court, after a careful examination of the same, and being satisfied that said adm^r has in all respects complied with the Statutes to such case made and provided, do order the said inventory and appraisement filed and recorded.

It is further ordered, that said adm^r pay the costs herein taxed at \$ 4.⁰⁰. *W. H. Husted, Probate Judge*

10323

Approving appraisement, ^{and}
ordering Private Sale.

July 28-1924

Probate Court of Union County, Ohio.

July 28-1924

Mattie M. Sherman, ad^{or} of the
Estate of Samuel O. Sherman, Deceased.

v.

Plaintiff

vs. 10323

approving
appraisement
^{and}

The Prudential Insurance Company of America, et al. Defendant

approving appraisement ^{and}
ordering Private Sale

ordering
Private Sale

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 the plaintiff has given additional bond in the sum of Nineteen thousand (\$19,000.00) Dollars, with approved securities thereon, conditioned according to law; the said bond is hereby approved.

And, the Court having heard the evidence and being sufficiently advised in the premises, finds that the personal assets of said estate are insufficient to discharge the debts and liabilities thereof; and that the real estate hereinafter described is liable to be made assets in the hands of the said ad^{or} to pay said indebtedness; that the mortgage lien of Five thousand Six Hundred (\$5,600.00) Dollars plus five per cent (5%) interest from March 1-1924, claimed and asserted by the defendant, The Prudential Insurance Company of America, in its answer to said petition against the fee simple of the following described real estate:

Lot No. 2, and part of Lot No. 1, of the subdivision of the lands of Samuel B. Scott in Survey No. 14632, bounded and described as follows, to-wit: Beginning at a stone in the east line of said Survey and south east corner of lands owned by Margaret Roswell; Thence North 89° West 39.84 poles to a stone; thence South 6° East 49.40 poles to a stone; Thence West 129.76 poles to a stone; Thence South 5° 15' East 91.30 poles to a stone (Red oak trees South 83° 30' west 12 feet) North west corner to Lot No. 3, of said subdivision; Thence with the North line of said Lot No. 3, North 83° 30' East 168.40 poles to a stone and brick in the east line of said Survey, No. 14362; thence with said Survey line North 5° West 116.78 poles to the place of beginning.

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Containing 95-acres, more or less, in Taylor Township, Union County, Ohio, is a valid and substantial first lien thereon, having priority over all other liens, including any dower right of the said Matilda Sherman, and that upon said mortgage lien there is now due and unpaid the principal of Five Thousand Six Hundred (\$5600.00) Dollars, with interest thereon at five percent (5%) per annum, payable semi-annually from March 1-1924, until paid; and the Court further finds that to make assets for the payment of debts and liabilities of said estate it would be to the best interests of said estate to sell all of the decedent's interests in the following described real estate, being the real estate described in the administrator's petition herein, at private sale:

The undivided one-half interest in Lot #2 and part of Lot No. 1, of the subdivision of the lands of Samuel B. Scott in Survey No. 14632, bounded and described as follows: To wit: Beginning at a stone in the east line of said Survey land Southeast corner of lands owned by Margaret Gosnell; thence north 87° west 39.84 poles to a stone; thence south 6° East 49.40 poles to a stone; thence west 129.76 poles to a stone; thence South 5° 15' East 96.30 poles to a stone (red oak brass South 83° 30' West 12 feet) northwest corner to Lot No. 3 of said subdivision; thence with the north line of said Lot No. 3, north 83° 30' east, 168.40 poles to a stone and brick in the east line of said Survey No. 14632; thence with said Survey line north 5° west 116.78 poles to the place of beginning, Containing 95-acres more or less, in Taylor Township, Union County, Ohio; and it is now ordered that said Matilda Sherman, as such, administrator proceed to and sell said real estate at private sale, at not less than the appraised value thereof, on the following terms, to wit: The defendant, The Prudential Insurance Company of America, having in its answer and cross-petition consented to the sale of said real estate by the said Administrator, subject to the lien of the first mortgage held on said real estate by the said defendant, The Prudential Insurance Company of America. It is, therefore, ordered that the said real estate described in the petition of the administrator herein, be sold subject to the said mortgage lien, the remainder of the purchase price to be paid in cash, and the Court finds that

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The said Matilda Sherman, widow of the said
 Sumell O. Sherman, deceased, having waived the assignment
 of dower in said premises, in metes and bounds as
 in her answer set forth, orders that said real
 estate be sold free and clear of her said dower and
 that the value of her said dower estate in said
 premises may be paid to her in lieu thereof, out of
 the cash proceeds of the sale over and above the assump-
 tion of the first mortgage of the defendant, The Prudential
 Insurance Company of America, the value of such dower
 interest being fixed as follows: \$401.44
 and said Administrator is required to make due
 report of the proceedings under the foregoing order
 and time is given. W. H. Husted, Probate Judge

10323

Order of Sale. Free of Dower.

Aug. 11 - 1924

The State of Ohio, Union County ss. Probate Court.
 To Matilda Sherman, Adm^{or} of the estate of Sumell O. Sherman,
 Deceased - Greeting:

order
of
Sale.

In obedience to an order and decree of the Probate
 Court, within and for said County, made this day
 in a certain cause, wherein you as Administrator
 of the estate of Sumell O. Sherman, deceased, are Plaintiff
 and The Prudential Insurance Company 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 Matilda Sherman,
 widow of Sumell O. Sherman, deceased, the following
 described premises to-wit: Undivided one half
 interest, Lots number two (2) and part of lot number
 one (1) of the subdivision of the lands of Samuel B.
 Scott, in Survey No. 14632, bounded and described
 as follows to-wit: Beginning at a stone in the east
 line of said survey and southeast corner of lands owned
 by Margaret Roswell; Thence N. 89° W. 39.84 poles to a stone;
 Thence south 6° E. 49.40 poles to a stone; Thence
 N. 129.76 poles to a stone; Thence S. 5° 15' E. 91.31 poles
 to a stone (red oak tree, south 83° 30' W. 12 ft)
 N.W. corner to lot number three (3) of said sub-
 division; Thence with the north line of said lot
 number three (3) N. 83° 31' E. 168.40 poles to a stone
 brick in the east line of said survey No. 14632;
 Thence with said survey line N 5° W. 116.78 poles
 to place of beginning, containing 95 acres, more or less, in
 Taylor Township, Union County, Ohio.

Said sale to be free of the Dower of Matilda Sherman,
 widow, and to be upon the following terms: Subject
 to the mortgage lien of The Prudential Insurance
 Company of America, the remainder of the

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Return

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Report

of

Sale -

Aug. 14 - 1924

Confirming

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sale

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purchase price to be paid in cash.
You will make return of your proceeding to this Court forthwith upon execution of this order.
Witness my signature and the Seal of said Court this 4 day of August, 1924 sent.

T. W. Husted, Probate Judge
Return.

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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 8 day of August, 1924.

Mattilda Sherman, Adm^r.

of the estate of Sewell O. Sherman, deceased.

10323

Report of Sale

In obedience to the within order, I sold said premises on the 8 day of August 1924, to Leta V. McWhirt, for the sum of twenty-eight hundred ^{and} fifty dollars, said sum being the appraised value of the same.

Mattilda Sherman,

adm^r of the estate of Sewell O. Sherman, deceased.

Dated the 8 day of August, 1924.

The State of Ohio, Madison County ss.

The above named Mattilda Sherman adm^r of the estate of Sewell O. Sherman, deceased, do duly swear, 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.

Mattilda Sherman,

adm^r of the estate of Sewell O. Sherman, deceased.

Known to before me, and signed in my presence, this 8 day of August, 1924 sent.

Margaret E. Bailey
Notary Public, Madison Co. O

no. 10323

Aug. 14 - 1924

Mattilda Sherman, Administratrix
of the estate of Sewell O. Sherman, dec^d.
Plaintiff

Court of Probate of Union
County, Ohio.

Entry

Confirming Sale

The Prudential Insurance Company,
of America, et al. Defendants.

Confirming Sale

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 us objection to the sale, it was submitted to the Court, upon such return of sale, whereupon the Court find, after due and careful examination of the same, that said sale has been duly and legally made in conformity to law and for the former orders of the Court, whereupon, it is

10323

entry

ordered that the same, be and is hereby approved, and confirmed. And, it is further ordered that said Matilda Sherman as such, administratrix make the purchaser, Leta V. M^cWhisk, a good and sufficient deed for the premises so sold, the same having been sold to Leta V. M^cWhisk subject to the lien of the first mortgage held on said real estate by the defendant. The Prudential Insurance Company of America. And the Court, commencing with the distribution of the proceeds of said sale, over and above the amount due on said mortgage lien set up in the petition herein, it is ordered that the said administratrix out of the money in her hands, pay the costs of this action and to the Treasurer of this county the taxes due on said real estate so sold.

W. H. Knotted Probate Judge

10365

July 17-1924

A. H. Kellefooth Attorney

Petition for Sale of Real Estate to Pay Debts,
 Probate Court, Union County, Ohio.
 A. H. Kellefooth, administrator
 of the Estate of
 Anna E. Rogers, Deceased.
 Plaintiff.

vs. 10365 Civil action

v.
 Edward Rogers,
 John Rogers, Marysville Ohio
 Mary Goeden, " " " "
 Carrie Ebright, Ostrander, Ohio
 Geo. Rogers, Marysville, Ohio,
 Emanuel Rogers, " "
 Flora Jackson, " "
 Loris Rogers, Columbus, "
 Defendants.

Petition to Sell Real Estate

Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the Estate of Anna E. Rogers, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is three hundred and fifty dollars, as near as 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 fifty dollars, being wholly insufficient to pay the debts and cost of said.

The plaintiff further represents that said Anna E. Rogers died seized in fee simple of the following described real estate, situate

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Petition

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in the County of Union and State of Ohio, to-wit: and the township of Paris and bounded and described as follows:

Part of Survey no. 3350. Beginning at a stake north east corner of a ten acre lot conveyed by John Leasell to Benjamin Daugherty September 4th 1868 thence N. 80° E. 28²⁴/₁₀₀ poles to a stake; thence N. 10° W. 8⁸²/₁₀₀ poles to a stake in D.W. Henderson's east line; thence S. 10° E. to the beginning containing one acre and ninety poles subject to roadway described in deed of Loucks to Lansdown dated Jan. 1- 1880. Second tract: Part of Survey no. 3350 and part of lot no. 5 of M^cCartys subdivision beginning at a stake north east corner of a lot of 4 acres - conveyed by Cassil to Loucks June. 6- 1874; thence S. 10° E. 7. 82 poles to a stake corner to land formerly owned by R.P. Lansdown; thence continuing the same course S. 10° E. 8⁸² poles to a stake; thence S. 10° W. 10²⁴/₁₀₀ poles to a stake; thence N 10° W. 8⁸² poles to a stake corner of said land formerly owned by R.P. Lansdown; thence N. 10° W. 7⁸² poles to a stake in north line of said 4 acre tract; thence N. 80° E. 10²⁴ poles to the place of beginning containing one and six one hundredths poles more or less, also herein including in a roadway to the roadway described in the deed from Cassil to Loucks, and beginning at a stake north west corner of said land formerly owned by R.P. Lansdown; thence with the north line of land formerly owned by Thomas Loucks S. 80° W. 27 poles to the said roadway described in deed from Cassil to Loucks; thence N. 10° W. 1 pole; thence N. 80° E. 27 poles; thence S. 10° E. 1 pole to the place of beginning containing 27 poles more or less, and making in second tract and roadway one acre and thirty one one-hundredths of an acre, more or less.

Petition

The said decedent died leaving the defendant Edward Rogers, her widow; that the defendants Edward Rogers, John Rogers, Mary Koedew, Carrie Ebright, George Rogers, Emanuel Rogers, Flora Jackson, and Lennis Rogers, are the only heirs at law of said decedent, having the next estate of inheritance from said Anna E. Rogers, deceased, in said premises; that the rights, interests and liens may be fully determined, adjusted, and protected according to equity and that your petitioner may be authorized and ordered to see said real estate from said dowry, according to the statute

10365

in such cases made, and provided, and, for all other proper orders and relief in the premises.

A. H. Kellefrath, Administrator of
estate of Anna E. Rogers, Deceased.

The State of Ohio, Union County, ss.

A. H. Kellefrath, the within named Plaintiff, being the 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. H. Kellefrath, Adm., etc.

Sworn to before me, and signed in my presence, this 17 day of July, 1924. ~~W. F. Husted~~ W. F. Husted, Probate Judge.
Probate Court, Union County, Ohio

no. 10365

Receipt

A. H. Kellefrath, adm., of
the estate of Anna E. Rogers, Decd.

Plaintiff vs. Edward Rogers et al. Defendant. Civil Action. Receipt.

In the Judge and Ex-officio Clerk of said Court:

Issue Summons for said Edward Rogers, John Rogers, Marysville, O.; Mary Koeden, Marysville, O.; Carrie Ebright, Catwader, George Rogers, Marysville, O.; Emanuel Rogers, Marysville, O.; Flora Jackson, Marysville, O.; Lennis Rogers, Columbus, Ohio. Defendants, directed to the Sheriff of said County, returnable according to law.

A. H. Kellefrath, Plaintiff's atty.

Filing Petition

Journal entry:
A. H. Kellefrath, adm.,
of the estate of

Elizabeth Rogers, Decd.

Plaintiff
Edward Rogers
John Rogers
Mary Koeden
Carrie Ebright
George Rogers
Emanuel Rogers
Flora Jackson
Lennis Rogers
Defendants.

In the Probate Court of Union County, Ohio
Marysville, July 17th 1924
Case no. 10365

Journal entry.

Filing Petition to
sell Real Estate.

This day came the Plaintiff A. H. Kellefrath, adm., and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Elizabeth Rogers, 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

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main

Answer
of
widow

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10365- 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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Probate Court, Union County, Ohio,
No. 10365-

A.H. Kellepach, admr., etc.,
of Anna E. Rogers, Dec'd.
Plaintiff.

v.
Edward Rogers, et al. Defendants. Wainor.

On 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.
July 12- 1924.

Ed. Rogers; Marcella Rogers; Lewis Rogers; John Rogers; Mary M. Golden; Flora M. Jackson; George Rogers.

Answer of
widow

Answer of Widower

Probate Court, Union County, Ohio,
No. 10365-

A.H. Kellepach admr. of
the estate of Anna E. Rogers, dec'd.
Plaintiff

v.
Edward Rogers et al. Defendants Answer of Widower.

And now comes Edward Rogers, one of the defendants in the above entitled cause, and voluntarily enters his appearance herein, and for answer to the petition in this case filed, says that he is the widower of said Anna E. Rogers, deceased, and he fully consents to said sale as prayed for, and waives the assignment of dower in said premises by metes and bounds, or in plats and profiles and asks the Court that said premises may be sold free from his dower estate therein.

Edward Rogers.

The State of Ohio, Union County.

Edward Rogers being duly sworn, says that the statements in the foregoing answer are true as he truly believes.
Ed. Rogers.

Sworn to before me, and signed in my presence, this 25 - day of July, A. D. 1924.

A.H. Kellepach, Notary Public.

Wainor

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Probate Court, Union County, Ohio,
No. 10365-

A.H. Kellepach admr. etc.,
of the estate of Anna E. Rogers, Dec'd.
Plaintiff

v.
Edward Rogers, et al. Defendants.

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10365

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. July 22nd 1924.

Mrs. Carrie Ebrigt

Journal Entry: Probate Court, Union County, Ohio, July 25th 1924.

No. 10365

Journal Entry

order for appraisement

A. B. Kelleprath, Adm. of the Estate of Anna E. Rogers, Deceased. Plaintiff

v.

Edward Rogers, 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 Anna E. Rogers, deceased.

And Edward Rogers, the widower of the said Anna E. Rogers 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. J. Zinner, J. W. Roff, E. A. Holzman, 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. S. Husted, Probate Judge.

Order

Order of appraisement

of appraisement

The State of Ohio, Union County, ss. Probate Court. To A. B. Kelleprath, adm., etc. of estate of Anna E. Rogers; 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., etc. of estate of Anna E. Rogers, are Plaintiff and Edward Rogers, et al. are Defendants, you are commanded that by the oaths of J. W. Kennedy, Richard Murphy and George Singer, 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,

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order of appraisement

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premises. free of the down estate of Edward Rogers, therein
writ: Situate in Paris Township, Union County, Ohio,
and bounded and described as follows:

Part of Survey No. 335-0, Beginning at a stake, northeast
corner of a ten acre lot conveyed by John Cassil to
Benjamin Daugherty Sept 4- 1868, thence N. 80° E. 28²⁴/₁₀₀
poles to a stake, thence N. 10° W. 8⁵²/₁₀₀ poles to a stake
in D. W. Henderson's east line, thence S. 10° E. to the
beginning containing one acre and ninety poles,
subject to roadway described in deed of Loucks
to Lardsdown dated Jan. 1st 1880.

Order of
appointment

Second Tract: Part of Survey No. 335-0 and part of
Lot No. 5, of Mc Cartys Subdivision, beginning at a
stake north east corner of a lot of 4 acres
conveyed by Cassil to Loucks, June 6- 1874, thence
S. 10° E. 7.82 poles to a stake corner to land formerly
owned by R. P. Larddown; thence continuing the
same course S. 10° E. 8⁵²/₁₀₀ poles to a stake, thence
S. 10° W. 10²⁴/₁₀₀ poles to a stake; thence N. 10° W. 8⁵²/₁₀₀
poles to a stake corner of said land formerly owned
by R. P. Larddown; thence N. 10° W. 7.82 poles to a stake
in north line of said 4 acre tract, thence, N 80°
E. 10.24 poles to the place of beginning containing
one and six one hundredths poles more or less, also
beginning including on a roadway to the roadway
described in the deed from Cassil to Loucks,
and beginning at a stake northwest corner of
said lands formerly owned by Thomas Loucks, S. 80°
W. 27 poles to the said roadway described in
deed from Cassil to Loucks, thence N. 10° W. 1 pole,
thence, N. 80° E. 27 poles - thence S. 10° E. 1 pole to the
place of beginning. Containing 27 poles more or less and
making in said second tract and roadway one
acre and thirty one 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 25-day of July, 1924.

[Signature]
Wm. Husted, Probate Judge

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 26-day of July, 1924

A. H. Kellebrack

Adm. etc. of estate of

Edward Rogers, Deceased

10365
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
following order.

J. W. Kennedy, Michael Murphy, George Sings, appraisers
sworn to before me, and, signed in my presence,
this 26-day of July, 1924. A. H. Kallefrath, Notary Public

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 Five
Hundred Dollars. Given under our hands,
this 26-day of July, 1924.

J. W. Kennedy; Michael Murphy; George Sings appraisers
Journal Entry: Probate Court Union County, Ohio.
A. H. Kallefrath. July 28-1924
as Adm. etc. of Confirming appraisement
the estate of Edward Rogers, Dec.
Edward Rogers, et al.

10365
Confirmation
of appraisement

Ordering Private Sale
This day this cause came on further to be
heard, and, it appearing to the Court, that the
appraisement heretofore ordered, has been duly made,
the same is hereby confirmed, said appraisement
being \$500.00. And, the plaintiff above named
having given bond, dated May 23-1924, in the
sum of One Thousand Dollars - with United States
Fidelity and Surety Co, Surety, conditioned to
law, and, approved by the Court. And it appear-
ing to the Court, that it would be to the interest of
said estate to sell the real estate described in
the petition at private sale: It is now
ordered, that said plaintiff proceed to sell said
real estate at private sale at not less than the
appraised value thereof, and upon the following
terms, to wit: Cash in hand. Mr. W. Husted, Probate Judge.

10365
Application
to
sell at
Private Sale.

Application to Sell Real Estate at Private Sale.
Probate Court, Union County, Ohio
A. H. Kallefrath, Adm., etc. vs. 10365
of the estate of, Edward Rogers, Dec's
Plaintiff
Edward Rogers, et al. Defendants.

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Probate Court, Union County, Ohio.

A. H. Kallefrath, Adm., etc.,
of the estate of
Anna E. Rogers, Dec'd.
Plaintiff

No. 10365-

Application

Eduard Rogers et al., Defendants

The said Plaintiff represents that it would be for the best interest of the said Real Estate of said Anna E. Rogers, Dec'd - to sell the real estate described in the petition in this case at private sale, for the following reasons: That the appraisement of \$500- was made by actual view of three disinterested freeholders. That the admr. has made a diligent endeavor to obtain the best and highest price for the real estate, and has endeavored to sell same - and five hundred dollars, being the highest price he could get for the property and covered same cost and expense.

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

A. H. Kallefrath, Adm., etc., of estate of Anna E. Rogers, Dec'd,
The State of Ohio, Union Co.

A. H. Kallefrath being duly sworn, says, that the various matters set forth in foregoing application are true, as he verily believes. W. H. Kallefrath
Sworn to before me - and signed in my presence this 28 day of July, 1924 ^{at} W. H. Kallefrath, Probate Judge
affidavit, Disinterested Person,

10365-

Affidavit
of
Disinterested
Persons.

The State of Ohio, Union County,
M. T. Cody, Valentine Zoller, and Charles Schlegel, 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 matters therein referred to, and that it will be more for the interest of the said Real Estate to sell said real estate at private sale, than at public sale, as they verily believe. M. T. Cody, Valentine Zoller, Charles Schlegel,
Sworn to before me - and signed in my presence, this 28-day of July, 1924 ^{at} A. H. Kallefrath, Notary Public.

10365-

Order
of
Sale.

The State of Ohio, Union County, ss. Probate Court.
To A. H. Kallefrath, Adm., etc., of the estate of Anna E. Rogers, 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 Adm., etc., of said estate are Plaintiff, and Eduard Rogers et al are Defendants, you are commanded to proceed

10365

according to law, to sell at Private Sale, for not less than \$500- the appraised value thereof, the following described premises, to wit: Situate in the County of Union in the State of Ohio, and the township of Paris, Part of Survey No. 335-0, Beginning at a stake northeast corner of an ten acre lot conveyed by John Cassil to Benjamin Daugherty 1st. 7-1868 thence N. 80° E. 28²⁴/₁₀₀ poles to a stake; thence N. 10° W. 8⁵²/₁₀₀ poles to a stake in D.W. Hendersons east line; thence S. 10° E to the beginning containing one acre and ninety poles subject to roadway described in deed of Loucks to Lamsdown dated January, 1st 1880.

Second tract: Part of Survey No. 335-0 and part of lot No. 5, of, Mcarty's sub-division, beginning at a stake northeast corner of a lot of 4 acres conveyed by Cassil to Loucks June 6-1874, thence S. 10° E. 7⁵²/₁₀₀ poles to a stake corner to land formerly owned by R.P. Lamsdown, thence continuing, the same course, S. 10° E. 8⁵²/₁₀₀ poles to a stake; thence S. 10° W. 10²⁴/₁₀₀ poles to a stake; thence N. 10° W. 7⁵²/₁₀₀ poles to a stake in north line of said 4 acre tract, thence, N. 80° E. 10²⁴/₁₀₀ poles to the place of beginning containing one and six one hundredths poles more or less, also, herein including one roadway to the roadway described in the deed from Cassil to Loucks, and beginning at a stake north west corner of said lands formerly owned by R.P. Lamsdown, thence, with the north line of land formerly owned by R.P. Lamsdown, thence, with the north line of land formerly owned by Thomas Loucks S. 80° W. 0.27 poles, to the said roadway described in deed from Cassil to Loucks; thence, N. 10° W. 1 pole, thence, N. 80° E. 27 poles; thence S. 10° E. 1 pole to the place of beginning containing 27 poles more or less, and, making in said second tract and roadway one acre and thirty one one hundredths of an acre, more or less.

Said sale to be Private the terms cash \$500- 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 Court. this 15- day of May, 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 22- day of August, 1924. A. H. Kalle, Probate Administrator

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Report

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Confirmation

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Filed July, 12-24

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Final Record, Union County Probate Court.

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Report of Sale

Report

In obedience to the within order, I sold, said premises, on the 16-day of August, 1924, to Cathrine Angelo, for the sum of Five Hundred Dollars, said sum being \$500⁰⁰ the appraised value of the same.

A. B. Kallefrath, admr., etc., of the estate of Anna E. Rogers dec'd.

Dated August 22-1924.

The State of Ohio, Union County, ss:

The above named, A. B. Kallefrath, admr., etc., of the estate of Anna E. 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 he could get for said property. A. B. Kallefrath admr., etc., sworn to before me, and signed in my presence, this 22-day of August, 1924.

10365

Confirmation

Journal Entry: Probate Court, Union County, O. A. B. Kallefrath, admr., et al. August 22-1924. The estate of Anna E. Rogers, dec'd. vs. Plaintiff

Edward Rogers, et al, Defendants. Confirming Sale - This day this cause coming on to be heard on the return of A. B. Kallefrath, admr., etc., of the estate of Anna E. Rogers, deceased, of his proceedings and sale under the former order of this Court; the Court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made - It is ordered that the same be and hereby is approved and confirmed; and it is further ordered, that said A. B. Kallefrath as such administrator, make to the purchaser Cathrine Angelo, a good and sufficient deed for the premises so sold. It is further ordered, that this proceeding be recorded, and that said administrator pay the costs herein taxed at \$13⁰⁰. W. H. Husted, Probate Judge

10360

Petition for Sale of Real Estate to Pay Debts.

Filed July 12-24
John L. Longmire
William Emmelt
attys

George Vallerath, Executor vs. Plaintiff
The estate of Anna Lenzel, dec'd.
G. Walter Keil (unmarried)
George Lenzel (unmarried)
Wilmer L. Lenzel (a minor)
Defendants.
Petition to sell Real Estate.

The Plaintiff represents that he is the duly appointed, and qualified executor of the estate

10360

of Anna Fensal late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is fifteen hundred (\$1500.00) Dollars, as near as can be ascertained. that the charges of administration of said estate will amount to about One Hundred and Fifty (\$150.00) Dollars; and that the total value of the personal estate and effects of said deceased is but Four hundred and twenty dollars, being wholly insufficient to pay the debts and costs aforesaid.

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

Beginning at the stake in the west margin of Main Street, (now Chestnut Street) south east corner to Lot No. 385 in Recd^d addition to said village of Marysville; thence with the south line of said Lot No. 385 and continuing the same course to the line of W. S. and O. G. Johnson's land, S. 87 1/2° W. 17.30 poles, thence with their line S. 2 1/2° E. 6.30 poles to a stake; thence N. 87 1/2° E. 18.40 poles to the west margin of said Main Street (now Chestnut Street) thence N. 8° W. 6.12 poles to the place of beginning, Containing 69/100 of an acre, more or less. Being the same premises, conveyed by J. C. Nicol to Agatha Dellinger April 7-1886, and recorded in Union County Deed Record, No. 59, Page 518.

Petition

The Plaintiff further says, that the foregoing property was appraised Jan. 27, 1924, for the sum of Fifteen Hundred Dollars, as filed in the inventory and appraisement Docket 5-Page 456, case no. 10224, and he asks that further appraisement be omitted, and said appraisement be adapted by the Court.

The said decedent died leaving the defendant George Fensal, her widow who is not entitled to dower in said premises; for the reasons said defendant waived dower right by choosing under Will,

said defendants are the only legal representatives of said decedent having the next estate of inheritance from said Anna Fensal deceased, in said premises; that the Defendants G. Walter Kuit, George Fensal, and Wilmer F. Fensal, are the only children legatus, and husband of said deceased, they being her only legal representatives.

The Plaintiff therefore prays that the dower of said George Fensal, if any, in said premises may be assigned and set off to him; that the rights, interests and liens of the said estate and the same, may be fully determined, adjusted and protected according

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Transcript

Filing Petition

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Final Record, Union County Probate Court.

10360

to equity. The plaintiff further says, that the deceased Anna Fensel died testate leaving a will, which was admitted at the Probate Court, Union County, Ohio, Recorded in Docket N. Page 5-63, No. 10240, and item seven of said will, provides as follows: "I empower the administrator of my estate to sell my property on Chestnut Street if necessary to carry out my wishes."

and, that your Petitioner may be authorized and ordered to sell real estate at private sale, free from said court according to the statute in such cases made and provided, and, for all other proper order and relief in the premises.

William Ernest ^{aw.} John Longhry, atty. for Plaintiff
the State of Ohio, Union County, ss.

George Vollrath, executor, of Anna Fensel, 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.
Geo. Vollrath.

Sworn to before me, and signed in my presence, this 10-day of July, 1924, ^{ss.} John L. Longhry, Notary Public, Union Co., Ohio.
Transcribe.

Probate Court, Union County, Ohio,
No. 10360
Civil action.

Transcribe

George Vollrath, Executor
Plaintiff
G. Walter Krieger, et al.
Defendants

Transcribe

To the Judge, and Ex-officio Clerk of said Court:
Issue summons for said Wilmer F. Fensel, a minor to the Sheriff of Union County, Ohio, and also serve summons on George Fensel, father of said minor, he having no guardian. Indorse action for sale of real estate and equitable relief. Defendants directed to the Sheriff of said County, returnable according to law.

William Ernest ^{aw.} John L. Longhry,
Plaintiff's attorney,

Filing Petition

Journal entry: In the Probate Court of Union County, Ohio,
George Vollrath, executor,
of Anna Fensel, deceased,
vs. Plaintiff
G. Walter Krieger, et al. Defendants
July 10th 1924
No. 10360

Journal entry

Filing Petition

This day came the Plaintiff George Vollrath, executor, of Anna Fensel, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Anna Fensel, deceased, to pay the debts, and the costs of

10360

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.

Warrant

Warrant

Probate Court, Union County, Ohio

No. 10360

George Volzack, Executor of Anna Fensal, Decedent.

Plaintiff

G. Walter Kils, 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 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.

G. Walter Kils

George Volzack

mark

Summons

Summons on Petition for Sell Real Estate

The State of Ohio, Union County,

Probate Court,

To the Sheriff of said County:

You are commanded to notify Wilmer F. Fensal, a minor, and George Fensal, father of said Wilmer F. Fensal, the mother being deceased, and no guardian being appointed, that on the 12-day of July, 1924, George Volzack Executor, of the estate of Anna Fensal, 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 9-day of August 1924, said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due return of this writ on the 27-day of July, 1924.

Witness my hand, and the seal of said Court, this 12-day of July, 1924

Sheriff's Return

Sheriff's Return

The State of Ohio, Union County,

Received this writ July 12 of 1924, at 11 o'clock a.m., and pursuant to its command, I made personal service by handing to Wilmer F. Fensal,

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Answer of widow

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Final Record, Union County Probate Court.

10360

a minor and to George Fensel father of said minor
a true and certified copy of this writ with all
endorsements thereon. Frank Gallier, Sheriff L.A.W. Deputy
Sheriff's Exco.

Service and Return 75-
additional names 25-
1.00 Local

Answer
of
widow

Answer of Widow.

Probate Court, Union County, Ohio.
No. 10360

George W. Verrill, Executor,
of the estate of.

Anna Fensel, deceased.

vs. Plaintiff

G. Walter Kutz, et al. Defendants.

Answer of Widow.

And now comes George Fensel, 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 widow
of said Anna Fensel, deceased, and as such
owns down in the premises described in said
petition, that his age is 70 years, and he has
elected to take under the Will of said deceased,
he freely consents to said sale as prayed for, and
waives the assignment of down in said premises
by metes and bounds, or in rents and profits and
asks the Court that said premises may be sold for
from his down estate therein. George Fensel
The State of Ohio, Union County.

George Fensel, being duly sworn, says that the
statements in the foregoing answer are as he truly
believes. George Fensel

Done to before me and signed in my presence, this
10th day of July, A.D. 1924, William Ernest, Notary Public.

Application
to

Application to sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.
No. 10360

Application
to
Private Sale

George W. Verrill, Executor,
of Anna Fensel, dec'd.

Plaintiff

Application

vs. G. Walter Kutz, et al. Defendants.

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

1. To sell at private sale would be a great saving
of court costs, and it would not be necessary to
advertise said real estate.

2. Said executor has good reason to believe

10360

if sold at private sale, said property could be sold at more than said value \$15.00 - and, in case of delay to sell at public sale, the same might be sold at less than the appraised value.

3. That said executor be permitted to sell said property at once, already has an offer on said property for more than the appraised value.

4. It is the best interest for said real estate to sell the said real estate at private sale. And, he therefor asks for an order authorizing him to sell said real estate at private sale.

Geo. Baerach, executor of estate of Anna Fensel, Deceased

The State of Ohio, Union County.

Oath

George Baerach being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes. Geo. Baerach.

Brought to before me, and signed in my presence.

This 10- day of July, 1924 ^{sent} John D. Longmuy, Notary Public, Union Co. O

affidavit of Disinterested Person

Affidavit of Disinterested Person

The State of Ohio, Union County. Fred Asman and J. L. Sellers 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. F. J. Asman, John L. Sellers.

Brought to before me, and signed in my presence, this

12- day of July, 1924 ^{sent} John D. Longmuy, Notary Public, Union Co. Ohio

Journal Entry Probate Court, Union County, Ohio

order for Private

George Baerach, executor, of the estate of Anna Fensel, deceased.

Aug. 5th 1924

Plaintiff vs. Defendants order for Private Sale.

This day this cause came on to be heard upon the petition, evidence, and testimony 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 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 Anna Fensel, deceased, did not leave a widow entitled to dower in the estate to be sold, and an appraisement of such

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Final Record, Union County Probate Court.

10360

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 Anna Fensal, 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 heirs to sell the real estate described in the petition at private sale-

It is therefore further ordered that said George Voltrath as such executor proceed to sell said real estate, free of down, at private sale for not less than \$1545.00 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

W.H. Studer, Judge

Order of Sale - Free from Down.

The State of Ohio, Union County ss. Probate Court. To George Voltrath Executor:

In obedience to an order and decree of the Probate Court within and for said County, made this day, in a certain cause, wherein you as Executor of the estate of Anna Fensal, deceased, are Plaintiff vs. G. Walter Kurt, et al. are Defendants, you are commanded according to law, to sell at private sale, for not less than \$1545.00 more than the appraised value thereof free from the down of George Fensal widower of Anna Fensal, deceased, the following described premises to wit:

In the village of Mansville, Beginning at a stake in the west margin of Mann Street (now Chestnut Street) south east corner of Lot, no. 385 in Reed's addition to said village of Mansville; thence with the South line of said lot 385 and continuing the same course, to the line of W. S. and O. G. Johnson's land, S. 87 1/2° W. 17.30 poles; thence N. 87 1/2° E. 18.40 poles to the west margin of said Mann Street (now Chestnut Street) thence N 8° W. 6.12 poles to the place of beginning.

Containing 9/100 of an acre, more or less.

Said Sale to be on the premises, and to be upon the following terms: Cash. You will make return of your proceedings to this Court, for which upon execution of this order. Witness my signature and seal of said Court, this 5 day of August, 1924 W.H. Studer, Probate Judge

10360
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 7th of Aug. 1924.
Geo. Vallrath, Executor.

Report

Report of Sale.

In obedience to the within order, I sold said premises on the 6th day of August, 1924, to J. Leo Borger and wife, Nora Mayer Borger, for the sum of fifteen hundred ^{and} seventy-five Dollars said sum being more than the appraised value of the same.
Geo. Vallrath, Executor.

Dated the 6th day of August, 1924
the State of Ohio, Union County, ss.

Each

The above named George Vallrath 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. Vallrath, Executor.

Sworn to before me and signed in my presence, this 6th day of August, 1924
William Ernest Nolan, Public, Union Co., Ohio
Journal entry: Probate Court, Union Co., Ohio, Aug. 7-1924

Confirmation

George Vallrath, as Executor
of Anna Fensel, Deceased,
vs. Plaintiff Confirming Sale
G. Walter Kuit, et al. Defendants

This day this cause coming on to be heard on the return of George Vallrath, Executor, of the estate of Anna Fensel, 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 Vallrath as such executor, make to the purchaser J. Leo Borger and wife Nora Mayer Borger, 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 herein taxed at \$63- within ten days.

W. H. Husted
Probate Judge

10372

Filed
July 23-1924
Richard H. Hall
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Final Record, Union County Probate Court.

10372

Filed

July 23-1924

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

Fray Styer, Administrator
of the estate of,
Isabelle Wood, deceased
Plaintiff

v.

Joseph Wood, R. E. Wood, P. W. Wood,
Mrs. (W. B. Taylor) ^{Gertrude A. Taylor}, Archie Wood,
Emmett Wood, Frank Wood,
Walter Wood,
Gertrude Redman,
Myrtle M. Morford,
Lena M. Fadden,
Victor Wood,
Lilla Wood,
Floyd B. Bosh,
Lloyd B. Bosh,
Mrs. O. W. Wilcox (Miss Wilcox),
Jesse M. Moshaw,
Ellen Stultz,
Catherine M. Droy,
Agnes Thompson,
William Thompson,
Lena Wood,
Gemma Woods,
Dorothy B. Laird,
Mabel B. Laird,
Luttrell Laird,
Ruth ^{W. M. M.} Laird

vs. 10372
Civil Action

Petition
to
Sell Real Estate,

Petition.

Defendants.

Petitioner

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Isabelle Wood, deceased, late of Lescure Twp. Union County, Ohio, deceased; that the amount of debts due from the deceased is nine hundred (\$900-) Dollars - as near as can be ascertained that the charges of administration of said estate will amount to about One Hundred and fifty Dollars; and that the total value of the personal estate and effects of said deceased is but four hundred, twenty and 99/100 Dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said Isabelle Wood, 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 Lescure Township of said County

10372

and State and part of Survey No. 3692. Commencing at the point of intersection of the Sandusky Grand Road with the center current of Bokes Creek. In said Survey thence with the center of said Road N. 15° 30' E. 79 and 40/100 poles to a point of intersection with the Harman Patrick Grand Road; thence with the center of the last named Road N. 71° 30' W. 49 and 5/100 poles to a stone at the north-east corner of a 42 acre tract; thence with the east line of said tract S. 15° 30' W. 10 poles to the center current of Bokes Creek; thence down said stream with the center current thereof S. 40° 15' E. 3 poles to the west end of an island thence crossing said island N. 74° 30' E. 19 poles; thence N. 62° E. 10 poles and thence N. 86° E. 20 poles to the place of beginning, and containing twenty-eight (28) acres. More or less.

The said decedent died leaving the defendants, P. W. Wood, R. E. Wood, Joseph Wood, Mrs. W. B. Taylor, Archie F. Wood, Emmett Wood, Frank Wood, Walter Wood, Bertrude Redman, Myrtle Woodford, Vera M. Ladden, Victor Wood, Della Wood, Lloyd Bosh, Lloyd Bosh, Mrs. (P. W.) Wilcox, Ella M. Mohr, Ella Stultz, Catherine M. Droy, Agnes Thompson, William Thompson, Lena Wood, Glenn Wood, Donovan Laird, Merle Laird, Ruth Laird, Lutella Laird, are the only heirs at law of said decedent, having the next estate of inheritance from said Isabelle Wood, deceased, in said premises; that the defendants Catherine M. Droy, Agnes Thompson, William Thompson, Lena Wood, Glenn Wood, Donovan Laird, Merle Laird, Ruth Laird, Lutella Laird, are minors; hence at law of said decedent, the Plaintiff therefore prays that the rights, interests and heirs of the said heirs at law 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.

F. Jay Styer.

The State of Ohio, Union County, ss.

F. Jay Styer, administrator of the estate of Isabelle 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.

F. Jay Styer, Administrator, as aforesaid, sworn to before me, and signed in my presence, this 21-day of July, 1924.

Richard C. Thrall, Notary Public, Union County, Ohio

Petition

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Filing Petition

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Final Record, Union County Probate Court.

10372

Journal Entry: In the Probate Court of Union County, Ohio
July 23 - 1924
No. 10372
Filing Petition of the Estate of Isabelle Wood, deceased.

Plaintiff Joseph Wood et al. Defendants vs Bill Real Estate.
This day came the Plaintiff Fay Styer, admr. of the estate of Isabelle Wood, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Isabelle 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; and this cause is continued.

W. H. Husted, Probate Judge

Summons

Summons on Petition to Sell Real Estate

The State of Ohio, Union County.
To Fay Styer, admr. of the estate of Isabelle Wood, deceased.
You are hereby commanded to notify the following named who are minors, to wit:

Katherine M. Droy, Agnes Thompson, William Thompson, Lena Wood, Gladys Wood, 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 minor, or with whom they live.

That on the 23-day of July, A.D. 1924, Fay Styer, Admr. of the estate of Isabelle Wood, 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 estate and that unless they answer by the 23-day of August, 1924, said petition will be taken as true, and an order granted accordingly.

The server will make due return of this writ on the 6th of August 1924.

This writ to be served on each of said defendants, by copy personally.

Witness my hand, and the seal of said Court, this 23rd day of July, 1924
W. H. Husted
Probate Judge

10372
Return of Service

Return of Service.

Rescinded this writ on the 4th day of August 1924 at 10 o'clock, A.M. and on the day and in the manner hereinafter named. I served the same on the named defendants who are minors, on August 5th 1924, on Andrew Thompson, the guardian of the said Catherine McElroy, William Thompson, Agnes Thompson, and the father.

August 5th 1924 on Elizabeth Wood, the mother of the said Lura Wood and Glenna Wood, the person having care of ^{her} with whom they live.

Fay Styer,

The above named Fay Styer, 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 7th day of August, 1924 at ^{the} Richard C. Howell, Notary Public, Union Co. Ohio.

Warrant

Warrant

Probate Court, Union County, Ohio.

Fay Styer, Administrator
of the Estate of
Isabell Wood, deceased.
v. Plaintiff

No. 10372

Joseph Wood et al. Defendants Warrant.

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.

Donorah B. Laird, Neil H. Laird, Luther Luttrell Laird; Ruth Annell Laird, By G. G. Laird, Guardian
Floyd H. Bosh

Warrant

Warrant

Probate Court, Union County, Ohio.

Fay Styer, Adm. of the
Estate of Isabell Wood, Dec'd.
v. Plaintiff

No. 10372

Joseph Wood et al. Defendants

Warrant

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.

Mrs Myrtle M. Morford, Lloyd L. Bosh.

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Wainor

Probate Court, Union County, Ohio.

Wainor

Fay Styer, admr. of the estate of Isabelle Wood, Dec'd. Plaintiff

No. 10372

Joseph Wood, 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.

Della Wood, Ernest Wood, Gertrude Redman, Victor Wood, Walter Wood, Vina M^{rs} Ladden.

Wainor

Wainor

Probate Court, Union County, Ohio.

Fay Styer, admr. of the estate of Isabelle Wood, deceased. Plaintiff

No. 10372

Joseph Wood, 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.

P.W. Wood, P.E. Wood, Ella Stultz, Joseph Wood, Winnie Wilcox, Zella L. Morlow, Frank Wood, Archie T. Wood, Gertrude A. Taylor.

application Guardian ad litem

application and Journal Entry. Guardian ad litem Probate Court, Union County, Ohio. August 29. A.D. 1924.

To the Hon. W. H. Husted, Judge of said Court:
The undersigned Fay Styer, administrator of the estate of Isabelle Wood, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The Defendant Donovan C. Laird, Agnes Thompson, William Thompson, Catherine M^{rs} Leroy, Merle H. Laird, and Luttrell L. Laird being over fourteen years of age and the defendant Ruth Arnold Laird being under the age of fourteen years, and have been duly served with summons herein, and the said minor defendants above the age of fourteen years having all failed to ask for their appointment of a guardian ad litem

10372

The undersigned suggests that Milo L. Myers, who is a suitable person be appointed as such Guardian ad litem.

Respectfully, Fay Styer, Adm.,
Probate Court, Union County O.

Fay Styer, administrator,
of the Estate of
Isabelle Wood, deceased.

August 29 - 1924.
No. 10372

San. ad litem

Plaintiff. appointment of.
Joseph Wood, et al. Defendants Guardian ad litem

This day Fay Styer adm. of the Estate of Isabelle Wood, deceased, 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 Donovan C. Laird, Agnes Thompson, William Thompson, Luttrell L. Laird, Catherine McElroy, and Merle B. Laird are minors, of the age of fourteen years, or more, and have been duly and legally served with summons herein, and have been neglected for twenty days after the return of the summons served upon them to apply for an guardian ad litem, and that the defendant Ruth A. Laird is a minor of an age less than 14 years, it is ordered, that Milo 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 Wt. Husted, Probate Judge.

Answer

Answer of Guardian ad litem.

Probate Court, Union County, Ohio

No. 10372

San. ad litem

Fay Styer, Adm. of the
Estate of Isabelle Wood, deceased.
Plaintiff

v.
Joseph Wood, et al. Df's. answer of minor Defendants,

and now comes to said Donovan C. Laird, Agnes Thompson, William Thompson, Catherine McElroy, Merle B. Laird, Luttrell L. Laird, and Ruth A. Woodell Laird 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 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 29th day of August, 1924.

DONOVAN C. LAIRD, AGNES THOMPSON, WILLIAM THOMPSON,
LUTTRELL L. LAIRD, CATHERINE McELROY, MERLE B. LAIRD.

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Ruth Aronell Laird

By Miles L. Myers - Guardian ad Litem

Journal entry: Probate Court, Union County, Ohio,
Fay Styer, Adm. of the
estate of Isabelle Wood, deceased.

August 29 - 1924.

Order for
Private
Sale.

Plaintiff

order for Private Sale, etc..

vs.
Joseph Wood, et al. Defendants.

This day, this cause came on to be heard upon the petition, evidence and testimony and the Court, being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance herein, and are now properly before the Court. That the statements and allegations in said petition are true. That said Isabelle Wood, deceased, did not leave a will or an executed instrument in the estate to be sold, and an appraisement of such estate is contained in the inventory. It is ordered that another appraisement be had hereby is dispensed with, and the Court being satisfied that it is necessary to sell the real estate of said Isabelle Wood, deceased, described in the petition, to pay her debts, and it being made to appear to the Court upon satisfactory evidence that it would be more for the interest of said estate to sell the real estate described in the petition at private sale.

It is therefore further ordered that said Fay Styer Administrator of the estate of Isabelle Wood, deceased, as such administrator 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: one-half cash in hand, on day of sale, one-half to be paid June 1, 1925 deferred payments, to be secured by mortgage, bearing six per cent interest.

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

Application

Application to Sell Real Estate at Private Sale

vs.

Fay Styer, adm. of the
estate of Isabelle Wood, deceased,
Plaintiff.

no. 10372.

application.

vs.
Joseph Wood, 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:

10372

1. the costs of public sale, and the delay may be avoided
 2. Because a purchaser at the full appraised value has been secured.
 3. Because the property must sell at private sale for the appraised value while at public sale, it may sell for only 2/3 of the appraised value.
 I and he therefore asks for an order authorizing him to sell said real estate at private sale,
 of the Estate of Isabelle Wood, deceased,
 Fay Styer, Adm.

Oath

The State of Ohio, Union County,
 Fay Styer Administrator as aforesaid
 being duly sworn, says that the various matters set forth in the foregoing application are true, as he truly believes.
 Sworn to before me, and signed in my presence, this 23rd day of August, 1924.
 Richard C. Drall, Notary Public, Union County, Ohio.

affidavit

affidavit of Disinterested Persons
 The State of Ohio, Union County,
 O. B. Shearer, Paul Williams and Linn P. Sherman,
 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 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 truly believe.

of

Disinterested

Persons

O. B. Shearer, Paul Williams, Linn P. Sherman,
 sworn to before me, and signed in my presence, this 23rd day of August, 1924.
 Richard C. Drall, Notary Public, Union Co., Ohio.

Order of Sale

Order of Sale — Free from Dower.
 The State of Ohio, Union County, ss. Probate Court,
 to Fay Styer, Administrator of the estate of Isabelle Wood, 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 Joseph 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 dower, the foregoing described premises, to-wit: Situate in the Township of Lutesburg, County of Union, and State of Ohio and being part of Survey, No. 3692, commencing at the point of intersection of the

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Standusky Gravel Road, with the center current of Bokes Creek in said survey; thence with the center of said Road N. 15° 30' E. 79 and 4¹⁰⁰/₁₀₀ poles to a point of intersection with the Hannan-Patrick Gravel Road; thence with the center of the last named Road N. 71° 30' W. 49. and 5¹⁰⁰/₁₀₀ poles to a stone at the North-east corner of a 42 acre tract; thence with the east line of said tract S. 15° 30' W. 10 poles to the center current of Bokes Creek; thence down said stream with the center current, thereof, S. 40° 15' E. 3 poles to the West end of an island; thence crossing said island N. 74° 30' E. 19 poles; thence N. 62° E. 100 poles and thence N. 86° E. 20 poles to the place of beginning; and containing twenty-eight (28) acrs. more or less. Said sale to be free of... down and to be upon the following terms: one half down in cash and one half on or before June 1-1925, deferred payment to be secured by mortgages and promissory notes bearing six percent interest.

The deferred payments to be secured by mortgages on the premises and to bear interest from 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 Court this 24 day of August, 1924.
 W. H. Husted, Probate Judge.

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 4th day of September, 1924. Fay Styer
 Adm^r. of the estate of Isabelle Wood, deceased.

Report

Report of Sale

In obedience to the within order, I sold said premises on the 30th day of August 1924 to Robert Wood for from down; one half cash at hand and one half to be paid by June 1-1925, the deferred payment being secured by notes and a mortgage to be given when the deed is executed, for the sum of \$1150.00 said sum being more than the appraised value of the same. Fay Styer,
 Adm^r. of the estate of Isabelle Wood, deceased.

Dated the 4th day of September 1924.

The State of Ohio, Union County, ss.

The above named Fay Styer, Adm^r. of the estate of Isabelle Wood, 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, and that said sale is for the highest price he could get for said property. Fay Styer, Adm.

Brought to before me, and signed in my presence, this 4th day of September, 1924. Richard C. Thrall, Notary Public, Union County Ohio

Journal Entry: Probate Court, Union County, Ohio, Sept. 4-1924.

Fay Styer, as Adm. of the Estate of Isabelle Wood, deceased Plaintiff

Confirmation

Joseph Wood, et al. Defendants. Confirming Sale.

This day this cause coming on to be heard on the return of Fay Styer, Adm. of the estate of Isabelle Wood, deceased, of his proceeding 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 Fay Styer, Adm. as aforesaid as such Administrator, make to the purchaser, Robert Wood, a good and sufficient deed for the premises so sold, free from doubt. It is further ordered, that this proceeding be recorded, and that said Administrator pay the costs herein at \$...

W. H. Busted, Probate Judge

10381

August 9, 1924

Roy Allen Attorney

Ettie Gibson, Guardian of Ray Gibson and Verdie Gibson, Plaintiff

Her said wards Ray Gibson and Verdie Gibson, Defendants.

Defendants.

The Plaintiff represents that she is the duly appointed and qualified Guardian of Ray Gibson of the age of 20 years, on the 1st day of January, 1924, and residing with Ettie Gibson, at Richmond, Ohio, and Verdie Gibson of the age of 16 years - on the 5th day of September 1924, and residing with her at Summersville, York Township, Union County, Ohio; that she was appointed as such guardian by the Probate Court of Union County, Ohio, and that it is necessary to sell the

Guardian's Petition To Sell Real Estate

Probate Court, Union County, Ohio, No. 10381

Petition To Sell Real Estate.

Petitioner.

10381

Petitioner

10381

real estate for the reason that a sale will be for the benefit of the minors and to discharge and carry out provisions of will of Henry Gibson, deceased. That no personal estate of any kind, belonging to said wards, ever came to the possession or knowledge of the petitioner.

That there is no personal estate of said ward dependent upon the settlement of any decedent's estate or the execution of any trust, nor in expectancy.

That said wards are the owners in fee simple, subject to the life interest of Etta Gibson, of the following described real estate, situated in the County of Union, State of Ohio, and in the township of York, to wit: Part of Survey no. 3468.

Beginning at a stake in the center of the Marysville, and Kenton road 11 poles N 8 1/4 E. from a stone in the center of said road, and in the north line of the town of Summersville, thence S. 81 3/4 E. running over a stone at 2 poles 51.40 poles to a stone in the west line of W. Kirk's land; thence, with said line and the west line of a lot conveyed by J. K. Price, to J. H. Ramsey, N. 8 1/4 E. 57.40 poles to a stone; thence, N. 81 W. 51.40 poles to a stone in the center of the Miller road; thence with the center of said road and the center of said Marysville and Kenton road S. 8 1/4 W. 58 poles to the beginning, containing 18 1/2 acres also premises part of said survey no. 3468.

Petitioner

and described as: Beginning at a stake in the center of the Marysville and Kenton State road; thence easterly in a line with an alley north of the town of Summersville 51 1/2 poles to the land owned by L. G. Mouser; thence northerly with the said line of the said Mouser land 11 poles to the corner of land owned by A. J. Richardson; thence westerly with the said Richardson land 51 1/2 poles to a stake in the center of the Marysville and Kenton State Road; thence southerly with said road to the place of beginning containing there (3) acres and 95 poles. The premises being the same as that conveyed by executor's deed from Elmer O. Richardson to Phillip W. Fox, and recorded Nov. 29, 1915, in the Union County Record of Deeds, Vol. 111, P. 247 at Marysville, Ohio.

That said Plaintiff has received no rents from the real estate of her wards. That the petitioner believes it will be for the interest of said wards to sell said real estate and re-invest the money arising therefrom.

The Plaintiff therefore prays, that said Etta Gibson, Mrs. Verdie Gibson may be made defendants to this petition, and, justified of the pendency hereof.

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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.

Ettie Gibson Guardian.

of Ray Gibson and Verdie Gibson, minors - heirs.

The State of Ohio, Union County, ss.

Ettie Gibson, guardian, being duly sworn, says, that she is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as she verily believes. Ettie Gibson, Guardian.

Subscribed and sworn to in my presence, this 6th day of August, 1924. L. LeRoy Allen, Notary Public, Union Co., Ohio. Journal Entry: Order fixing time of hearing, av. for notice.

Probate Court, Union County, Ohio.

August, 6th 1924.

Ettie Gibson Guardian of Ray Gibson, and Verdie Gibson, minors.

Plaintiff.

Her heirs, et al. Defendants. Order for Notice.

This day Ettie Gibson Guardian of Ray Gibson and Verdie Gibson, appeared in open Court, and filed her petition duly verified, asking for the sale of real estate therein described, belonging to her said wards, Ray Gibson and Verdie Gibson.

It is ordered, that the time of hearing said petition be and hereby is fixed for the 6th day of Sept. 1924, 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 Ray Gibson and Verdie Gibson her wards - 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, 5 days before said day of hearing, av. This cause is continued. W. H. Husted, Probate Judge.

Subscribed -

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

Probate Court,

you are hereby commanded to notify Ettie Gibson and the following named who are minors, to wit:

Roy Gibson and Verda Gibson, 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

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Summons

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Sheriff's Return

order for appointment.

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On the 9th day of August A.D. 1924. Ettie Gibson, Guardian of Ray Gibson and Verda Gibson filed her petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described for the reason that it will be to the best interest of said wards and, that unless they answer by the 6th day of September 1924, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 18th day of August, 1924. Witness my hand and the seal of said Court this 13th day of August, 1924.

W. H. Husted Probate Judge

Sheriff's Return

Sheriff's Return

The State of Ohio, Union County.

Received this writ Aug. 13-1924 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 August 15th 1924 on Ettie Gibson.

Service ^{my} Return 75
additional names 50
24 miles at 89. 1.92.
Total \$ 9.17

and, also, as to the within named defendants who are minors, Ray and Verda Gibson August 15-1924, on Ettie Gibson the guardian of the said Ray Gibson and Verda Gibson by leaving true and certified copies of this writ at the usual place of residence of the said Ettie Gibson, Ray Gibson and Verda Gibson, Frank Bellis, Sheriff Union Co., Ohio

order for appraisement.

Journal entry: Order for appraisement. Probate Court, Union County, Ohio.

Sept. 6-1924.

No. 10381

Journal entry.

Ettie Gibson, Guardian of Ray Gibson ^{vs.} Verda Gibson, minors
P. Plaintiff

Ray Gibson, Verda Gibson, 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 for the best interest of said wards, it is therefore ordered

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and adjudged by the court that the said premises be appraised free of debt, by the oaths of Byron Starnals, F. B. Cole, and V. D. M^cCravy, 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.

Order of appraisement.

The State of Ohio, Union County ss.
To: Ethel Gibson, Guardian of Ray Gibson ^{and} Verdie Gibson, minors. Executors.

Probate Court.

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 Ray Gibson and Verdie Gibson, minors, as Plaintiff and Ray Gibson and Verdie Gibson et al. as Defendants, you are commanded that by the oaths of Byron Starnals, F. B. Cole, and V. D. M^cCravy, 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 debt estate of anyone therein, to wit: Situated in the County of Union, in the State of Ohio, and in the township of York, and bounded and described as follows: Part of Survey No. 3468.

Beginning at a stake in the center of the Marysville and Kenton Road 11 poles N. 8 and 1/4° from a stone in the center of the said road and in the north line of the Town of Summerville thence S. 81. 3/4° E. running over a stone at 2 poles, 51.40 poles to a stone in the west line of W. Kirk's land; thence with said line and the west line of a lot conveyed by J. R. Price to J. W. Barrager, N. 8 and 1/4° E. 57.40 poles to a stone; thence N. 81 W. 51.40 poles to a stone in the center of the Miller Road; thence with the center of said road and the center of the Marysville and Kenton Road, S. 8 and 1/4° W. 58 poles to the beginning, containing 18 and 1/2 acres.

Also, premises, part of said Survey No. 3468, and described as: Beginning at a stake in the center of the Marysville and Kenton State Road; thence easterly in the line with an alley north of the town of Summerville 51.5 poles to the land owned by L. G. Morrow; thence northerly with the line of the said Morrow land 11 poles to the corner of land owned by A. J.

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Richardson; thence westerly with the said Richardson land 51.5 poles to a stake in the center of the Marysville and Kenton State Road; thence southerly with said road to the place of beginning, containing 3 acres and 95 poles. The premises being the same as that conveyed by executors Deed, from Elmer O. Richardson to Philip M. Fox, and recorded Nov. 29 - 1915, in Union County Record of Deeds - Vol. 111, page 247, at Marysville 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 6th day of Sept., 1924.

W. H. Huatled, Probate Judge

Return

Return

To the Probate Court of Union County, Ohio.

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

Dated the 12th day of September, 1924.

Ettie Gibson, Guardian

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.

Byrus Stamat, F. B. Hole, V. D. M. Cray, appraisers.

Sworn to before me, and signed in my presence, this 12th day of Sept., 1924. F. LeRoy Allen, Notary Public, Union Co., O.

Return

Appraisers Return

In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said real estate at One thousand, eight hundred and ^{no}/₁₀₀ Dollars, free from any claim or estate therein. Given under our hands, this 12th day of September 1924.

Byrus Stamat, F. B. Hole, V. D. M. Cray & appraisers

Frs of appraisers, paid by Ettie Gibson, Guardian.

Journal Entry: Order approving appraisement for Bond.

Probate Court, Union County, Ohio,

10381

approving appraisement

Ettie Gibson, as Guardian, Plaintiff
of Ray Gibson et al, Plaintiff
v.
Ray Gibson, et al, Defendants. Order for Bond.

for Bond

This day came the said Plaintiff, by her attorney

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and produced to the Court the report of an entire appraisement herein made by F. R. Cole, byrns Starnato, and V. D. McCray, 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 Etta Gibson 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 \$1000 - conditioned according to law, and this cause is contained.

W. H. Husted, Probate Judge

Application to call at

Application To Sell Real Estate at Private Sale -
 Probate Court, Union County, Ohio
 No. 10381

Private sale.

Etta Gibson guardian of
 Ray Gibson et al. Plaintiff

Ray Gibson et al. Defendants.

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

That the property is becoming in a run down condition and the income is not sufficient to make repairs, and she therefore asks for an order authorizing her to sell said real estate at private sale.

Etta Gibson, Guardian
 of Ray Gibson et al.

The State of Ohio, Union County

Etta Gibson, being duly sworn, says, that the various matters set forth in the foregoing application are true as she verily believes. Etta Gibson sworn to before me, and signed in my presence, this 12-day of September, 1924
 F. de Roy Allen, Notary Public, Union Co., O.

affidant

Affidant of Disinterested Persons

Disinterested

The State of Ohio, Union County
 G. E. Johnson, E. E. Dondura, J. H. Williamson 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 Ray Gibson and Verdie Gibson, to sell said real estate at private sale than at public sale, as they verily believe.

G. E. Johnson, E. E. Dondura, J. H. Williamson
 Sworn to before me, and signed in my presence, this 12-day of Sept. 1924
 F. de Roy Allen, Notary Public, Union Co., O.

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Know all men by these Presents; That we, Ettie Gibson, as principal and V. D. McCravy and George D. Witt, as sureties, are held and firmly bound unto the State of Ohio in the sum of One 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 Richmond, Ohio, this 12 day of September A. D. 1924.

The condition of the above obligation is such, that whereas the above bound Ettie Gibson was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Ray Gibson and Verdie Gibson, and whereas the said Ettie Gibson 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 One thousand eight hundred and no/100 Dollars, and whereas said Court, on the 6 day of Sept, 1924, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided,

now if the said Ettie Gibson 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.

Ettie Gibson, V. D. McCravy, George D. Witt,

This Bond approved in open Court this 15th day of Sept, 1924

Journal entry; order approving Bond for Private Sale - Probate Court, Union County, Ohio

Sept. 12- 1924

Ettie Gibson, Guardian of Ray Gibson and Verdie Gibson.

Ray Gibson, Defendants

Order of Sale.

This day this cause came on further to be heard, and it appearing to the Court, that the said Ettie Gibson the plaintiff above named, has given bond, as heretofore ordered, in the sum of One thousand and no/100 Dollars, with V. D. McCravy, and George D. Witt 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

approving Bond for Private Sale

10381

the real estate described in the petition at private sale; it is therefore further ordered, that said Ettie Gibson as such guardian proceed to sell said real estate free from doubt, at private sale, for not less than \$1800- 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 from Doubt.

Order of

Sale

The State of Ohio, Union County ss. Probate Court.
To Ettie Gibson Exr. of Ray Gibson ^{vs} Verdie Gibson. Petition.

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 Ray Gibson and Verdie Gibson are Plaintiff and Ray Gibson and Verdie Gibson et al are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$1800- the appraised value thereof free from the doubt of Ettie Gibson, widow of Bury Gibson deceased, the following described premises, to wit: Situated in the County of Union in the State of Ohio, and in the Township of York, and bounded, ^{the} described as follows;

Part of Survey No. 3468.

Beginning at a stake in the center of the Mansville and Kenton Road, 11 poles N. 8 and 1/4° E. from a stone in the center of the said road, and in the north line of the town of Summerville. Thence S. 81 and 3/4° E. running over a stone at 2 poles, 51.40 poles to a stone in the west line of W. Kirk's land, thence with said line and the west line of a lot conveyed by J. W. Price to J. W. Rammage, N. 8 and 1/4° E. 57.40 poles to a stone; thence N. 81° W. 51.40 poles to a stone in the center of the Miller Road; thence with the center of said road and the center of the Mansville and Kenton Road S. 5 and 1/4° W. 58 poles to the beginning, containing 18 and 1/2 acres,

also premises, part of said Survey No. 3468 and described as: Beginning at a stake in the center of the Mansville and Kenton State Road; thence easterly in a line with an alley north of the town of Summerville 51.5 poles to the land owned by L. M. Morrow; thence westerly with the land of the said Morrow land 11 poles to the corner of the land owned by A. J. Richardson; thence westerly with said Richardson Land, 51.5 poles to a stake in the center of the Mansville and Kenton Road; thence,

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Confirming

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containing 3 acres and 95 poles
 The premises being the same as that conveyed by
 executor's deed from Elmer O. Richardson to Phillip
 M. Fox and recorded Nov. 29, 1915 in Union County
 Record of Deeds, Vol. 111, Pg. 247 at Mansville, Ohio
 Said sale to be for the appraised value thereof or more,
 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 12 day of September 1924
 W. H. Husted, Probate Judge

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 thereto attached.
 Dated the 15 day of Sept. 1924.
 Ettie Gibson, Guardian

Report

Report of Sale

In obedience to the within order, I sold said premises
 on the 15 day of Sept. 1924, to F. R. Reynolds of the
 County of Cameron, County of Marshall, and State
 of W. Va. for the sum of Two thousand eight hundred
 and no/100 Dollars, said sum being more than
 the appraised value of the same.
 Ettie Gibson, Guardian of Ray Gibson et al. minor
 Dated the 15 day of Sept. 1924.
 the State of Ohio, Union County, ss.
 The above named Ettie Gibson, guardian
 of Ray Gibson and Verdie Gibson, minor, being duly
 sworn, says that the sale above reported has been
 made after diligent endeavor to obtain the best price
 for said property, and that said sale is for the
 highest price she could get for said property.
 Ettie Gibson, Guardian.

Confirming

known to before me, and signed in my presence, this
 15 day of Sept. 1924
 Journal Entry: Probate Court, Union County, O.
 Sept. 12 - 1924

Ettie Gibson, as Guardian,
 of Ray Gibson et al.
 Plaintiff

Ray Gibson et al. Defendants | Confirming Sale
 This day this cause coming out to be heard on the
 return of Ettie Gibson as guardian of Ray Gibson and
 Verdie Gibson minor heirs, of her proceedings

10381

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 truly is approved and confirmed; and it is further ordered, that said Ethel Gibson as such guardian make to the purchaser F. R. Reynolds, 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-
W. H. Husted, Probate Judge

10226

Oct. 17-1924

E. W. Potter
atty.

Estate of John Freese, deceased - motion -

In the Probate Court, Union County, Ohio,

October 17-1924

Llona Freese, as Executor, of the
Estate of John Freese, Deceased.
Plff.

against
Llona Freese, et. al. Defendants.

Motion.

Now comes the plaintiff herein, by E. W. Potter her attorney, to dismiss her petition herein, as to the security acre tract in the petition described, and for the following reasons, to-wit:

1. Because the report of sale herein shows that said security acre tract has not been sold for the want of bidders therefor,
2. Because, the necessity for the sale of said tract no longer exists for the purpose of paying debts, E. W. Potter, her attorney.

Journal Entry: In the Probate Court, Union County, Ohio
Llona Freese, as Executor
of the Estate of John Freese, dec'd.
October 17-1924.

Plaintiff orders on motion
Llona Freese, et. al. Defendants. to Dismiss Petition.

This day this cause came on to be heard on Plaintiff's motion to Dismiss the petition herein as to the 70 acre tract therein described, for the reasons therein given; and, the Court, having carefully examined for the return of sale herein, and being fully advised in the premises, do grant the same.

W. H. Husted, Probate Judge

10324

Aug. 23-1924

In the matter of William Stilling, Deceased.
Petition to Sell Personal Property.

In the matter of
the estate of
William Stilling, dec'd.
To the Judge of said Court:
Probate Court Union County, Ohio,
no. 10324
Petition to Sell
Personal Property. Petition.

10324

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10324

The undersigned respectfully represents that he is the duly appointed and qualified executor of the estate of William Stillings deceased, of said county; that the personal property of said estate has been duly appraised, and the inventory and appraisement thereon 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 horse	20.00	1 oil drum	2.00
1 cow	50.00	1 sleigh	5.00
1 buggy	10.00	1 hay fork	25.00
1 set buggy harness	5.00	1 Beef Derrick	75.00
1 saw horse, harness & traps	1.00	1 watch	10.00
1 Gas engine	50.00		
1 Buggy saw	8.00		

Said authority is asked for the following reasons: There is not enough of said property to justify the expense of a public sale, and all the heirs have agreed to sell the same at private sale to the highest bidder of the heirs. Benj. F. Miller, Executor.

The State of Ohio, Union County ss.

Cash.

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

Done to before me and signed in my presence, this 25 day of August, 1924. W. H. Husted, Probate Judge -
Journal entry: Probate Court, Union County, O August 23-1924.

In the matter of William Stillings, deceased. 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 Benj. F. Miller, as Executor of said William Stillings 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 day of sale.

It is further ordered, that said Executor make return of proceedings herein forthwith after such sale is made, as this cause is continued. W. H. Husted, Probate Judge -

10324

Order of Private Sale. Personal Property,
Probate Court, Union County, Ohio,

In the matter of the
Estate of

Order of Sale.

William Stilling Dec'd

To Benj. F. Miller, Executor, of Wm Stilling, deceased estate,
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 One Hundred Fifty cents + ⁵⁰/₁₀₀ Dollars,
the appraised value thereof, the following goods and
chattels belonging to said estate, to wit:

Private sale.

1 horse	20. ⁰⁰	1 Gas engine	50. ⁰⁰
1 cow	50.	1 buzz saw	5.
1 buggy	10.	1 oil drum	2.
1 set buggy harness	5.	1 sleigh	5. ⁰⁰
1 race horse harness & traps	1.	1 hay fork	25.
		1 buck derrick	75.
		1 watch	15.

Said sale took 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 23rd day
of August, 1924. ~~Wm~~ Wm Stilling Probate Judge

Return

Return

Probate Court, Union County, Ohio,
Report of Sale of

In the matter of the estate

Personal Property,

of William Stilling, deceased.

The undersigned Executor of said estate, says,
that in obedience to the order of said Court, hereto
attached, he sold said personal property, commencing
on the 23rd day of August, 1924, and closing on the
23rd day of Aug. 1924 for the sum of One hundred and
ninety dollars, and twenty cents, said sum being not
less than the appraised value of the same.

A detailed Bill of said sales is hereto attached,
Dated this 25th day of Aug. 1924. Benj. F. Miller

Bill of Sales.

Bill of sales.

1 horse	20. ⁰⁰	Elmer Adams	50. ⁰⁰
1 buggy	10.		
1 set buggy harness	5.		
1 cow	50. ⁰⁰	Elmer Adams	60. ⁰⁰
Race horse harness & traps	1. ⁰⁰	Chas. Stilling	2. ³⁰
Gas engine	50. ⁰⁰	Elmer Adams	40. ⁵⁰
Buzz saw	5. ⁰⁰	John Stilling	5. ⁰⁰
Oil Drum	2. ⁰⁰	Elmer Adams	2. ⁵⁰
sleigh	5. ⁰⁰	" "	5. ⁰⁰

10396
Sept. 12-
1924

Petition

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Wagon fork	25	John Stilling	1.00
Beef derrick	75	" "	1.00
watch	10.00	Elmer Adams	16.50
Grinder, not appraised		" "	5.50
draw knife	"	" "	60
Ax	"	" "	1.25
Hand saw	"	John Stilling	.85
Order press	"	Chas Stilling	.50
Work bench	"	Elmer Adams	1.
Shovel	"	Chas. Stilling	.70
Garden plow	"	John Stilling	.50
	157.50		198.20

The State of Ohio, Union County,
 Benj. F. Miller, Executor, of William Stilling, deceased,
 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.
 Benj. F. Miller, Executor.

Subscribed before me, and signed in my presence, this
 25th day of August 1924. ^{W.H. Husted} Probate Judge -
 Journal Entry: Probate Court, Union County, O August 25th 1924.
 In the matter of: | Sale of Personal
 The Estate of | Property Confirmed.
 William Stilling, Dec'd.

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, therefore approve and
 confirm the same. W.H. Husted, Probate Judge

10396
 Sept. 12 -
 1924

In the matter of the Estate of Guido Robinson, deceased.
 Petition to Sell Personal Property at Private Sale.
 Probate Court, Union County, Ohio
 In the matter of the Estate | no. 10396.
 of Guido Robinson, Deceased. | Petition
 To the Judge of said Court:

The undersigned Executor of the estate of Guido
 Robinson, 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 enumer-
 ated in the inventory of said estate filed in said Court.
 And the petitioner alleges that said sale would be for

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the advantage of said estate, for the following reasons, that it will sell to a better advantage than to sell at public sale and that a public sale would be more expensive. Dated Sept. 12-1924.
Dora C. Robinson Exr.

The State of Ohio Union County

Carte

Dora C. Robinson being duly sworn, says that the various matters and things contained in the foregoing application, are true, as she verily believes.
Dora C. Robinson.

known to be true, and signed in my presence, this

no.	12-day of Sept. 1924	W. H. Husted, Probate Judge.
1	1 - 1/2 interest in corn planter \$12.50	28 1 - one-half interest, 5 yrs. old, 60.00
2	2 " " " Riding cultivator 1.25	29 1 " " " Pray gelding 5 yr, 40.00
3	1 " " " Breaking plow 2.50	30 2 " " " Hog houses x 7.50
4	3 " " " Cart, Double shaft, ^{single shaft} 1.25	31 " " " 10 acres growing ^{Corn} x 37.50
5	1 " " " Lawn roller 5.00	32 90 " " " Lambs 250.00
6	1 " " " Mowing machine 12.50	33 4 " " " Shvats. 17.50
7	1 " " " Platform scale 2.00	34 3 " " " Brood sows x 22.50
8	1 " " " Corn sheller 1.50	35 90 " " " Breeding ewe 251.75
9	1 " " " Breaking plow .50	36 1 " " " Holstein Cow. 34.
10	1 " " " Mowing machine 1.00	37 1 " " " " " 27.50
11	1 " " " Sulky hay rake 2.50	38 1 " " " Jersey Cow 15.00
12	1 " " " Bob sled 2.00	39 1 " " " " " 16.25
13	1 " " " Manure spreader 5.00	40 1 " " " Rhovan Cow 21.
14	1 " " " Sulky hay rake .50	41 1 " " " Jersey Cow 30.
15	1 " " " Tandem disc ^{harrow} 5.00	42 1 " " " " cow with ^{horns} 22.50
16	1 " " " Land roller 2.50	43 1 " " " " " dark face 17.50
17	1 " " " Weeder .25	44 3 " " " Rams x 18.
18	1 " " " Hay trough 2.50	45 " " " Hayin farm 170.00
19	1 " " " Feeder 2.50	46 " " " 90 bu. wheat, x 3.00
20	1 " " " Hay tedder 2.50	47 " " " 5-50 bu. oats 118.
21	1 " " " Wagon iron wheels 7.50	48 " " " straw in stack 12.50
22	1 " " " " & stock rack 25.00	49 " " " Feed top 2.50
23	1 " " " Set horns 7.50	50 " " " Wheel barrow, x .50
24	1 " " " " " 2.50	51 4 " " " Milk cans 3.
25	9 " " " Horse collars 2.50	52 10 30 lb " " " Iron 237.50
26	1 " " " Sundry tools ^{part} 5.00	53 " " " money. bch. 2 - ---
27	1 " " " Bay gelding 3 yr. old. 75.00	54 " " " 70 rods

Journal entry: Probate Court, Union Co. O. Sept. 12-1924. 1681.25

The estate of Dora C. Robinson, Dec'd.
Authorizing Private Sale -

Authorizing
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 ought to be sold as prayed for. and the court being satisfied

Order of
Private Sale.

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 1681.25

Order of
 Private Sale.

Petition

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 Dora E. Robinson, as executor of said Knids Robinson 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 her 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 Knids Robinson, deceased, order of Sale of Personal Property to Dora E. Robinson, 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:

all property specified in the application of said Executor covering all personal chattels in schedule D. of the Inventory and appraisement.

Said sale to be on the following terms: Cash in hand at time of sale. You will return this order within three months from this date and forthwith upon the execution of the same, together with your report thereon indorsed.

Witness my hand and the seal of said court, this 12th day of Sept, A. D. 1924.

Return

Probate Court, Union County, Ohio

In the matter of the Estate of Knids Robinson, Dec'd Report of Sale of Personal Property

The undersigned executor of said estate says that in obedience to the order of said Court, hereto attached, she sold all of the said personal property on the 13 day of Sept. 1924, for the sum of \$1681.25 said sum being not less than the appraised value of the same.

a detailed Bill of Sales is hereto attached.

Dated this 13 day of Sept- 1924

Dora E. Robinson

Bill of Sales

all property mentioned in application and covered by schedule, D. of the appraisement, 1681.25-
To Walter body # 1681.25

The State of Ohio, Union County.

Dora C. Robinson, Executrix of the estate of Guido Robinson 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 she could get for the property. Dora C. Robinson.

Seen to before me, and signed in my presence. This 13-day of Sept - 1924. W. H. Husted, Probate Judge - Journal entry; Probate Court, Union County, O.

Sale confirmed

In the matter of the sale of personal Estate of Guido Robinson, dec'd. 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 therefore approves and confirms the same. W. H. Husted, Probate Judge

10207

Filed

Nov. 17th 1923

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Petition to Sell Real Estate

In the Probate Court of Union County, Ohio.

Henderson
Att.
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Roy Warren Roof, as
assignee in trust
for the benefit of the
creditors of Francis V. Johnson.
Plaintiff

no. 10207
Petition.

Francis V. Johnson, Belle Johnson,
The Buckeye State Building and
Loan Company,
Defendants.

Plaintiff represents that on or about the 10th day of October 1923, defendant Francis V. Johnson, then and therefor a resident of Union County, Ohio, executed and delivered to the plaintiff his certain deed of assignment and thereby conveyed to the plaintiff as assignee in trust for the benefit of the creditors of said Francis V. Johnson, under the laws of the State of Ohio, all the property real and personal then owned by said Francis V. Johnson including the real estate hereinafter described: that said deed of assignment was on the 11th day of October 1923, filed in the Probate Court of said county and plaintiff was appointed Assignee of said estate in trust as aforesaid and qualified as such assignee according to law and is now acting in that capacity.

That the defendant Belle Johnson, is the wife of the defendant Francis V. Johnson, and that the defendant, The Buckeye State Building and Loan Company is a corporation, organized and incorporated under the laws of the State of Ohio.

That by said deed of assignment, said Francis V. Johnson, conveyed to plaintiff as assignee in trust as aforesaid, the following described real estate all situate in Union County, State of Ohio, and Township of Washington, Containing part of Survey no. 12105 and bounded and described as follows: Beginning at a stone in the center of the Sargent Road, forming the south west corner of Albert Bird's land; thence following the center of said pipe N. 87¹/₂° W. 21.40 and N. 66° W. 22 poles to a gas pipe forming the southwest corner to Oliver Williams' land; thence with line of said Williams' N. 49° E. 11 poles to a gas pipe and N. 5° W. 28.32 poles to a gas pipe and S. 53° W. 59.60 poles to a stone forming the southeast corner of Ida Bird's land; thence

Petition

10207

thence with the east line of said Ida Bird's land N. $7\frac{1}{4}^{\circ}$ W. 79.20 poles to a stone in the south line of William Bird's land; thence with said line N. $82\frac{3}{4}^{\circ}$ E. 5.8 poles to a stone forming the southeast corner of said Bird's land, and in the west line of Joseph W. Cookston's land; thence with the line of said Cookston's land S. 7° 40' E. poles to a stone and N. $82\frac{3}{4}^{\circ}$ E. 31.20 poles to a stone forming the northwest corner of Albert Bird's land; thence with said Bird's line S. 7° E. 127.20 poles to the place of beginning, containing 54 acres of land, more or less.

Also another part of said Survey No. 12105; beginning at a stake in the Lingard Dirt Road, and southeast corner to land now owned by Daniel A. Bird; thence N. 7° W. 127.30 poles with the east line of Daniel A. Bird's land to a stake or stone in William M. Mahon's south land line; thence N. 83° E. 31.36 poles to a stone corner to Mary A. Wilson's land; thence S. $6\frac{3}{4}^{\circ}$ E. 128.80 poles with the east line of said Mary A. Wilson's land to a stone in the center of said road; thence S. 86° W. 30.60 poles to the place of beginning, containing 24.80 acres of land, more or less.

Petition

Also the following premises, part of said Survey 12105 and described as: beginning at a piece of gas pipe driven in the center of the Lingard Dirt Road, and southeast corner to land now owned by Oliver E. Williams, thence N. $48\frac{7}{8}^{\circ}$ E. 7.14 poles to a stake; thence S. $5\frac{3}{4}^{\circ}$ E. 7.46 poles to a gas pipe driven in the center of the Road; thence with the center of said road, N. $66\frac{7}{8}^{\circ}$ W. 6.64 poles to the place of beginning, containing $26\frac{1}{100}$ of an acre of land.

Also part of Survey No. 12105, and described as follows: beginning at a corner marked by a piece of mill pipe in the center of the Road, leading from the Bird Settlement to Pyhalia and corner to land owned by Gorum Bird; thence S. $67\frac{3}{4}^{\circ}$ E. 67.04 poles with the center of said road to a hollow mill pipe another corner to said Gorum Bird's land; thence N. $46\frac{3}{4}^{\circ}$ E. 11.34 poles to a mill pipe; thence N. $9\frac{1}{2}^{\circ}$ W. 28.32 poles to a mill pipe; thence S. $81\frac{1}{4}^{\circ}$ W. 66.54 poles to the place of beginning, containing eight (8) acres of land.

Also part of Survey No. 12105 and described as follows: beginning at a stake in the south line of Oliver E. Williams' land, from which a gas pipe driven in the center of the Lingard Dirt Road, and southeast corner to land now owned by Oliver E. Williams, thence N. $48\frac{7}{8}^{\circ}$ E. 7.14 poles to a stake; thence S. $5\frac{3}{4}^{\circ}$ E. 7.46 poles to a gas pipe driven in the center of the Road; thence with the center of said

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N. 66 1/4° W. 6.64 poles to the place of beginning containing 26/100 of an acre of land.

Also part of Survey No. 12105 and described as follows: Beginning at a corner marked by a piece of mill pipe in the center of the Road leading from the Bird Settlement to Byhalia and corner to land owned by Gorum Bird: thence S. 67 3/4° E. 67.04 with the center of said road to a hollow well pipe another corner to said Gorum Bird's land: thence N. 46 3/4° E. 11.34 poles to a mill pipe thence N. 9 1/2° W. 28.32 poles to a well pipe: thence S. 81 1/4° W. 66.54 poles to the place of beginning, containing eight (8) acres of land.

Also a part of Survey No. 12105 and described as follows: Beginning at a stake in the South line of Oliver E. Williams' land, from which a gas pipe driven in the center of the Singlet Dist Road bears S. 48 1/4° W. 7.14 poles distant: thence N. 5 3/4° W. 30.64 poles to a stake: thence N. 83° E. 2.20 poles to a stake: thence S. 73 1/4° E. 28.40 poles to a piece of gas pipe driven in the ground: thence S. 48 1/4° W. 4.10 poles to the place of beginning, containing 1/2 acre of land more or less. Containing in all 87.56 acres, more or less.

Petition

That said real estate lies in a body and has been appraised by the appraisers appointed by the Court at \$7000 - That said defendant, The Buckeye State Building and Loan Company, have or claim to have some lien upon or interest in said real estate.

The nature extent and amount of which is not known to the plaintiff. Plaintiff prays that said defendant last named be required to ascertain and assert what lien or interest each of them may have in and to said premises, or be barred from asserting the same hereafter, that upon final hearing the liens may be marshalled and the priorities thereof fixed, adjudged, and decreed, and that plaintiff may be ordered to sell said premises in accordance with the statutes in such cases made and provided, and for all other proper and further relief.

Wm P. Henderson, atty. for Plt. State of Ohio, Hardin County, ss.

Roy Warren Roof, the above named plaintiff, being sworn, says that the facts stated and the allegations contained in his foregoing petition are true as he believes.

Roy Warren Roof

Known to before me, and signed in my presence, by the said Roy Warren Roof this - day of October, 1923.

Wm P. Henderson, Notary Public, Hardin Co., O.

10207 Journal Entry: Filing Petition to Sell Real Estate, November 17th 1923.

Filing Petition This day came the Plaintiff Roy Warren Roof, assignee and presented to this Court his petition duly verified, praying an order for the sale of real estate of the said assignor, Francis V. Johnson, to pay the debts of said assignor. 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.

In the Probate Court of Union County, Ohio.

Answer of Belle Johnson v. Roy Warren Roof as assignor, etc. Plaintiff Francis V. Johnson, et al. Defendants.

Answer of Belle Johnson.

Now comes the said defendant Belle Johnson, and says that she is the wife of the above named assignor, Francis V. Johnson, and as such has a contingent dower interest in and to the real estate described in plaintiffs petition. She prays that said real estate be sold free from her said contingent right of dower, and that the value thereof be found by the Court and paid to her in money out of the proceeds of sale.

Belle Johnson.

State of Ohio, Union County ss.

Belle Johnson, the above named defendant, being sworn says that the facts stated and the allegations contained in her foregoing answer are true as she believes.

Belle Anderson.

Sworn to before me, and signed in my presence by the said Belle Johnson, this 14th day of Nov., 1923.

W.A.B. Hayer.

Warrant In the Probate Court of Union County, Ohio Roy Warren Roof, as assignor, etc. Plaintiff

Warrant of Notice.

Francis V. Johnson, et al. Defendants. The undersigned, named as defendant in the above entitled action, hereby personally waives process and entire appearance as such defendant.

Francis V. Johnson, Belle Johnson.

Nov. 14th 1923.

10207

and Roy Johnson in the same is to belong for they petition account of the 1923. The 9. 1923. Comp. foll. of. Fran. Belle she w. J. The is un its Fran. J. 02

Answer in Cross-Petition of Buckeye State B.t Loan Co-

10207

Summons, on Petition to Sell Real Estate,
 The State of Ohio, Union County, Probate Court,
 To the Sheriff of Franklin County, Ohio,
 you are commanded to notify the Buckeye Building
 and Loan Co. that on the 17-day of November, 1923,
 Roy Warren Roof, assignee of the estate of Francis V.
 Johnson, and Belle Johnson, assignors 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 assignors, in said petition described,
 for the purpose of paying debts, and that unless
 they answer by the 22-day of December, 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 December, 1923.

Witness my hand and the seal of said Court, this
 19-day of November, 1923. ~~Wm. H. Husted~~ Probate Judge

Writ

The State of Ohio, Franklin County,
 I received this writ Nov. 21- 1923. On the 21-Nov.,
 1923, I served the Buckeye State Building and Loan
 Company, by delivering a copy thereof personally to the
 following named persons, J. E. Kinney, the President
 of the Buckeye State Building and Loan Company -
 Frank L. Kolycross, Sheriff Franklin Co. Ohio,
 R. Anderson, Deputy,
 Fees. Sheriffs - ser. ret. 70, mileage 40 Postage 06 Total 1.21

Answer

Cross-Petition

of
 Buckeye
 State Bldg & Loan
 Co.

Answer and Cross-Petition of
 The Buckeye State Building and Loan Company,
 In the Probate Court of Union Co., Ohio,
 No. 10207
 Roy Warren Roof as assignee
 in trust for the benefit of
 The creditors of Francis V. Johnson
 Plaintiff

v.

Francis V. Johnson,
 Belle Johnson,
 The Buckeye State Building
 and Loan Company,
 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.

That cause of action

On March twenty sixth 1919, Francis V. Johnson, and

10207

Belle Johnson, executed and delivered to this defendant
this certain promissory note of which the following is a
true and correct copy:

"Straight Loan.

\$6500 Columbus, Ohio. March, 26th 1919.

On or before five (5) years after date for value received
I, or either of us, promise to pay to The Buckeye State
Building and Loan Company of Columbus, Ohio, the
sum of Sixty-five hundred dollars (\$6500.00) with interest
at the rate of five and one-half per cent per annum,
payable semi-annually on or before the 26th day of
September and March of each year. Payments of
One hundred Dollars or more in addition to the
interest may be made at any time and the same
shall cease to bear interest on the day paid.

It is further understood and agreed that if this
note is not paid when due or if any installment
of interest hereon be 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 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 \$2000- with a clause
providing that the loss, if any, shall be payable to
said Company according to its mortgage interest
fail to keep the buildings on the real estate mortgaged
to secure this loan in good and proper repair;
then and on such default in whole or in part,
all the indebtedness so secured by such mortgage
and owing on this note shall thereupon become
due and payable at the option of said Company,
or the legal owner thereof; and said company or owner
may enforce the repayment of all said indebtedness,
including all accrued interest and money expended
for taxes, insurance and assessments as provided
for in said mortgage according to law. all of
the principals 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.

Rev. stamps attached. Francis D. Johnson. Belle Johnson,

This defendant is now the owner and holder
of said note in which there is payable the
sum of Six thousand Seven hundred Forty seven
and 93/100 dollars. (\$6747.⁹³) with interest from

Answer:
Loan Co.

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Ans.
Loan Co.

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December 3 - 1923 as per the terms of said note; which 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 rewritten herein, and further says, that on March 26 - 1919, to secure the payment of the note set out in the first cause of action herein, Francis V. Johnson and Belle Johnson, 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 Washington, County of Union and the State of Ohio, and described as follows:

Ans.
Loan Co.

" Being part of Survey No. 12105, and bounded and described as follows: Beginning at a stone in the center of the Lingel Public Road forming the southwest corner of Albert Bird's land; thence following the center of said Public Road, north $87\frac{1}{2}^{\circ}$ west 21.40 poles and north 66° west 32 poles to a gas pipe forming the southeast corner to Clin Williams land; thence with the line of said Williams land north 49° east 11 poles to a gas pipe and north 8° west 28.32 poles to a gas pipe ^{thence} south 83° west 59.60 poles to a stone forming the southeast corner of Ida Bird's land; thence with the east line of said Ida Bird's land, north $7\frac{1}{4}^{\circ}$ west 79.20 poles to a stone in the south line of William Bird's land; thence with said south line north $82\frac{3}{4}^{\circ}$ east 55 poles to a stone forming the southeast corner of said William Bird's land; and in the west line of Joseph H. Bookston's land; thence with the line of said Bookston's land, south 7° east 40.00 poles to a stone ^{thence} north $82\frac{3}{4}^{\circ}$ east 31.20 poles to a stone forming the northwest corner of Albert Bird's land; thence with said Bird's line south 7° east 127.20 poles to the place of beginning. Containing fifty-four (54) acres of land, more or less.

Also, the following real estate situated in Survey No. 12105 and bounded and described as follows: Beginning at a stake in the Lingel Dirt Road in the southeast corner to land now owned by Daniel A. Bird; thence north 7° west 127.30 poles with the east line of Daniel A. Bird's land to a stake or stone in William M. Mahan's south land line; thence north 83° east 31.36 poles to a stone north west corner to Mary A. Wilson's land; thence south $6\frac{3}{4}^{\circ}$ east 128.80 poles with the west line

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of said Mary D. Wilson's land, to a stone in the center of said Road; thence south 86° west 30.60 poles to the place of beginning, containing twenty-four and eighty hundredths (24.80) acres.

Also, the following real estate being part of Survey No. 12105, and bounded and described as follows: Beginning at a corner marked by a piece of well pipe in the center of the Road leading from the Bird settlement to Byhalia and corner to land owned by Gorum Bird; thence south $67^{\frac{3}{4}}$ East 67.04 poles with the center of said road to a hollow well pipe another corner to said Gorum Bird's land; thence north $46^{\frac{3}{4}}$ East 11.24 poles to a well pipe; thence north $9^{\frac{1}{2}}$ west 28.32 poles to a well pipe; thence south $81^{\frac{1}{4}}$ west 66.54 poles to the place of beginning, containing 8 acres of land.

Also, the following real estate, part of Survey No. 12105, and bounded and described as follows: Beginning at a stake in the south line of Olin E. Williams' land, from which a gas pipe driven in the center of the Lingul Dirt Road bears south $48^{\frac{1}{4}}$ west 7.14 poles distant; thence north $5^{\frac{3}{4}}$ west 30.64 poles to a stake; thence north 83° east 2.20 poles to a stake; thence south $7^{\frac{3}{4}}$ East 28.4 poles to a piece of gas pipe driven in the ground; thence south $48^{\frac{1}{4}}$ west 4.10 poles to the place of beginning, containing one-half of an acre of land, more or less.

Also, the following real estate part of Survey No. 12105, and bounded as follows: Beginning at a piece of gas pipe driven in the center of Lingul Dirt Road, and south east corner to land now owned by Olin E. Williams; thence north $48^{\frac{1}{4}}$ east 7.14 poles to a stake; thence south $5^{\frac{3}{4}}$ East 7.46 poles to gas pipe driven in the center of road; thence with the center of said Road north $66^{\frac{1}{4}}$ west 6.64 poles to the place of beginning, containing $\frac{26}{100}$ of an acre of land, containing in all 187.56 acres, more or less.

Said mortgage is conditioned as follows: "Provided, nevertheless, that these presents are upon these conditions:

That said mortgagors have executed and delivered to the said mortgagor their one certain promissory note of even date herewith due ~~per~~ herein after mentioned and in amounts as follows:

\$ 65-00-00 due on or before five years from the date hereof;

Together with the interest thereon at the rate of $5^{\frac{1}{2}}$ of per an num. payable semi-annually

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or, or, before, the 26- day of September and, March of each year. That if said note be not paid when due, or if any installment of interest thereon be not paid when due, or, within, thirty days, thereafter then all of said note, together with all accrued interest shall thereupon become due, and payable at the option of, the owner of, said note ^{and} mortgage.

That the said mortgagors further agree as follows: To pay all taxes, assessments, and other charges, that may be assessed against the property herein conveyed promptly as they become due and payable; to keep the building on the real estate hereby mortgaged in good and proper repair; to keep said property insured in some responsible fire insurance company satisfactory to said mortgagee in a sum of not less than \$ 2000- with the loss, if any, payable to said mortgagee as its mortgage interest may appear; and to have said policy of insurance in the possession of, said mortgagee until this mortgage is fully paid.

That, if the said mortgagors, their heirs or assigns shall fail to pay promptly as, they or either become due and payable, said taxes, insurance, assessments or other charges that may be levied against said property, the said mortgagee may pay the same, which sum so paid shall be charged against the said mortgagors, and bear interest from date of payment, thereof at eight 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 thereof; 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 successor or assigns the said sums of money, when due, as, provided for, in said note and shall faithfully keep each and all of the above, stipulated conditions, then, these presents shall be void; Said mortgage was filed for record with the Recorder of Union County, this, on March, 26-1919 viz at 1:20 P.M., and was, thereupon by him recorded in Book, 78, page, 189, 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

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protected; its said mortgage declared to be the first ^{or} best lien on said real estate and that its said claim be first paid out of the proceeds of said real estate, ^{or} 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 ^{Co.} Loan Co.

Cash

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 Co., a corporation and that the facts stated and allegations contained in the foregoing answer and cross-petition are true as he truly believes.

Fred Rector

Sworn to before me, and subscribed in my presence, this 3-day of December, 1923.

Notary Ray N. Poppleton, Notary Public
Franklin Co. Ohio.

order for Private Sale

Journal Entry

Roy Warren Roof, as assigner, in trust for the benefit of the creditors of Francis V. Johnson.

Plaintiff

In the Probate Court, Union County, Ohio,

no. 10207
January, 29, 1924

Francis V. Johnson, & Belle Johnson, The Buckeye State Building ^{Co.} Loan Company.

Order for Private Sale.

Defendants.

This day, this cause came on, to be heard upon the pleadings and the evidence and the court finds that the defendants have been duly and legally served with process or have waived process and entered appearance, as such, defendants and that the defendant, Francis V. Johnson, is in default for answer; that the defendant, Belle Johnson, wife of said Francis V. Johnson, has filed her answer herein, in which she prays that the real estate described in the petition set free of her contingent right of dower therein, and to allow her in lieu thereof, out of the proceeds of sale, such sum of money as the court deems a just and reasonable value of her said dower interest.

The defendant, The Buckeye State Building and Loan Company, has filed its answer claiming a mortgage lien upon said

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said premises. The Court further finds that all and singular the facts stated and allegations contained in the petition are true and that it is necessary that the plaintiff as assignee in trust for the benefit of creditors sell the real estate described in his petition to carry out said trust and pay said creditors. The Court further finds that it would be to the advantage of the creditors of the assignor to sell the real estate described in the petition at private sale.

It is therefore ordered, adjudged and decreed by the Court, that the said plaintiff as said assignee proceed to sell the real estate described in the petition at private sale for cash, free from said down interest at not less than its appraised value and that a writ issue to the said plaintiff accordingly and that the said plaintiff make due return of his proceedings thereunder.

W. H. Husted Probate Judge

Supplemental Supplemental:

In the Probate Court of Union County, Ohio,
Ray Warren Roof, as assignee
in trust for the benefit of
the creditors of Francis V. Johnson.
Plaintiff

No. 10207

Francis V. Johnson, Belle Johnson,
The Buckeye State Building & Loan Co.,
Defendants.

Supplemental Cross Petition
of the
Buckeye State & Building & Loan
Co.

Supplementing its cross petition herein this defendant says that the plaintiff has in his hands a fund of approximately six hundred (\$600-) dollars which fund was derived wholly from the rental of the land described in the petition for the cropping season of 1924; that during the pendency of this cause no payments of either principal or interest have been made to this defendant on the note set out in its cross-petition; that the taxes on said real estate have been permitted to become delinquent; and that the said land can not be sold for a sum sufficient to pay the amount of this defendant's claim.

Wherefore, this defendant prays that the plaintiff may be required to apply the fund in his hands to the payment of past due taxes, and the costs and expenses of this proceeding before restoring to said real estate or the proceeds thereof, W. H. Husted Probate Judge

10207

State of Ohio, Franklin Co. ss.

Fred C. Rector, being first duly sworn, says that he is one of the duly authorized attorneys for the Buckeye State Bridging and Loan Co. a corporation and that the facts stated and allegations contained in the foregoing supplemental cross-petition are true, as he verily believes.

Fred C. Rector

Sworn to before me, and subscribed in my presence, this 3rd day of February, 1925 year.

Ray W. Poppelt, Notary Public, Franklin Co., O.

- Order of Sale - Free of Dower.

order of

sale. The State of Ohio, Union County, ss.

Probate Court.

To Roy Warren Roof, assignee of Francis V. Johnson, '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 assignee in Trust for the benefit of the creditors of Francis V. Johnson, are Plaintiff and Francis V. Johnson, 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 Belle Johnson, wife of Francis V. Johnson, the following described premises, to wit: Situate in Union County, State of Ohio, Township of Washington, being a part of Survey No. 12105- and bounded as described as follows: Beginning at a stone in the center of the Lingard Road, forming the southwest corner of Albert Bird's land; thence following the center of said pike N. 87¹/₂° W. 21.40 and N. 66° W. 22 poles to a gas pipe forming the south east corner to Olin Williams' land; thence with the line of said Williams' land N. 49° E. 11 poles to a gas pipe and S. 83° W. 59.60 poles to a stone forming the south east corner of Ida Bird's land; thence with the east line of said Ida Bird's land N. 7¹/₄° W. 79.20 poles to a stone in the south line of Wm. Bird's land; thence with said line N. 82³/₄° E. 5-8 poles to a stone forming the southeast corner of said Bird's land, and in the west line of Joseph W. Cookston's land; thence with the line of said Cookston's land S. 7° E. 40.00 poles to a stone and N. 82³/₄° E. 31.20 poles to a stone forming the northwest corner of Albert Bird's land; thence with said Bird's land S. 7° E. 127.20 poles to the place of beginning, containing 5.4 acres of land more or less.

also another part of said Survey No. 12105: beginning at a stake in the Lingard Ditch Road and southeast corner to land now owned by Daniel W. Bird; thence N. 7° W. 127.30 poles

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with the east line of Daniel A. Bird's land to a stake or stone in William M. Mahon's south land line; thence N. 83° E. 31.36 poles to a stone, corner to Mary A. Wilson's land; thence S. 63/4° E. 128.80 poles with the west line of said Mary A. Wilson's land to a stone in the center of said road; thence S. 86° W. 30.60 poles to the place of beginning, containing 24.80 acres of land, more or less. Also, the following premises, part of said Survey, No. 12103, and described, as follows: Beginning at a piece of gas pipe driven in the center of the Lingard Dirt Road, and south east corner to land now owned by Oliver E. Williams, thence N. 48 1/4° E. 7.14 poles to a stake; thence S. 5 3/4° E. 7.46 poles to a gas pipe driven in the center of the road; thence with the center of said road, N. 66 1/4° W. 6.64 poles to the place of beginning, containing 26/100 of an acre of land.

also part of Survey no. 12105 and described as follows: beginning at a corner marked by a piece of well pipe in the center of the road leading from the Bird Settlement to Pylatin and corner to land owned by Gorum Bird; thence S. 67 3/4° E. 67.04 poles with the center of said road to a hollow well pipe another corner to said Gorum Bird's land; thence N. 46 3/4° across E. 11.34 poles to a well pipe, thence N. 9 1/2° W. 28.32 poles to a well pipe; thence S. 81 1/4° W. 66.54 poles to the place of beginning, containing eight (8) acres of land.

also part of Survey no. 12105 and described as follows: Beginning at a stake in the south line of Oliver E. Williams' land, from which a gas pipe driven in the center of the Lingard Dirt Road bears S. 48 1/4° W. 7.14 poles distant; thence N. 5 3/4° W. 30.64 poles to a stake; thence N. 83° E. 2.20 poles to a stake; thence S. 7 3/4° E. 28.40 poles to a piece of gas pipe driven in the ground, thence S. 48 1/4° W. 4.10 poles to the place of beginning, containing 1/2 acre of land, more or less, containing in all, 87.56 acres, more or less.

Said sale to be from the down, and to be upon the following terms: - cash.

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

Witness my signature and the Seal of said Court this 29-day of January, 1924 *W. B. Husted* Probate Judge

Return

To the Probate Court of Union County, this: 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 Feb. 4 - 1925 *Roy Warren* Ref. assignee Frances Johnson

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Report

Report of Sale.

In obedience to the within order, I sold, said premises on the 4th day of February, 1925, to The Buckeye State Building Loan Company, for the sum of \$7000.00 the appraised value.
 (Roy Warren Roof, assignee of Francis V. Johnson.
 Dated Feb. 4th 1925.

The State of Ohio, Hardin County, ss.

The above named Roy Warren Roof, assignee in Trust for the benefit of the creditors of Francis V. Johnson, 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 property.

Roy Warren Roof.

Shown to be true and signed in my presence, this 4th day of February 1925. W. H. Husted Probate Judge

Filed Feb 4-1925

Journal entry: In the Probate Court, Union County, Ohio
 Roy Warren Roof, as assignee, vs. Plaintiff
 Journal entry

Distribution

Francis V. Johnson, et al. Defendants
 approving Sale and ordering Distribution

This day came Roy Warren Roof as said assignee and presented to the Court his report of a sale at private sale for cash of the premises described in the petition at the appraised value, to-wit: \$7000.00 and the Court, having carefully examined said report and proceedings, finds that the same have been had in all respects in conformity to law, and the orders of the Court and that the price obtained is the highest and best price that could be obtained for said premises by said assignee after diligent effort. It is therefore ordered that said sale be and the same hereby is approved, and confirmed; and it is further ordered that said plaintiff as such assignee execute and deliver to the purchaser, The Buckeye State Building Loan Company, a good and sufficient deed of conveyance for the premises so sold, free from the claim of said defendant, Walter Johnson and this cause further coming on for hearing upon the supplemental answer and cross-petition of said defendant, The Buckeye State Building Loan Company, the Court find that said plaintiff as such assignee has since the filing of the petition herein, rented said premises upon shares and has received in money as his share of the crops, the sum

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of \$525.71 and that out of said rental so received by him, said defendant, The Buckeye State Building and Loan Company, is entitled to have paid and said plaintiff as such assignee is hereby ordered to pay taxes upon said premises, now accrued to the amount of \$169.⁷⁵

And the Court, coming now to the distribution of the proceeds of said sale amounting to \$7000- said assignee is ordered to pay as follows:

1. To the Treasurer of this county, the taxes, penalty and interest upon the premises so sold, less the amount paid thereon out of the rentals as hereinabove ordered and amounting to \$331.97.

2. The cost of this action including an allowance of \$260.⁰⁰ which is hereby made to Henderson ^{Att.} Roof attorney for the plaintiff for services in this proceeding, and also including an allowance of \$50.⁰⁰ which is hereby made to the plaintiff as compensation for his services herein, and taxed in the aggregate at \$332.⁰⁰

3. To the defendant, The Buckeye State Building ^{Co.} Loan Company, the sum of \$6336.⁰³ (\$6336.⁰³) to be applied by said defendant upon its mortgage lien as hereinbefore found by the Court; and the Court finds that said last mentioned payment exhausts the proceeds of sale, in the hands of said assignee, and the Court further orders satisfaction of the mortgage of said defendant, The Buckeye State Building ^{Co.} Loan Company, to be entered upon the record thereof in the office of the Recorder of this county.

W. L. Huclik, Probate Judge

10281
Filed
mar. 8. 1924

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

Elmer D. Wallace, as admr. of
the estate of
Dorita C. Wallace, deceased.
Plaintiff

no. 10281
Civil Action

v.
Cora B. Wallace, ^{an} Elmer D. Wallace,
The Columbus Mutual Life
Insurance Company of Columbus, Ohio.
Defendants.

Petition to
Sell Real Estate
Petition.

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Dorita C. Wallace, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is ninety-two hundred and thirty-five

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Dollars, as near as they can be ascertained
 "Exhibit A" the Columbus Mutual Life Insurance
 Company \$9000-
 Funeral expenses 235. Total \$9235.00
 that the charges of administration of said estate
 will amount to about \$7000 and that the total
 value of the personal estate and effects of said
 deceased is but \$400- being wholly insufficient to
 pay the debts and costs aforesaid. The Plaintiff
 further represents that said Dr. H. C. Wallace, 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 Township of Allen, Town:
 Beginning at a stone in the center of the Allen Center,
 and Potlottsburg Grand Road, northeasterly to corner
 to Sunny (No. 2981, ^{W.} N.E. corner, to Sunny No. 4812 and in
 such easterly line of said Sunny no. 3151. Thence with line
 of said Sunny 3151 and 4812 N. $57\frac{3}{4}^{\circ}$ E. 90 poles to a stone
 in said line; thence N. $45\frac{1}{2}^{\circ}$ W. 110.20 poles to a stone
 corner to C. Lemhard; thence with one of his lines S. $57\frac{3}{4}^{\circ}$
 N. 90 poles to a stone in the center of said Allen Center
 and Potlottsburg Grand Road; thence with the center of
 said road, S. $45\frac{1}{2}^{\circ}$ E. 110.20 poles to the beginning
 containing 61 acrs. more or less.

Petitioner

Also, the following described real estate situate in
 the same Township, County, and State and adjoining
 the above.

Being a part of Sunny no. 3151, and beginning at
 a stone in the south line of said Sunny no. 3151 and
 south easterly to corner of a tract of land conveyed
 by Spurrier and Looze to Wilmer M. Adams; thence
 N. 45° W. (with the northeasterly line of said land
 continuing with the northeasterly line of lands con-
 veyed by Charles E. Smith and others to D. C. Leonard,
 Dec. 29-1880. 156.72 poles to a stone at the north
 easterly corner of said D. C. Leonard's land, and corner
 to lands of Burton E. Peck; thence with the south-
 easterly line of said lands, N. $31^{\circ} 15'$ E. 122.52 poles
 to an iron pin corner to lands in the center of the
 Marysville and Bellefontaine Grand Road; thence with the
 center of said road S. 69° E. 81.92 poles to a stone
 in the westerly line of said Sunny no. 3151; thence with
 said line S. $32^{\circ} 45'$ W. 82.28 poles to a stone north east
 corner to tract of land conveyed to Robert Smith
 and others to William Armstrong, May 12-1873-4
 thence two consecutive lines of said lands S. 57°
 $45'$ W. 30.32 poles to an iron pin and S. $32^{\circ} 51'$
 E. 60.40 poles to a stone, a corner to said

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lands, in a southeasterly line of said Survey No. 2151: thence with said line S. 58° 15' W. 92.72 poles to the beginning, containing 149.40 acres, more or less, and being all of said lands, save and excepting 75-acres, off. of the northerly part thereof heretofore conveyed to Thomas Epps, by deed dated January 10- 1914, recorded in Vol. 106, Page, 227, Record of Deeds of Union County, Ohio.

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 \$50- per acre for the undivided one-half interest in 135-a, or \$ 3875.-

Petition

The said decedent died leaving the defendant born B. Wallace his widow who is entitled to dower in said premises; that the defendant, Elmer D. Wallace, is the only child, heir-at-law and next of kin, of said decedent, having the next estate of inheritance from said Dr. W. C. Wallace, deceased, in said premises, that the defendant The Columbus Mutual Life Insurance Company, of Columbus, Ohio, claims to have some lien on said real estate.

The Plaintiff therefore prays, that the dower of said born B. Wallace, in said premises may be assigned and set off to her, that the rights, interests and claims of the said Elmer D. Wallace, and of the said Columbus Mutual Life Insurance Co., of Columbus, Ohio, 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 a dower, according to the statute, in such case made and provided, and for all other proper orders, and relief in the premises

Elmer D. Wallace, adur-

The State of Ohio, Union County,

Elmer D. Wallace, the petitioner 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.

Elmer D. Wallace, adur-

Known to before me, and signed in my presence, this 8. day of March, 1924 ~~1924~~, Edward H. Porter, Notary Public

Journal Entry: In the Probate Court of Union Co. Ohio

Elmer D. Wallace, adur-
of David C. Wallace-
vs Plaintiff,
born B. Wallace, et. al.
Defendants

Filing Petition
To Sell Real Estate

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This day came the Plaintiff Elmer D. Wallace, admr. of the estate of Dr Witt C. Wallace, deceased, and presented to this Court his petition, duly verified praying an order for the sale of real estate of the said Dr Witt C. Wallace, 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.

W. H. Husted, Probate Judge,
Wairor.

Probate Court, Union County, Ohio.

Mr. The undersigned 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 hereby consent to the sale of the Real Estate described in the petition. Dated March 8-1924

Cora B. Wallace, Elmer D. Wallace.

Answer of Widow

Probate Court, Union County, Ohio.

And now comes Cora B. Wallace 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 Dr Witt C. Wallace, deceased, and as such is entitled to her dower in the premises described in said petition, that her age is 54 yrs. and she freely consents to said sale, has 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. Cora B. Wallace.

The State of Ohio, Union County,

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

Cora B. Wallace.

10287

application
for
Private
Sale of

10287

affidavit
of
Disinterested
Persons

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Wallace, deceased, by verified estate of the debts of the decedent and in the petition filed by the judge, County, Ohio, in the by train ad. Defendants, Estate 8-19-24

County, Ohio, and into enters her petition in low such described and, she and said premises to and sold for value paid sale, the just t in

that the true motion

10287 application for Private Sale of the estate of

Sworn to before me, and signed in my presence, this 8-day of March, A. D. 1924.

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

application to sell Real Estate at Private Sale Probate Court, Union County, Ohio.

Elmer D. Wallace, as admr., Plaintiff

vs. 10287

application.

Bora B. Wallace, 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 when sold at private sale, it must bring as much as the appraisement, whereas at public sale, it might go for 2/3 thereof.
- 2. Because it saves the costs of advertising.
- 3. Because it saves time.
- 4. Because a purchaser at the appraisement has already been secured.

and he therefore asks for an order authorizing him to sell said real estate at private sale Elmer D. Wallace, admr.

Sworn to before me, and signed in my presence, this 8-day of March, 1924. Edward W. Porter, Notary Public, Union Co. Ohio.

10287 affidavit of Disinterested Persons.

affidavit of Disinterested Persons - The State of Ohio, Union County.

Lester W. Gline, Orlando B. Eaton, and Edgar D. Edwards bring duly sworn, says, that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matter therein referred to, 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 reason herein stated, they believe -

Lester Gline, Orlando B. Eaton, Edgar D. Edwards Sworn to before me - and signed in my presence this day of March, 1924.

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

Motion

Probate Court, Union County, Ohio.

Elmer D. Wallace, Adm. Plff.

February 21-1925

Bora B. Wallace, et al. Df.

Motion

now comes the plainiff herein, by E. W. Porter, his attorney

16281

and moves the court to dismiss the petition herein and for the following reasons, to-wit:

- 1. Because the allegations of the petition as to the indebtedness of said estate have proven to be untrue,
- 2. Because the plaintiff is the only child, heir at law, and next of kin of deceased, and is of full age and said defendant, Cora B. Wallace, is the widow herein, and is of full age and each is capable of contracting,
- 3. That all debts of said estate are paid

James D. Wallace

Per E. W. Porter, his attorney.

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

Entry: Case dismissed

This day this cause came on to be heard, on the motion to dismiss the petition herein, and the Court being fully advised in the matter, do sustain the same, costs to be paid by plaintiff.

W. H. Honsted Probate Judge

July 21-1920

10313

Filed

May 7-1924
John L. Longmire
attorney

Assignor's Petition To Sell Real Estate

Probate Court Union County, Ohio.

No. 10313

John L. Sellers, assignee
of William E. Langhry
Plaintiff

Petition to Sell Real Estate.

William E. Langhry.
Mary Langhry, Husband's wife.
The Prudential Life Insurance Co.
H. A. Beechler.

Petition.

Defendants.

The Plaintiff represents that he is the only duly appointed and qualified assignee of said William E. Langhry; that the amount of debts owing by said Assignor is Four Thousand Five Hundred Dollars as near as they can be ascertained; that the charges of administration of said trust estate will amount to about Two Hundred and fifty (\$250.00) Dollars, and that the total value of the personal estate and effects of said trust estate is but - no - dollars, being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said William E. Langhry by his deed of assignment filed in said Probate Court, April 17- A.D. 1924, at 8. A.M., conveyed to said John L. Sellers, 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

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Union, and, State of Ohio, and is bounded and described as follows, to wit:

Situated in the township of Leetown, being part of survey No. 5613, and bounded and described as follows: Beginning at a stake in the center of a country road, known as the Wolford and Mastell road corner to lots No. 8 and 9. Thence, with the line of said lots N. 80° 35' E. 130 poles to a stake (between a sugar and two beeches) corner to lots 8, 7, 9, and 6; Thence, with the line of lots 9, and 6, N. 9° 30' W. 61 poles, 13 1/2 links to an oak and two beeches; Thence S. 80° 35' W. 130 poles to a stake in said road in the line of Scott; Thence, with said Scott line and the line of lot No. 9, S. 9° 30' E. 61 poles and 13 1/2 links to the beginning, containing 50 acrs. more or less.

According to survey made by Levi Phelps, June 20-1857, also, the following premises situated in the State of Ohio, County of Union and township of Leetown part of survey No. 5613, and described as follows:

Beginning at a stone in the West line of said Survey No. 5613, and southwest corner to Fletcher Gornalls land; Thence, with the South line of said land N. 80° E. 129 poles to a stone South East corner to said land in the East line of said Survey No. 5613; Thence with said line S. 3° E. 29.80 poles to a stone, North east corner to Franklin D. Gornalls land; Thence, with the line of said land S. 80 1/4° W. 179.25 poles to a stone in the West line of said Survey No. 5613; Thence, with said line N. 7 1/2° W. 29.36 poles to the beginning, containing 23 139/160 acrs. more or less.

Petitioner

which real estate was heretofore appraised, in accordance with an order of said Court, by the appraisers of the property and assets assigned, at the sum of Seven thousand seven hundred and forty five dollars, and the petitioner asks, that said appraisement adopted in the within sale.

That said William E. Langney, is the wife of said May Langney, and has a contingent right of dower in said premises.

That a part of said premises, described as follows: Being same premises as described in the foregoing petition, is the homestead of said William E. Langney who is living thereon with his said wife May Langney that one.

The Prudential Life Insurance Company, and H. B. Bellville has or claims to have a mortgage lien on said premises which may preclude the allowance of a homestead to either the said William E. Langney

10313

or, May Langhury.
 said Plaintiff therefore prays, that the said William E. Langhury, May Langhury, Prudential Life Ins. Co., H. A. Bellville 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 claims of the said mortgages 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 this statute in such case made and provided, and for all other proper orders and relief in the premises. John L. Sellers, assignee

The State of Ohio, Vermilion County, ss.

John L. Sellers, Assignee, the Plaintiff named in the foregoing petition, being duly sworn, says that he believes the facts stated in said petition are true.

John L. Sellers.

Done to before me, and signed in my presence, this 6-day of May, 1924. John L. Langhury, Notary Public, Union Co., Ohio.
 In the Probate Court of Union County, Ohio
 May, 6-1924.

Filing Petition

This day came the Plaintiff John L. Sellers, assignee of William E. Langhury, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said William E. Langhury, to pay the debts, and the costs of administering the estate of the said assignor. 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.

W. H. Husted Probate Judge

Application to appoint attorney.

application to appoint attorney

In the Probate Court Union County, Ohio.
 Now comes John L. Sellers, assignee of William E. Langhury, and moves the Court, that he appoint an attorney and he asks that John L. Langhury be appointed in said matter.

John L. Sellers, Assignee of
 William E. Langhury

Appointing attorney in said case

On this 6th day of May, A. D. 1924. This cause coming on for hearing for the application of J. L. Sellers assignor, to appoint Attorney John L. Langhury, and the Court, finds that it is necessary, for said attorney

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plaint

plaint

answer

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and the said John L. Langney is duly appointed to act as such for said assignee.

W. H. Busted, Judge of Probate Court.

Wainor

Wainor of Summons, on Petition to Sell - Probate Court, Union County, Ohio, 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.

May 7 1924.

H. A. Bellville.

Wainor

Wainor

Probate Court, Union County, Ohio.

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 7 1924.

William E. Langney.

May Langney -

Answer and Cross-Petition

Answer

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

Case no. 10313

John L. Batters, assignee of William E. Langney, Plaintiff.

William Langney, May Langney, The Prudential Insurance Co. of America, H. A. Bellville, Defendants.

Answer, and Cross-Petition, of the Defendant, The Prudential Insurance Company of America.

Answer.

Now comes the defendant The Prudential Insurance Company of America, a corporation under the laws of the State of New Jersey, having its principal office and place of business in the City of Newark, New Jersey, and waives the issuing and service of summons in this cause and voluntarily enters its appearance as party defendant herein, and for answer to the petition herein says that it admits that it has a lien upon the premises described in said petition to secure the payment of a Three Thousand (\$3000.00) note and mortgage as will

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be shown in the cross-petition of this defendant; that said note and mortgage are a first and paramount lien on the real estate described in said petition, and for want of information, this defendant, denies each and every other allegation of said petition and the various answers and cross-petitions filed herein inconsistent with the facts hereinafter stated.

Cross-Petition

Cross-Petition

This answering defendant, The Prudential Company of America by way of cross-petition herein says: That on the 14th day of May 1923, William E. Langhrey, ^{Mr. May Langhrey,} being indebted to the Prudential Insurance Company of America, a corporation under the laws of the State of New Jersey, executed to the said The Prudential Insurance Company of America their joint and several promissory note, of that date, and thereupon promised to pay on the 14th day of May, 1928, or prior thereto in case of default, the sum of three thousand (\$3000-) Dollars, to the said The Prudential Insurance Co. of America, with interest thereon from May, 14-1923 at the rate of ^{payable semi-annually, with 14-day grace, Nov. 1st and May 1st in each year} five per cent (5%) said principal note bearing interest after maturity or default at the rate of eight per cent (8%) per annum; all of which will more fully appear by said principal note for three thousand (\$3000-) Dollars, ready to be produced in court and by photostatic copy of the same attached hereto, filed herewith, marked, Exhibit "A" and made a part of this cross-petition.

This answering defendant and cross-petitioner further alleges that to secure the re-payment of said principal note as aforesaid, the said William E. Langhrey, and May Langhrey, his wife, did on the 14th day of May, A.D. 1923, execute and deliver to the said The Prudential Insurance Company of America their certain mortgage deed of that date to which they conveyed to the said The Prudential Insurance Company of America, the following described real estate:

First Tract: Being part of Survey No. 5-613, bounded and described as follows: Beginning at a stake in the center of a County Road known as, Wolford ^{or} Maple road corner to Lots No. 8, and 9. Thence with the line of said lots North 80° 35' East 130 poles to a stake (witness a sugar and two beeches) corner to lots 8, 7, 9, and 6; Thence with the line of lots 9, and 6, North 9° 30' east 61 poles, and 13 1/2 links to an Oak and two Beeches, Thence South 80° 35' minutes West 130 poles to a stake in said road, in the line of Scott;

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thence with said Scott's line and the line of Lot No. 9, South $9^{\circ} 30'$ East 61 poles and $17\frac{1}{2}$ links to the place of beginning, containing 5.0 acres, more or less, according to survey made by Levi Phelps, June 20th 1859.

Second Tract.
Being part of Survey no. 5613, bounded and described as follows: Beginning at a stone in the west line of said survey no. 5613, and south west corner to Fletcher Gosnell's land: Thence with the south line of said land North 80° East 129 poles to a stone, south east corner to said land, in the east line of lot no. 9 of the sub-division of said Survey no. 5613, Thence with said line South, 3° East 29.80 poles to a stone, north east corner to Franklin Gosnell's land, thence, with the line of said land, South $80\frac{1}{4}^{\circ}$ W. 129.28 poles to a stone in the west line of said Survey no. 5613: thence with said line North $7\frac{1}{2}^{\circ}$ West 29.36 poles to the place of beginning, containing $23\frac{139}{160}$ acres more or less.

Containing in all 73 acres, more or less, in Leebury Township Union County, Ohio.

Containing in all 73 acres, more or less, in Leebury Township, Union County, Ohio.

That said William E. Langrey and May Langrey his wife, were the owners of said real estate on the 14 day of May 1923, at the time of the execution of said mortgage; that said mortgage was duly acknowledged on the 14 day of May, 1923, and on the 18 day of May, 1923 at 11:10 P. M. duly entered for record in the office of the Recorder of Union County, Ohio, and duly recorded in Mortgage Record 91, page 33; all of which will more fully appear by said mortgage and its accompanying certificate of acknowledgment and recording, ready to be produced in Court and by photographic copy of the same attached hereto, filed herewith, marked Exhibit "B" and made part of this cross-petition.

This answering defendant, and cross-petitioner says, that by reason of the failure of the said William E. Langrey, and May Langrey to pay the interest in the sum of seventy five (\$75.00) Dollars due May 14 - 1924, the entire note in the principal sum of Three Thousand (\$3000.00) Dollars, together with interest in the sum of seventy-five (\$75.00) Dollars, became due and payable, with eight per cent (8%) interest from May 14th 1924 payable semi-annually until paid. This defendant and cross-petitioner says, that

Final Record, Union County Probate Court.

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therefore, there is now due it upon said principal promissory note hereinbefore set out and described the sum of three thousand seven hundred and seventy five Dollars (\$3,750.00) (being the principal note of \$3,000.00 and the interest in the sum of seven hundred and seventy five Dollars (\$750.00) due May 14 1924) with interest at the rate of eight per cent (8%) per annum, thereon, to be computed and payable semi-annually from said 14 day of May, 1924.

This answering defendant and cross-petitioner further says, that in going with her husband, the said William E. Langhrey, in the execution of said mortgage, she said defendant, May Langhrey, released, and relinquished to this defendant and cross-petitioner all her dower right, interest claim and demand in said real estate, and that as against the mortgage of this defendant, the defendant, May Langhrey, has no dower interest, dower right, claim, or demand in said real estate.

Wherefore, this defendant, and cross-petitioner, The Prudential Insurance Company of America, prays, that the amount due it as herein above alleged be so adjudged and decreed by the Court: that the validity and priority of its mortgage deed, be determined; and that out of the proceeds of the sale of the real estate it be paid the amount, herein alleged, to be due it in the order of the priority of its said mortgage lien upon said real estate, and for such, other additional judgment, order and decree, to which it may be entitled in law or in equity.

Wm R Stuart, atty. for.

The Prudential Insurance Company of America, State of Indiana, County of Marion ss.

Wm R. Stuart being duly sworn, upon his oath says, that he is attorney for the defendant The Prudential Insurance Co. of America: that as such, attorney he is authorized to make this affidavit and that the allegations contained in the foregoing answer and cross-petition are true as he verily believes.

Wm R. Stuart,

Subscribed in my presence, and sworn to before me, this 7th day of July, 1924.

Garret L. Jordan, Notary Public

My Com. expires May 5th 1927.

Answer & cross-Petition H.A. Beevick

Answer and Cross-Petition of H.A. Beevick In the Probate Court, Union County, Ind. For answer and cross-petition of H.A. Beevick, the defendant says, that William E. Langhrey

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Legal Notice

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and May Langhrey, executed a promissory note dated May 19, 1923 due on or before one year after date to the said H. A. Belleville for the amount of \$ 386.35 - with interest of 7% semi-annually. Said note is written in Cognovit form and a copy of the same is hereto attached to this answer in cross petition and marked "Exhibit A." and made a part thereof.

The Plaintiff further says, that the said William E. Langhrey, and May Langhrey executed to him a real estate mortgage recorded in Vol. Page - at the recorder's office in Union County, Ohio, securing said note on May 19, 1923 and the said mortgage being a second mortgage subject to the insurance company lien thereof and being the same and as described in the within petition.

The defendant further says, that no part of said note or any interest thereof has been paid and the whole amount of said note is due.

Whereof this Defendant prays, that he be paid the sum of \$ 386.³⁵ with interest of 7% from May 19, 1923, and that said land be sold as prayed for in the petition and such other relief that may be just and equitable.

John L. Langhrey - atty.

State of this Union County, ss.

oath

I, H. A. Belleville makes oath that the within facts in the foregoing petition ^{and cross petition} are true as he verily believes.

H. A. Belleville.

Known to before me, this 8-day of Sept. A. D. 1924

John L. Langhrey, Notary Public, Union Co. Ohio

Legal Notice

Legal Notice

State of this Union County, ss.

Personally appeared before me, W. Gallaway 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. 30-1924, in the Union County Journal, a newspaper of general circulation aforesaid.

W. Gallaway.

Known to before me, and signed in my presence, this 9 day of January 1925.

Printers fees \$23.07

W. B. Ganner, Notary Public

assignee Sal. of Real Estate.

Pursuant to an order of sale to me issued by the Probate Court of Union County, Ohio, No. 10313, in the case of, John L. Sellers as assignee of William E. Langhrey Plaintiff v. W. E. Langhrey et al. Defendants. The undersigned will offer for sale, at public auction at the north

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dow of the Court house, on Saturday, Nov. 8, 1924, at one o'clock, P. M. the following described real estate, situated in the Township of Leeburg, No. 5-613, and bounded, and described as follows:

Beginning - see Petition Pg. 185 also Cross Pet. 188, description, Motion.

Motion

In the matter of John L. Sellers, assignee of Wm. E. Langhrey, motion to confirm sale no. 10313.

I now comes the assignee John L. Sellers, of the estate of William E. Langhrey, and says that after said real estate was duly advertised according to law, the best and highest price was \$3600- and he moves the Court that he be allowed to sell said property for said amount, which is less than 75% of its appraised value, as provided for in R.S. 11118 as follows: First: If said property was advertised again, he does not believe it would bring any more money.

Second: That said property is in bad repair, buildings need fixing, fences need fixing, and the taxes are unpaid and the same to be sold at once.

Third: Farm prices are not as good at the present time as when the appraisal was made and, at that time that same was appraised quite high.

Fourth: That said assignee believes it is for the best interest of said estate to sell said land for the sum of thirty six hundred (\$3600.00) Dollars.

John L. Sellers assignee of William E. Langhrey makes oath that the foregoing facts are true as he verily believes. John L. Sellers.

Subscribed before me this 8. day of January, 1925; John L. Langhrey, Notary Public Union Co. Ohio.

Order of Sale of Dowry

Order of Sale. Taken from Dowry. The State of Ohio, Union County, ss. Probate Court, To John L. Sellers, assignee of William E. Langhrey, greeting: In obedience to an order, the decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as assignee of William E. Langhrey, are Plaintiff and William E. Langhrey et al. are Defendants, you are commanded to proceed, according to law, to sell at Public Sale, for not less than \$7745.00 the appraised

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Return

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Value thereof free from the dower of May Langhrey the preceding described premises, to wit: Situated in the township of Leesburg being part of Survey no. 5613, and bounded and described as follows. Beginning at a stake in the center of a country road known as the Walford and Mastell road, corner to lots no. 8 and 9 - Thence, with the line of said lots N. 80° 35' E. 130 poles to a stake (witness a sugar and two beeches) corner to lots 8, 7, 9, and 6. Thence, with the line of lots 9, and 6 N. 9° 30' W. 61 poles and 13 1/2 links to an oak and two beeches, thence, S. 80° 35' W. 130 poles to a stake in said road in the line of Scott; thence with said Scott line and the line of lot no. 9, S. 9° 30' E. 61 poles and 13 1/2 links to the beginning containing 50 acres more or less.

According to a survey made by Levi Phelps, June 20th 1859 also, the following premises, situated in the State of Ohio County of Union Township of Leesburg part of Survey no. 5613, and described as follows: Beginning at a stone in the west line of said Survey No. 5613 and South west corner to Fletcher Gosnell's land; thence with the south line of said land N. 80° E. 129 poles to a stone South east corner to said land in the East line of said Survey no. 5613 - thence, with said line S. 3° E. 29.50 poles to a stone north east corner to Franklin S. Gosnell's land; thence with the line of the said land S. 80 1/4 W. 129.28 poles to a stone in the west line of said Survey no. 5613; thence, with said line N. 7 1/2 W. 29.36 poles to the beginning containing 23 139/160 acres more or less.

It is further ordered, that the order of appraisement be dispensed with, and the same appraisement be adopted as asked for in the petition as set forth in the inventory it being \$7745.00 Said sale, to be upon the following terms: cash - you will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Court, this 20th day of September 1924
W. H. Husted Probate Judge.

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 Jan'y. 20 - 1925. John L. Sellers

10313

Report

of

Sale

Report of Sale

In obedience to the within order, I sold, said premises, on the 8th day of November, 1924, to The Prudential Life Insurance Company for less than 7/8 of the appraisement by an order of the Court, which being received when offered at public auction, November, 8-1924, for the sum of \$3600.00 said sum being less the appraised value of same, John L. Sellers, assignee.

Dated the 20th day of January, 1925.

The State of New Jersey, County of Union, ss.

The above named, John L. Sellers, as assignee of William E. Langhrey, 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. Sellers, assignee.

Sworn to before me, and signed in my presence, this 20th day of January, 1925. J. W. Langhrey, Notary Public

10313

Confirmation

Decree of Confirmation and Distribution

In the Probate Court, Union County, this No. 10313

This cause coming on for hearing upon the return and motion of John L. Sellers, the assignee, of his proceedings and sale of real estate, asking that said real estate be sold for less than 7/8 of the appraised value, as the highest and best offer was \$3600.00. The Court after careful examination being satisfied that the bid of \$3600.00 is a fair and reasonable value for said real estate, and after good cause has been shown for the sale of the same, it is ordered that said motion be sustained, that in all respects, said sale has been legally made, and does hereby approve and confirm the same and order that the said John L. Sellers, as such assignee, make to the purchaser, The Prudential Insurance Co. of America, a corporation of Newark, New Jersey, a good and sufficient deed of the premises so sold free from all liens for all debts due by the assignor, and from the contingent doubt interest of May Langhrey, the wife of the assignor.

And the Court coming now to distribute the proceeds of the sale amounting to \$3600.00 find that the mortgage of the Prudential Insurance Company of America, is the first lien on the premises sold and that there is due thereon the sum of Thirty Hundred, seventy-five (\$3075.00)

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July, 7-1924

E. W. Porter, atty

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Dollars, with 8% interest, payable semi-annually from the 14 day of May, 1924, as asked for in its answer and cross-petition.

It is therefore ordered, that the assignee pay First - the cost, of the proceedings, taxed at One Hundred Fifty (\$150.00) Dollars including assignee and attorney fees, secondly: To the Prudential Insurance Company of America, the amount found due, on its first mortgage to the date of such payment, and later the balance of said funds to the Prudential Insurance Company of America, to pay the taxes on said real estate, and it is therefore ordered that the said the Prudential Insurance Company of America, assume and pay the taxes on said property, as announced on the date of the sale. W.H. Husted, Judge
July 19 - 1925.

1035-6

July 7 - 1924
E. W. Porter, atty

Petition for Sale of Real Estate to Pay Debts.
Probate Court, Union County, Ohio.
Civil action
John Coleman, Executor
of the estate of
Philip P. Coleman, Deceased.
Plaintiff

R.
Rosa Hofman,
John Coleman, and
Conrad Pfarz, minor.
Defendants.

Petition to
Sell Real Estate
Petition.

The Plaintiff represents that he is duly appointed and qualified Executor of the estate of Philip P. Coleman, late of Union County, Ohio, deceased; that the amount of debts and requests due from the deceased is Five thousand (\$5000-) 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 Sixty eight Hundred and Seventy four and 5/100 Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Philip P. Coleman, died seized in fee simple of the following described real estate situate in the County of Union and State of Ohio, and in the Village of Mansville
Being 40 feet off of the north side of Lot

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side of Lot number one hundred fifty one situate ^{on} Walnut st.,
Also one other tract of land situated in said village of
Marysville, County and State, and being Lot No. 5-55-
of Sunny side Park addition to said Village of Marysville
which includes the ~~the~~ Robinson addition to said village.

For a more definite description of said lot
reference is hereby made to the recorded plat of
said addition as found in the Recorders office
Union County, Ohio. That the defendants Rosa Hofman
John Coleman and Conrad Pfarr, are the only heirs
at law and next of kin of said decedent having the
next estate of inheritance from said Philip P. Coleman
deceased in said premises; That said decedent died
leaving no widow. The Plaintiff therefore prays
that the rights, interests and liens of the said Rosa
Hofman, John Coleman, and Conrad Pfarr, 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 of doubt according to the statute in such
cases made and provided, and for all other proper
orders and relief in the premises.

E. W. Porter,

The State of Ohio Union County ss.

John Coleman, 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 C. Coleman, Executor,

Sworn to before me, and signed in my presence,
this 7th day of July, 1924 ^{at} Edward W. Porter, Notary Public,
Union Co., Ohio,

Filing
Petition

Journal Entry: Filing Petition.

On the Probate Court, Union County, Ohio,
July 7- 1924.

This day came the Plaintiff John Coleman, Executor
of the estate of Philip P. Coleman, deceased, and pre-
sented to this Court his petition, duly verified
praying an order for the sale of real estate of
the said Philip P. 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. H. Husted, Probate Judge

1035-6

Return

affidavit

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Summons.

The State of Ohio, Union County,
 To John Coleman, you are hereby commanded to
 notify Conrad Pfarr, 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 he lives; that on the 7-day of July A.D. 1924,
 John Coleman executor, of the estate of Philip P.
 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
 legacies and, that unless they answer by the 9-
 day of August 1924, said petition will be taken as
 true, and an order granted accordingly.

The server will make due return of this writ
 on the 21-day of July 1924.

This writ to be served on each of said defendants
 by copy personally. Witness my hand and the
 seal of said Court, this 7-day of July, 1924
Edw. H. Husted Probate Judge

Return

Return.

Received this writ on the 7-day of July 1924 at 3
 o'clock P.M. and, on the days, and, in the manner
 hereinafter named I served, July 7th 1924, on
 Conrad Pfarr, the within named defendant who is
 minor July, 7- 1924, and on John Coleman, the
 Guardian of the said minor, Conrad Pfarr.

John Coleman.

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

Known to before me, and, signed in my presence, this
 7-day of July, 1924. Edw. H. Husted Notary Public, Union Co., Ohio.

affidavit

Affidavit

Probate Court, Union County, Ohio,
 affidavit for Publishing.

John B. Coleman, the above named plaintiff, being
 duly sworn, says, that Rosa Hofman, defendants in
 this action, is a non-resident of the State of
 Ohio, and service of Summons, can not be made
 upon her, in this State, and, that the case is one
 of those mentioned in Section 11292 of the General
 Code of Ohio.

John Coleman

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The State of Ohio, Union County ss.
John H. Coleman, being sworn, makes, oath and says, that he, is the plaintiff herein; and, that the facts stated in the foregoing affidavit are true as he believes.
John Coleman.

Sworn to by said John H. Coleman, before me, and, signed by him in my presence, this 13. day of August, 1924.
Edward W. Porter, Notary Public, Union County, Ohio.

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Journal Entry: Probate Court, Union County, Ohio.
affidavit to obtain service, by publication, this day came, E. W. Porter, attorney for plaintiff herein, and, delivered to the clerk of this Court, a copy of the Marysville Tribune, a newspaper, of general circulation in Union County, Ohio, containing a publication of notice of the pendency and time of hearing of this action, and, said copy of the said newspaper was this day mailed to Rosa Hofman at Lafayette, Clinton Co., in the State of Indiana.
Aug. 14 - 1924. E. W. Porter, Probate Judge

Legal notice

Legal notice.
Probate Court, Union County, Ohio.
John H. Coleman, Executor estate of Philip P. Coleman, deceased, Plaintiff against, Rosa Hofman, et al. Defendants, No. 10356. Rosa Hofman who resides at Lafayette, Clinton Co., Indiana, will take notice that John H. Coleman, Executor of the estate of Philip P. Coleman deceased, on the 7-day of July, 1924, 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 legacies, and, the charges of administering his estate; that he died seized in fee simple of the following described real estate to wit:

Situate in the County of Union and, State of Ohio, and in the village of Marysville, being 40 feet off the north side of Lot. no. 151 situate on Walnut Street.

Also one other tract of land, situated in said village of Marysville County and State, and, being lot. no. 505 of Sunnyside Park addition to said village of Marysville, which includes the Wm. Robinson addition to said Village.

The prayer of the petition is that said property be sold to pay the debts and charges aforesaid. Rosa Hofman, is hereby notified that she has been made a party defendant to said petition and, that she is required to answer the same on or about the 26-day of Sept- 1924. John H. Coleman, Per. E. W. Porter, atty. Aug. 13 - 1924.

10356

order for appraisement

order of appraisement

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The State of Ohio, Union County ss.
Personally appeared before me, Lena Huber, and made solemn oath, that the notice, a copy of which is hereto attached was published for six weeks, after Aug. 13-1924 in Mansfield Weekly Tribune, a newspaper of general circulation in the county of said. Lena Huber, Brown to before me, and signed in my presence this 25 day of Sept. 1924. J. M. Huber, Notary Public, Feb. 15, 75

order for appraisement

Order for appraisement.

Probate Court, Union County, Ohio.
Oct. 13th 1924.

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 appearances, in the case; and, that as set forth in the petition it is necessary to sell the real estate therein described, to pay the debts of the said Philip P. Coleman, deceased, and, it is therefore ordered and adjudged by the Court that the said premises be appraised free of doubt, by the oaths of Martin Burns, Ira Jenkins, and Harry Brown, 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

Order of appraisement.

The State of Ohio, Union County, ss. Probate Court,
to John Coleman, Executor, of the estate of,
Philip P. Coleman, dec'd. Intervening;

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 Philip P. Coleman, dec'd. are Plaintiff and Rosa Hoffman et al are Defendants, you are commanded that by the oaths of Martin Burns, Ira Jenkins, and Harry Brown, 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 doubt, to wit:

Situate in the village of Mansfield, County of Union, and, State of Ohio, Being forty feet off, of the North side of, Lot number 156 situated on Walnut St.,
Also, one other tract of land, situated in said

Final Record, Union County Probate Court.

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County State ^{of} Villages ^{and} bounded and described as follows:
 Being Lot no. 505 Sunnyside Park addition to said Villages of Marysville which includes the ^{of} Robinson Addition to said Villages. For a more definite description of said lot reference is hereby made to the recorded plat of said Addition as found in the Recorders office of 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 13 day of Oct. 1924
 W. H. Husted, Probate Judge

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 Oct. 15th 1924 John P. Coleman, Executor.
 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.
 Martin Burns, J. E. Jenkins, Herman Braun } appraisers.
 Sworn to before me and signed in my presence this 15th day of Oct. 1924, Edward H. Potter, Notary Public, Union Co. Ohio.

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 herein described as Lot 151 situate on Walnut Street at \$1500.⁰⁰ free of doubt.
 Also said lot no. 505 situated in said Sunnyside Park Addition to the Villages of Marysville Ohio at \$50.⁰⁰
 Given under our hands this 15 day of October 1924.
 Martin Burns, J. E. Jenkins, Herman Braun } appraisers.
 Decree Confirming appraisement and ordering Sale.
 To the Probate Court of Union County Ohio.
 November 13th 1924.

Confirming appraisement and ordering sale

Journal entry: confirming appraisement and ordering Sale.

10356

Application to private sale

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This day this cause on for 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 finds 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 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 John H. Coleman executor, as aforesaid, proceed to advertise and sell the real estate aforesaid, free of doubt, 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 Sales,

Probate Court, Union County, Ohio.

Application

Application

File at

Private sale.

The said Plaintiff represents that it would be for the best interest of the said estate of Philip B. Coleman, Dec'd, 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 least as much as the appraisement, whereas, if sold at public sale it might bring but 2/3 thereof.

2. Because, it will save the costs of advertising 3 " " " " time, & because purchasers have already been secured who will give as much as the appraisement.

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

Final Record, Union County Probate Court.

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John Coleman, Ex. of Philip P. Coleman, dec'd, estate,
The State of Ohio, Union County.

John Coleman, being duly sworn, says, that the
various matters set forth in the foregoing application
are true, as he verily believes.

John Coleman,

known to before me, and, signed in my presence,
this 13th day of November, 1924.

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

affidavit of Disinterested Persons

affidavit of
disinterested

The State of Ohio, Union County.

Persons C.C. Jarvis, Pearl M^cIlroy, and Chas. E. Blair, 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 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 given herein as they
verily believe.

C.C. Jarvis, Pearl M^cIlroy, Chas. E. Blair,

known to before me, and, signed in my presence,
this 13th day of November, 1924.

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

Order of Sale

Order of Sale, Term of Court,

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

To John Coleman, Executor, of the estate of

Philip P. Coleman, deceased. Greeting:

In obedience to an order and decree of the
Probate Court, within and for said county, made
this day, in a certain cause, wherein you as
executor of the estate of Philip P. Coleman, dec'd, are
Plaintiff and Row Hoffman 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 for of down, the following
described premises, to wit:

Situate in the village of Mansville, County of Union
in State of Ohio. Being forty feet off of the north
side of Lot number One bounded ^{off} 51. on Walnut St.,
also, one other tract of land, situated in said
county, State and Village, and bounded and
described as follows:

Being Lot no. 505, of Sunny Side Park addition to
said Village of Mansville which includes the
portion Robinson Addition to said Village.

For a more definite description of said
Lot reference is hereby made to the recorded

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Return

Report

Conferring sale

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plat of said addition as found in the Recorder office of Union County Ohio. Said sale to be first of down and to be upon the following terms: cash on day of sale. you will make return of your proceedings to this court forthwith upon execution of this order. witness my signature and the seal of said court this 13 day of November 1924 seal W.H. Thisted. Probate Judge.

Return

To the Probate Court of Union County. In obedience to the foregoing order I have caused the same to be duly executed so will fully appear by the proceedings hereto attached Dated the 19 day of November 1924. seal John Coleman -
Att. E. J. Porter. his attorney.

Report

Report of Sale. In obedience to the within order I sold said premises on the 19 day of November 1924, to John W. Kuffick said Lot no. 505 in Sunny Side Park in the village of Marysville Ohio for the sum of \$75.00; also to John W. Moder and Mary A. Moder his wife said portion of said lot no. 151 on Walnut Street in said village for the sum of \$165.00. The undivided 1/2 interest in said 160 acres in Dady Township was devised to the executor herein. said Lots sold for the sum of seven hundred and twenty five dollars, said sum being the appraised value of the same. John Coleman, Executor.

Dated November 19 1924. The State of Ohio, Union County ss. The above named John Coleman 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 Coleman, Executor.

Brought to before me, and signed in my presence this 19 day of November 1924. seal Edward W. Porter, Notary Public, Union Co. Ohio

Confirming sub.

Journal entry: Probate Court, Union County, O. November 19 1924. Confirming Sale. This day this cause coming on to be heard on the return of John Coleman, es. Executor of the

estate of Philip P. Coleman, deceased, of his proceedings and sale was under the former order of this Court: the Court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made.

It is ordered that the same be, and hereby is approved, ^{and confirmed;} and, it is further ordered, that said John Coleman, as such executor, make to ^{the} purchaser John W. Griffith a good and sufficient deed for the premises so sold to him including said Lot no. 505- situated in

Sunny side Park (addition to the Village of Maryville, this also to the purchasers, John H. Moder and Mary A. Moder his wife, a good and sufficient deed for the premises so sold to them, situated on Walnut Street, in said Village, it being 40 feet off of the north side of Lot no. 157.

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

W. H. Trustad.

Probate Judge

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Petition

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Aug. 25
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Petition for Sale of Real Estate,

Probate Court, Union County, Ohio.

No. 10391

Benj. F. Miller, Executor,
of the estate of
William Stillings, deceased,
Plaintiff.

Civil Action

v.

John Stillings, Charles Stillings,
Providence Adams, Elizabeth Forrell,
Carrie Coon, Nellie Henry,
Estella Stillings and
Emily E. Stillings, widow of
Wm Stillings, deceased,
B. E. Baker, Exor. of said
Emily E. Stillings, Defendants.

Petition to
sell Real Estate

Petition.

The Plaintiff represents that he is the duly appointed and qualified executor of the estate of William Stillings late of Union County, Ohio, deceased, that the said William Stillings died testate and by the terms of his will which has been duly admitted to probate and record in Probate Court of Union County, Ohio, said executor is directed to sell and convert into money all real estate owned by said decedent at his death for the purpose of paying certain legacies and distributing the same among designated persons as directed by said will.

Petition

The plaintiff further represents that said William Stillings died ^{single} in fee simple of the following described real estate, situate in the County of Union Sp. of Allen, and State of Ohio, to-wit:

Being part of Survey no. 2977 and 2983, said bounded and described as follows:-

Beginning at the South West corner of 144 acres of land owned by William and French H. Stillings in the center of Buck Run; thence with the westerly line of the above named tract North 57° East 1.50 poles to a limestone; thence with an southerly line of said 144 acre tract South 38° 30' East 42.80 poles to a stone in the westerly line of Little Cor² land; thence with said line South 57° West 119.80 poles to a stone in the center of a gravel road, and in the line dividing the above named survey; thence with said road and survey line North 31° West 98.90 poles to an iron rod at the North West corner of C. Maggill land; thence with the westerly line of said lands, South 59° West 90.90 poles to a post at

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at the north easterly corner of. Helyde Robinson's land; thence with the northerly line of. said land. North 30° East 49 poles; to a stake at the southerly corner of. said French M. Stilling's 130 acre tract; thence with the easterly line of. said tract North 57° East 113.80 poles to the center of. Buck Run (witness a stone South 57° West on the bank; thence down said stream with the various meanders. thence to the beginning containing 122 acres, more or less. 30 acres being in Survey no. 2979. 92 acres being in Survey no. 2983.

Except and subject to certain right of way deeded by Thomas Stilling to Ella M. Chandler, and, manner B. Davis by. deed, recorded in Vol. 82. Page. 492. Deed Records of Union County Ohio, reference to which is made as. a part hereof.

Plaintiff further says. that in order. to carry out the terms of the Will. of. said decedent. and to pay the legacies therein provided and make distribution of. the estate as therein directed it is necessary to sell said real estate.

The said decedent died leaving the defendant Emily E. Stilling his widow who is not entitled to dower in said premises; for the reason. that there was ample provision made for her in the Will of her deceased husband. which was given her in lieu of dower. that said widow has accepted the provisions of. said Will in lieu of dower and has filed her election with the Probate Court. of Union County. Ohio. Defendant B. E. Baker is the duly appointed and qualified guardian of. the said Emily E. Stilling. that the Defendants. John Stilling, Charles Stilling, Providence Adams, Elizabeth Knell, Carrie Cox, Nellie Kenny, Estella Stilling Davis, are the only next of kin and heirs at law. having the next estate of inheritance from said William Stilling deceased. in said premises. and are all the legatees and distributees of said estate.

The Plaintiff therefore prays. that he may be authorized ^{to} ordered to sell said real estate free from the dower estate of. Emily E. Stilling. according to the statutes in such case made and provided. and. for all other proper orders. and relief in the premises. Over ^{to} Miller attys for. Repts.

The State of Ohio. Champaign Co. ss.

Bernard F. Miller 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}.
Bernard F. Miller.

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Filing Petition

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known to before me, and, signed in my presence, this 23-day of Aug. 1924. [Seal] W. H. Husted, Probate Judge

Filing Petition

In the Probate Court, of Union County, Ohio, August 25th 1924.

Filing Petition to Sell Real Estate. This day came the Plaintiff Benjamin F. Miller Executor of the estate of William Stillings and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said William Stillings, 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,

Probate Court, of Union County, Ohio, answer of B. E. Baker, Exor., of Emily E. Stillings.

now comes B. E. Baker, and represents that he is the duly appointed, qualified and acting guardian of Emily E. Stillings, appointed by the Probate Court of Union County, Ohio, and, that for himself and his ward he voluntarily waives the issuing and service of summons, as well as rule days, voluntarily enters appearance herein and consents to the prayer of plaintiff's petition.

This answering defendant further says that he admits that provision was made for Emily E. Stillings in the will of her deceased husband, and, that she has elected to accept the same in lieu of her dower, in the real estate of her said deceased husband, and, that she is not entitled to dower in the premises described in Plaintiff's petition.

B. E. Baker, Exor., Emily E. Stillings.

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State of Ohio, Union County ss.

Oath

B. E. Baker, being first duly sworn, says that the facts set forth in the foregoing answer are true as he truly believes. B. E. Baker.

known to before me, and, signed in my presence, this 25-day of August, A. D. 1924.

John A. Kemmington, Notary Public, Fee 40 cts.

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Waiver

Probate Court, Union County, Ohio,
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 prayer of the same. August 25 - 1924

waiver

Barnie Cor., Nellie Kenny, per C. A. Cooper her atty.

Waiver

Probate Court, Union County, Ohio,
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.

Aug. 25 1924.

John Stilling, Chas. L. Stilling, Providence Adams,
Stella S. Davis Elizabeth S. Ferral

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Legal notice

Legal notice

Pursuant to an order of the Probate Court of Union
County, Ohio, the undersigned Executor of the William
Stilling deceased, will offer for sale, at public auction
at the court house, Mansfield, Ohio, on the 27 day of
September 1924, at one o'clock, P.M. Central Standard
time, the following real estate:

Situate in the County of Union Township of Allen
State of Ohio, and being part of Survey No. 2979,
and 2983, and bounded and described as follows:
Beginning at the S.W. corner of 144 acres of land
owned by William and French H. Stilling in the
center of Buck Run; thence with the westerly line
of the above named tract N 57° E, 1.50 poles to a
limestone; thence with a southerly line of said
144 a. tract S. 38° 30' E. 42.80 poles to a stone
in the westerly line of Lottie Cor's land; thence with
said line S. 57° W. 119.80 poles to a stone in
the center of a gravel road and in the line
dividing the above named survey; thence with said
road and survey line N. 31° W. 98.90 poles to an
iron rod at the N.W. corner of C. Magill's land; thence
with the westerly line of said lands, S. 57° W. 90.90
poles to a post at the north easterly corner of Clyde
Robinson's; thence with the northerly line of said
land, N. 30° W. 49 poles to a stone at the

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Order for appraisement

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southerly corner of French G. Stillings' 130 a. tract; thence with the easterly line of said tract N. 5-7° E. 113.80 poles to the center of Buck Run, (minus a. stone S. 57° W. on the Bank; thence down said stream with the various meanders thereof, to the beginning containing 172 acs. more or less, 30 a. being in Surry no 2979, 92 a. being in Surry no. 2983.

Except land subject to a certain right of way deeded by Thomas Stillings to Ella W. Chandler and Wamine B. Davis by deed recorded in Vol. 82 page 492. Deed Records of Union County, reference to which is made as a part hereof.

Terms: one third each - one third in one year, and one third in two years, with interest and secured by mortgages on real estate, Benj. F. Miller, ex- of W^m Stillings, Decd.

Aug. 27- 1924.

The State of Ohio, Union County ss.

Personally appeared before me, Lewis Huber, and made solemn oath, that the notice, a copy of which is hereto attached was published for five consecutive weeks in, and next after August 27- 1924, in the weekly Mansfield Tribune a newspaper of general circulation in the county aforesaid. Lewis Huber,

Given to before me, and signed in my presence, this 25th day of September, A.D. 1924. J. M. Huber, Notary Public. Fees. \$2.00.

Probate Court of Champaign County, Ohio.

10391

Benj. F. Miller, Executor, of the estate of W^m Stillings, Decd. Plaintiff.

no. 10391

entry.

Order for appraisement

Jolin Stillings, et. al. Defendants.

Order for appraisement - etc.

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, and, also, upon the waiver of summons, entry of appearance, and consent to the sale of said real estate by all of said defendants, as well as, the answer of J. B. E. Baker, guardian of Emily E. Stillings.

And the Court, being fully advised in the premises finds that all the defendants herein have entered their appearance, in writing as prescribed by law and are now properly before the Court.

The Court further finds that Emily E. Stillings widow of the said W^m Stillings, deceased, is not

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entitled to dower, in the premises, described in the petition, for the reason, that provision was made for her in the Will of the said William Stillings, deceased, and if accepted by her, was to be in lieu of her dower in any and all of his real estate: that said Will has been duly probated in the Probate Court of Union County, Ohio, and said widow has filed her election accepting the provisions of said Will for her in lieu of dower.

The court further finds that the allegations of plaintiffs petition are true and that it is necessary to see the real estate in the petition described as therein alleged.

wherefore, it is considered, and, ordered, by the court, that L. O. Mapes, John Clemens, and Luther Wood three judicious and disinterested men free holders of the vicinity, after being first duly sworn, and upon actual view of the of the premises in said petition described, appraise the same at its cash value free from the dower rights of any person; that an order issue from this Court, directing said executor to proceed, with said appraisement; that the same be attended to without delay, and upon the completion of the same, said executor make due return of said order of appraisement to this Court for confirmation, to which time this cause is continued.

W. H. Husted, Probate Judge

10391

Order of appraisement

The State of Ohio, Union County, ss. Probate Court.
To Benj. F. Miller, Executor of the Estate of
William Stillings, Deceased.

order of appraisement

of appraisement

In obedience to an order and decree of the Probate Court, within and for said county, made this day in a certain cause, wherein you as, Executor of said Estate, are Plaintiff and John Helling et al. are Defendants, you are commanded by the oaths of L. O. Mapes, John Clemens, and Luther Wood, 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 Emily E. Stillings, therein, to wit: Situated in the County of Union, Township of Allen, State of Ohio, being part of Survey No. 2979, and 2983 as bounded, and described as follows:

appraisement

Beginning at the South West Corner of 144 a. of land, owned by William and Lucretia H. Stillings in the center of Buck Run, thence, with

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The westerly line of the above named track north 57° East 1.50 poles to a limo stone; thence with a southerly line of said 144-acre tract south 38° 30' east 42.80 poles to a stone in the westerly line of Little bear's land; thence with said line south 57° west 119.80 poles to a stone in the center of a gravel road and in the line dividing the above named surveys; thence with said road and survey line north 31° west 98.90 poles to an iron rod at the north west corner of C. Magills land; thence with the westerly line of said lands, S. 59° west 90.90 poles to a post at the north easterly corner of Clyde Robinson land; thence with the northerly line of said land north 30° west 49 poles to a stone at the southerly corner of said Tracts H. Stilling 130 tract; thence with the easterly line of said tract north 57° east 113.80 poles to the center of Buck Run, witness a stone south 57° west on the bank; thence down said stream with the various meanderings thereof to the beginning containing 122 acres, more or less, 30 a. being in Survey No. 2979. 92 a. being in Survey No. 2983. Excepting and subject to an certain right of way deeded by Thomas Stilling to Ellen M. Chandler and Harriet B. Davis by deed recorded in Vol. 82 pg. 492. Deed records of Union County, this reference to which is made as a part hereof. you will make return of your proceedings to this Court, forthwith upon execution of this order. witness my signature, and the seals of said Probate Court, at Marysville, Wis. this 25th day of August, A.D. 1924.

[Signature]
W. H. Husted, Probate Judge

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Return

Return
To the Probate Court of Union County, Wis:
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 26th day of August, 1924.
Frank Keller Sheriff

10391

oath of appraisers

Oath of appraisers.
The State of Wis. 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.
L. O. Mapus, John Clemens, L. A. Wood, appraisers.

Final Record, Union County Probate Court.

10391

Brown to before me, and signed in my presence. This 26-day of August, 1924. Frank Collier, Sheriff. 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 estimated the value of said real estate, to wit: Six-thousand-five hundred six and 6/100 Dollars.

Given under our hands this 26-day of August, 1924

L. O. Mapes, John Clemens, L. A. Wood, Appraisers.

Entry

Probate Court of Union County, Ohio.

No. 10391

Order for Public Sale

Order for Public Sale

This day this cause came on for hearing 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 order of the Court, and the same is hereby approved and confirmed.

and it further appearing to the Court that the plaintiff has given bond in sufficient amount to protect the distributees of the proceeds of said sale, further bond is dispensed with.

It is now therefore ordered, that said Benjamin F. Miller as such executor proceed to advertise for sale at the Court House, Marysville, Ohio, the real estate in the petition described as provided by law; and that he sell the same, at not less than 75% of the appraised value thereof; on the following terms, to wit: one-third cash in hand, and the balance in one and two years from date of sale, deferred payments to be secured by mortgage on the premises sold and to bear interest, and said plaintiff is ordered to make return to this Court, immediately after the consummation of such sale.

W. H. Husted, Probate Judge. Order of Sale. From of, Donee.

10391

The State of Ohio, Union County, ss.

Probate Court.

To Benjamin F. Miller Executor of the estate of William Stillings, dec'd. Greeting:

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 Executor are Plaintiff, and John Stillings et al. are Defts, you are commanded, to proceed according to law, to sell at public sale, for not less than

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Return

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4/3 The appraised value thereof free of the dower of Emily Stillings widow of William Stillings deceased, the following described premises, to wit:

Situated in the County of Union Township of Allen, and State of Ohio, being part of Surry no. 2979 and 2983, and bounded and described as follows:

Beginning at the South West corner of 144 acres of land owned by William and French G. Stillings in the Center of Buck Run; thence with the westerly line of the above named tract North 57° East 1.50 poles to a limestone; thence with an southerly line of said 144 acre tract South 38° 30' East 42.80 poles to a stone in the westerly line of Lottie Cor's land; thence with said line 57° west 119.80 poles to a stone in the center of a gravel road, and in the line dividing the above named surveys; thence with said road and survey line north 31° West 98.90 poles to an iron rod at the north west corner of C. Maxwell's land; thence with the westerly line of said lands, South 59° West 90.90 poles to a post at the northwesterly corner of Clyde Robinson's land; thence with the northerly line of said land, North 30° West 49 poles to a stone at the southerly corner of said French G. Stillings' 130 a. tract; thence with the easterly line of said tract North 57° East 113.80 poles to the center of Buck Run; witness a stone South South 57° West on the bank. Thence, down said stream with the various meanders thereof to the beginning, containing 122 acres, more or less. 30 a. being in Surry no. 2979. 92 a. being in Surry no. 2983.

Except and subject to a certain right of way deeded by Thomas Stillings to Ella M. Chandler and Harriet B. Davis by deed recorded in Vol. 82 page 492 Deed record of Union County, Ohio, reference to which is made as a part hereof.

Said sale to be free of dower of Emily Stillings 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 26-day of August, 1924.

Attest. *[Signature]* Probate Judge

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. *[Signature]* Executor

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Dated the 24 - day of Dec - 1924
Report of Sale.

Report

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 Sept. 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 place of sale, and offered said real estate for sale free from the dower estate of Emily E. Stilling therein, when Elizabeth Ferrell, and LeRoy Ferrell bid to pay for the same the sum of Fifty-two hundred 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 them for that sum.

Benj. F. Miller, Executor.

Dated the 27 - day of Dec - 1924.

Entry of Confirmation.

Confirmation

Probate Court, Union County, Ohio.
This day this cause came on to be heard, upon the return of the Plaintiff of the order of sale heretofore issued herein, and of the proceedings and sale of Plaintiff under the order of this Court and the Court having carefully examined the same and being satisfied that said sale has in all respects been legally made does hereby approve and confirm the same, and order that the said Benjamin F. Miller, as executor of the estate of William Stilling, deceased, make to the purchaser, Elizabeth Ferrell, LeRoy Ferrell a good and sufficient deed for the premises, as sold, free from any dower of Emily E. Stilling, in accordance with the former findings of the Court, that she has no claims or dower therein; leaving her give other property in lieu of dower which she has elected to take.

and, it being made to appear to the Court that the purchaser of said premises has elected to pay therefor in cash, and that it is to the best interests of the estate, that said cash be received and the sale so made, it is accordingly ordered, that said executor execute and deliver to said purchaser conveyance of said premises as above ordered, upon payment by her of the purchase price therefor, to wit:

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Oct. 11 -

1924.

attorney
E.W. Porter.

Petition

10391 The sum of \$ 5200.⁰⁰.

And the court coming now to distribute the said sale amounting to \$ 5200.⁰⁰, it is ordered, that said executor pay:

1. The costs and expenses incurred in the sale of said property, including the Court costs amounting to the sum of \$ 21.⁰⁰, cost of advertising the sale of said property amounting \$ 20.²⁵ to E. J. Evans, auctioneer the sum of \$ 10.⁰⁰ the percentage and charges of the executor herein on said sale, the sum of \$ 224.⁰⁰ to Plaintiff's attorney for conducting said proceedings and sale, the sum of \$ 224.⁰⁰ (\$ 224.⁰⁰) amounting in all to the sum of \$ 499.²⁵ and, it is ordered that the balance of said sum amounting to \$ 4700.⁷⁵ be accounted for by said executor according to law after deduction of \$ 5.⁵⁰ for errors stamp on deed.

W. H. Husted Probate Judge

10418

Oct. 11-

1924.

attorney
E. W. Porter.

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

v.

His said ward -
Robert Conroy, and
Roy B. Conroy, and
Fannie B. Conroy, widow
of
William H. Conroy, Deceased.
Defendants.

Petition

to

Sale Real Estate

Petition.

The Plaintiff represents that he is the duly appointed and qualified Guardian of Robert Conroy, of the age of 19 yrs. on the 5 day of August 1924, and residing with the plaintiff herein, and with Fannie B. Conroy his mother, at Richmond Union County, Ohio.

Petition

That said Fannie B. Conroy is the widow of William H. Conroy deceased, who was during his life time the father of said Robert Conroy, minor, as aforesaid, and as such is entitled to have her share of that personal property of said ward has come into the possession of the Guardian herein, as shown by the accounts heretofore filed in this court.

That said Roy B. Conroy is unmarried, and is entitled to the next estate of inheritance in said above described real estate, subject to the dower estate of said Fannie B. Conroy, widow as aforesaid.

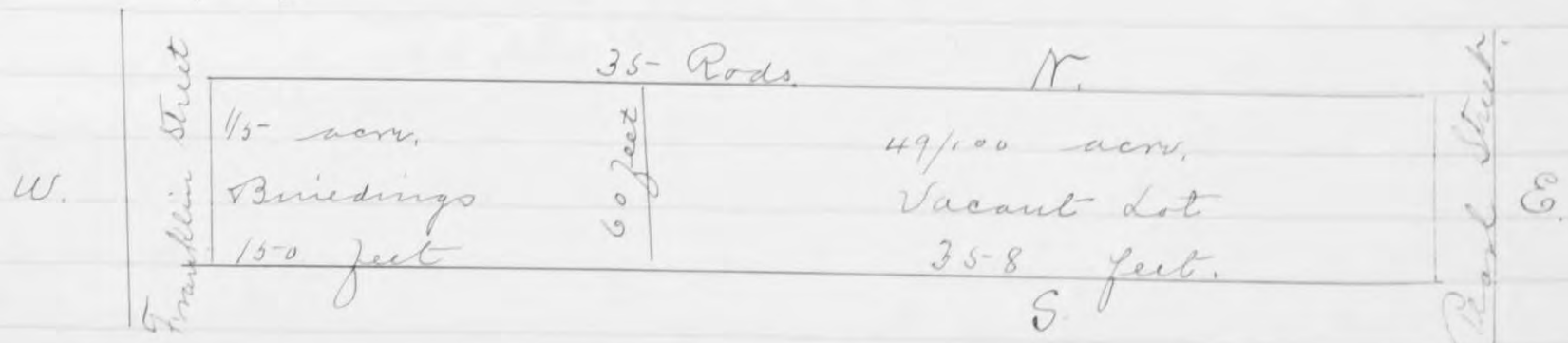
10418

That said ward is the owner in fee simple of the undivided one-half of the following described real estate, situated in the County of Union State of Ohio, and in the townships of Blairtown, and village of Richmond, subject to the dower estate of Fannie B. Corby, widow herein.

Beginning at a stake, witnessed by an iron stake N. 76° 30' E. 2 1/2 feet at the S. E. Corner of a lot sold by Benjamin F. Davis to James F. Bushman, thence with the S. line of said Bushman lot in a westerly direction S. 76° 30' W. 366 1/2 feet to the N. E. corner of a lot containing 20/100 acres, owned formerly by David C. Bushman thence with the E. line of said lot in a southerly direction S. 21° 15' E. 60 feet to the S. E. Corner of the above mentioned 20/100 acre tract; thence in an easterly direction N. 76° 30' E. 358 feet to a stake, witnessed by an iron stake N. 76° 30' E. 2 1/2 feet, in the west line of Pearl Street; thence in a northerly direction N. 13° 45' W. 60 feet to the place of beginning, containing 49/100 acres, more or less.

Also, one other tract of land, situated in said Township of Blairtown, County of Union, State of Ohio, and village of Richmond, and beginning at the S. W. corner of land, deeded on August 3-1908, to James W. Bushman, and in the E. line of Franklin street; thence easterly with the S. line of Franklin street; thence with the S. line of said Bushman land, 150 feet to a stake thence in a southerly direction parallel with the E. line of said Franklin street 60 feet to a stake; thence in a westerly direction parallel with the N. line 150 to the E. line of Franklin Street; thence in a northerly direction with the E. line of Franklin Street 60 feet to the place of beginning, containing 4/5 acre, more or less.

That the relative positions of said two described tracts, as above described, are shown in the following plat, to wit:



said real estate is worth approximately One Hundred and twenty Dollars. That said Plaintiff has received rents from the real estate of this ward, as shown by the account filed herein. That the sale of said real estate is asked for the reason that said real estate of the said minor

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Filing

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Order

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therein is suffering an avoidable waste, and that a better investment of its value can be made and that the sale thereof will be for the benefit of said minor. The Plaintiff therefore prays, that said Robert Coutry, minor as aforesaid, and Fannie B. Coutry, widow of said William B. Coutry, deced, and said Roy B. Coutry, may be made Defendants to this petition (and notified of the pendency hereof according to law.) that Plaintiff may be ordered to sell said real estate for the reasons and purposes hereinbefore proposed, and for other 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 verily believes.

Benjamin F. Beem, Petitioner.

Sworn to before me and signed in my presence, this 14 day of October, 1924

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

10418 Filing

Journal entry: Orders fixing time of hearing for notice Probate Court Union County, Ohio October 14 - 1924.

This day Benjamin F. Beem, Guardian of Robert Coutry, a minor, appeared in open Court and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his said ward, Robert Coutry, a minor.

It is ordered, that the time of hearing said petition to and hereby is fixed for the 15th day of November 1924, at 1 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 Robert Coutry his ward and to Roy B. Coutry, and Fannie B. Coutry widow of William B. Coutry, deceased, 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 their usual place of residence of each of those who cannot be served personally 3 days before said day of hearing, and this cause is continued.

W. H. Hubbell, Probate Judge

Order for Notice.

10418 Order

Probate Court, Union County, Ohio.

To Benjamin F. Beem, Guardian: You are hereby ordered, to give notice to Robert Coutry, a minor, your ward, and Roy B. Coutry, and Fannie B. Coutry, widow of William B. Coutry, dec'd, Defendants, to your petition. This day filed in said

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Probate Court for assignment of dower and 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 three days before the time hereinafter named for said hearing:

The real estate so asked to be sold is described as follows, to-wit:

It being the undivided one-half of the following described real estate, situated in the County of Union State of Ohio, and in the township of Blairtown and Village of Richwood subject to the dower estate of Fannie B. Conroy, widow herein. (See description Petition Pg. 216)

Said petition will be for hearing before said Probate Court, at the office of the Judge of said Court, in November 1924 at one o'clock P. M. Said Edm. will make due return showing how he served this order.

Witness my hand, and the seal of said Court, at Marysville, Ohio, this 15th day of October, 1924.

~~Wm. H. Stuedel~~ Probate Judge.

Return

Return of order.

of order

Received this order the 27 of October 1924 and thereupon served the same on said defendants, Robert Conroy Minor, Roy B. Conroy, and Fannie B. Conroy widow, as aforesaid, as shown hereon. Benjamin L. Beem, Clerk

Order for appraisement

We, the undersigned defendants named herein, do each of us, acknowledge due and legal service of the foregoing writ. Fannie B. Conroy, Roy B. Conroy.

Return

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Return

The State of Ohio, Union County:

I, Benjamin L. Beem, being duly sworn say, that on the 27th day of October 1924 I served this writ by delivering a true copy thereof personally to the within named Robert Conroy, a minor; Roy B. Conroy; and Fannie B. Conroy widow, as aforesaid. Benjamin L. Beem, Clerk

shown to before me, and signed in my presence, this 27th day of October 1924 ~~at~~ Arthur Flecher, Notary Public, Minico, D.

Answer of Widow.

Answer of

Widow.

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, say that she is the widow of said William B. Conroy, deceased, and, as such, is entitled to her dower in the premises described in said petition, that her age is forty-seven years, and she freely consents to said sale as prayed for, and

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Order of appraisement

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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 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 truly believes. Fannie B. Conroy.

known to before me, and signed in my presence, this 27th day of October, A.D. 1924.

Attest Arthur Fletcher, Notary Public, Union Co., Ohio
Probate Court, Union County, Ohio.

November 19th 1924.

Journal entry, Order for appraisement.

Order for appraisement

This day this cause came on to be heard upon the petition, proof, 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, as it is suffering unavoidable waste and that a better investment of its value can be made and it will benefit said minor.

and, Fannie B. Conroy the widow of the said William B. Conroy, deceased, having by her answer, waived the assignment of her dower, by metes and bounds; it is therefore ordered and adjudged by the Court that the said premises be appraised free of dower, by the oaths of O. G. Bolenbaugh, J. F. McElhenny, and, L. J. McCoy 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. B. Busted, Probate Judge

Order of appraisement.

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Order of appraisement

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

To Berj. F. Beem, Exor. of Robert Conroy, 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, Exor. of Robert Conroy, a minor vs. Plaintiff, and, his Ward et al. are Defendants, you are commanded that by the oaths of O. G. Bolenbaugh, J. F. McElhenny, and, L. J. McCoy judicious disinterested men of the

Final Record, Union County Probate Court.

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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 undivided one-half of following described premises, subject to the dower estate of Fannie B. Conroy, widow of W. H. Conroy, dec'd. therein, to wit: Situated in the village of Richmond, Township of Clairborne, County of Union and State of Ohio, being the undivided one-half thereof and beginning at a stake, witnessed by an iron stake N. 76° 30' E. 2 1/2 feet at the S. E. Corner of a lot owned by Benj. F. Davis to James F. Bushman, thence with the S. line of said Bushman lot in a westerly direction S. 76° 30' W. 366 1/2 feet to the corner of a lot containing 20/100 acres, owned formerly by David C. Bushman; thence with the E. line of said lot in a southerly direction S. 21° 15' E. 60 feet to the S. E. Corner of the above mentioned 20/100 acre tract; thence in an easterly direction N. 76° 30' E. 358 feet to a stake witnessed by an iron stake N. 76° 30' E. 2 1/2 feet in the west line of Pearl Street; thence in a northerly direction N. 13° 15' W. 60 feet to the place of beginning containing 49/100 acres, be the same more or less.

also, one other tract of land, situated in said township of Clairborne, County of Union, State of Ohio, and village of Richmond, said, beginning at the S. W. corner of land, deeded on Aug. 3-1908 to James W. Bushman and in the E. line of Franklin St. thence easterly with the S. line of Franklin Street; thence with the S. line of said Bushman land 150 feet to a stake; thence in a southerly direction parallel with the E. line of said Franklin Street 60 ft. to a stake; thence in a westerly direction parallel with the W. line 150 to the E. side of Franklin Street; thence in a northerly direction with the East line of Franklin Street 60 feet to the place of beginning, containing 15-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 19-day of November, 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 thereto attached
 Dated Dec. 4-1924. Benj. F. Beem, Esq.

Return

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Appraisers Return

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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.

O. G. Bolentaugh, J. F. McEherry, L. J. McCoy appraisers,
known to before me - and signed in my presence.
this 4th day of December, 1924.

Edmond H. Porter Notary Public, Union Co. Ohio

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 Three Thousand Dollars, free of the said down state of said widow Fannie B. Conroy as aforesaid.

Said 1st above described tract of 49/100 a. we appraise at \$1000 -
" 2nd " " " 1/5 a " " 2900

The above being the entire value of said 2 tracts, we the undersigned one-half thereof at \$500⁰⁰ and \$1450⁰⁰ respectively, or the total sum of \$1950⁰⁰ for said undivided one-half.

Subject to the down estate of Fannie B. Conroy herein valued at \$789⁰⁰ leaving a balance of \$1075⁵⁰ as the appraised value of Robert Conroy, given under our hands, this 4th day of Dec, 1924.

O. G. Bolentaugh, J. F. McEherry, L. J. McCoy appraisers

10418

Journal entry: Orders approving appraisement for Bonds, Probate Court, Union County, Ohio, December 8 - 1924.

orders approving appraisement for Bonds

This day came the said Plaintiff by his attorney, and produced, to the Court, the report of an appraisement herein made by O. G. Bolentaugh, J. F. McEherry and L. J. McCoy in pursuance of a former order of this Court. Upon its 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 Benjamin F. Beem, as Guardian, execute within -- days, to the State of Ohio, a bond with sufficient sureties, to be approved by the Court, in the sum of Three Thousand (\$3000-) Dollars, conditioned according to law, and this cause.

1048

is continued. W.H. Husted, Probate Judge -
Guardian's Bond.

Know all men by these presents: that Mr. Benj. F. Beem, L.J. McCoy
and, D.B. Whitehead are bound and firmly bound unto
the State of Ohio, in the sum of three thousand (\$3000-)
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 11
day of December, A.D. 1924. The condition of the above
obligation is such, that whereas the above bound
Benj. F. Beem, was heretofore duly appointed and qualified
by the Probate Court of Union County, Ohio, as Guardian of Robert
Couty, a minor, 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 ward, described in
said petition, which under proceedings in said
Court, duly had, has been appraised at the sum
of fifteen hundred Dollars, and whereas said
Court, on the 8 day of December, 1924, made an
order requiring said Guardian to execute a bond
according to the statute in such cases made and
provided.

Now if the said Benj. 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.J. McCoy, D.B. Whitehead
Executed in Presence

of
Arthur Fletcher,
Sturgis B. Cheney

This Bond, approved in open Court, this 11 day of
December, 1924, ~~at~~ W.H. Husted, Probate Judge

application to sell Real Estate at Private Sale,
Probate Court, Union County, Ohio,
no. 1048

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 public sale, the property could
go for 2/3 of the appraisement, whereas if sold at
private sale, it must bring the entire appraisement.

Bond

application
to
sell at
Private sale.

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Oath

affiant of
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2. Because it will save the costs and time of advertising.

3. Because a purchaser has already been secured who will pay the full amount of the appraisement, and he therefore asks for an order authorizing him to sell said real estate at private sale -

Benj. F. Beem, Guardian of Robert Comby, minor.

The State of Ohio, Union County,

Oath

Benjamin F. Beem, being duly sworn, says, 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 11th day of Dec - 1924.

Sturgis K. Cheney, Notary Public, Union Co., Ohio
Affidavit of Disinterested Persons.

Affidavit of Disinterested Person

The State of Ohio, Union County,

L. J. McCoy, D. B. Whitehead, and J. F. Rapp, 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, that it will be more for the interest of the said Ward, to sell said real estate at private sale than at public sale, and, for the reasons given herein, as they verily believe.

L. J. McCoy, D. B. Whitehead, J. F. Rapp -

Sworn to before me, and signed in my presence, this 11th day of December, 1924

Sturgis K. Cheney, Notary Public, Union Co., Ohio.

10418

Approving Bond for Private Sale

Journal Entry: Orders approving Bond for Private Sale Probate Court, Union County, Ohio, December, 11 - 1924.

This day this cause came on further to be heard, and it appearing to the Court, that the said Benjamin F. Beem, as guardian, the plaintiff above named, has given bond, as heretofore ordered, in the sum of Three Thousand Dollars, with L. J. McCoy and D. B. Whitehead 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 Benjamin F. Beem, as such, Guardian proceed to sell said real estate free of down, at private sale, for not less than the appraised value thereof, on the following terms, to wit: Cash in hand on day of sale, and, said petitioner is ordered, to make return

Beem, L. J. McCoy and into (\$3000) jointly

is, this 11th day of the above and qualified of Robert Benjamin F.

in said he of ed in in said the sum said he are a bond re and seem as his ay over the w, there in full

11th day of day the sale, city, Ohio,

for the estate private

erty could ed at appraisement.

10418
Order

In this court, immediately after such is made, ^{an}. This cause is continued. W. H. Husted, Probate Judge -
Order of Sale - Free of Debt.

The State of Ohio, Union County, ss. Probate Court,
To: Benj. F. Deem, Guardian of Robert Conroy, minor Heir;

In obedience to an order and decree of the Probate Court, within and for said county, made this day, in a certain cause, wherein you as guardian of Robert Conroy, a minor are Plaintiff and his ward et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$1075.⁵⁰ the appraised value thereof subject to the dower of Fannie B. Conroy widow of William H. Conroy, deceased, the following described premises, to-wit: It being the undivided one-half of the following described real estate, situated in the State of Ohio, County of Union, Township of Blairtown, and Village of Richmond, subject to the dower estate of Fannie B. Conroy.

Beginning at a stake, witnessed by an iron stake N. 76° 30' E. 2 1/2 feet at the S.E. corner of a lot sold by Benj. F. Davis to James F. Bushman; thence with the S. line of said Bushman lot in a westerly direction S. 76° 30' W. 366 1/2 feet to the N.E. corner of a lot containing 20/100 acrs. owned formerly by David C. Bushman; thence with the E. line of said lot in a southerly direction S. 21° 15' E. 60 ft. to the S.E. corner of the above mentioned 20/100 acre tract; thence in an easterly direction N. 76° 30' E. 358 feet to a stake, witnessed by an iron stake N. 76° 30' E. 2 1/2 ft. in the west line of Pearl Street; thence in a northerly direction N. 13° 15' W. 60 ft. to the place of beginning, containing 49/100 acrs. by the same more or less.

also, one tract of land, situated in said Township of Blairtown, County of Union, State of Ohio, and Village of Richmond, and beginning at the S.W. corner of land deeded on August 3rd 1908. to James M. Bushman and in the E. line of Franklin Street; thence easterly with the S. line of Franklin Street; thence with the S. line of said Bushman, 150 feet to a stake; thence in a southerly direction parallel with the E. line of said Franklin Street 60 feet to a stake; thence in a westerly direction parallel with the N. line 150 to the E. line of Franklin Street; thence in a northerly direction with the E. line of Franklin Street 60 feet to the place of beginning, containing 1/5 acrs. more or less.

Said sale to be subject to dower of Fannie B. Conroy, widow as aforesaid, ^{an}. to be upon the following terms: Cash on delivery of deed.

10418

Return

Report

Cost

10418

Confirmation

10418

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 11-day of Dec. 1924.

Return

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 15th day of Dec. 1924.

Report

Benjamin F. Deem, Guardian Report of Sale

In obedience to the within order, I sold said premises on the 15th day of December, 1924, to John H. Haines for the sum of One thousand seven hundred and 50/100 Dollars said sum being the appraised value of the same. Benjamin F. Deem, Guardian. Dated Dec. 15th 1924.

Oath

The State of Ohio, Union County, ss. The above named Benj. F. Deem, 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. Benj. F. Deem, Guardian, as aforesaid, sworn to before me, and signed in my presence, this 15th day of December, 1924.

10418

Confirmation

Journal entry: confirming sale. Probate Court, Union County, Ohio, December, 15th 1924.

This day this cause coming on to be heard, on the return of Benj. F. Deem, Guardian, of Robert Lambey, minor, of his proceedings and sale under the former order of this Court; the Court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made. It is ordered, that the same be approved and confirmed; and it is further ordered that said Benjamin F. Deem as such Guardian, make to the purchaser John H. Haines 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 at \$

W. H. Husted Probate Judge

10481

Guardian's Petition to Sell Real Estate

Probate Court, Union County, Ohio,
No. 10481

Jan. 13-1925
C. H. Kallpach
atty.

Edith Scheidner,
Guardian of
George Schneider,
Plaintiff

Her said Ward,
George Schneider,
Bertha Critchard
Lucile Schauble (Schauble)
J. M. Scheidner
Anna Johnson
Clara Schneider
Emma Gilbert
Tillie Mavor (Tillie)
Lena Loschky
Katherine Scheidner
Geo. Schneider, Grand
Francis Nicol
Florence Engel
Christine Engel minor.
Her son Engel, father.

Petitioner
to
Sell Real Estate.

Petitioner

Defendants.

The Plaintiff represents that she is the duly appointed and qualified Guardian of George Schneider of the age of 81 years, on the 14-day of May, 1925, and residing in Mansville 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 Mansville, to wit:

Being a part as surveyed of, out lots no. 8 and 9 of the Mathews addition lying in the south part of Mansville, starting in the southwest corner of a lot no. 9 in East line of London Branch Road; Thence S. 84° 10' 981 feet along Amelia Coder north line, thence N. 5° 50' E. 663 feet along Amelia Coder west line; thence N. 84° 10' W. 821 feet along Geo. Fensel, Dr. Luttrell Henderson and John Fensel's south line to the East line of the London Branch Road; Thence with the east line of the London Branch Road S. 17° 35' West 191 feet; thence S. 82° 40' E. 173 feet along Ida Brown north line, thence S. 88° 30' W. 150 feet along Ida Brown East line; Thence N. 83° 40' W. 196 feet along Ida Brown South line to the east line

Petitioner

Petitioner

Filing Petition

of London Road, thence S. 17° W 337 feet with the east line of London Road to the beginning of survey containing 12 1/2 acres more or less.

Said real estate is worth annually \$200- That said Plaintiff has received the rents from the real estate of his ward. That the sale of said real estate is necessary to keep, maintain, and support the said ward, George Scheiderer and his wife out of proceeds of sale to pay all taxes and repairs on the remaining land, being in the name of her ward, George Scheiderer that the land brings in a return for pasture about \$100= a year; and there is no indebtedness on the land.

The Plaintiff therefore prays, that said Katherine Scheiderer may be made defendant to this petition, and, notified of the pendency hereof, according to law, that Plaintiff may be ordered to sell said real estate for the reasons and purposes hereinbefore proposed, and, for other proper relief.

Petition

Edith Scheiderer, Edu-

The State of Ohio, Union County, Edith Scheiderer 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. Edith Scheiderer Edu- sworn to before me, and signed in my presence this 13- day of January, 1925.

D. H. Kaluprath, Notary Public

Filing Petition

Journal Entry: Order Fixing Time of Hearing for notice Probate Court, Union County, Ohio, Jan. 13th 1925.

This day Edith Scheiderer Guardian of George Scheiderer appeared in open Court, and filed her petition duly verified, asking for the sale of real estate therein described, belonging to her said Ward.

It is ordered, that the time of hearing said petition be and hereby is fixed for the 14- day of February, 1925, at 2. 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 Scheiderer her Ward, to Katherine Scheiderer, wife of said Ward, to Bertha Pritchard, Lucile Schaidle, J. M. Scheiderer, Anna Johnson, Clara Scheiderer, Emma Gilbert, Lillie Weaver, Lena Loschky, Katherine Scheiderer wife, George Scheiderer Ward, Francis McCol, Florence Kugel and, Christine Kugel, Minors, all persons, entitled to the next estate of inheritance

10481

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, 8 days before said day of hearing, & this cause is continued.

W. H. Husted Probate Judge

order for notice

Order for Notice

Probate Court, Union County, Ohio

To Edith Scheidener Guardian:

You are hereby ordered to give notice to George Scheidener your ward,

Bertha Pritchard Lucille Schaitle, J. M. Schudener, Anna Johnson, Clara Scheidner, Emma Gilbert, Lillie Mann, Lena Lasky, (Katherine Scheidner wife) Frances Nicol, Florence Kugel, Christine Kugel, John Kugel.

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 ward, of the filing of said petition and the time when the same will be heard; such notice to be given at least --- days before the time hereafter named for said hearing:

The real estate so asked to be sold is described as follows, to-wit:

Situate in the County of Union State of Ohio, and in the village of Marysville.

Being a part as surveyed of out lots No. 8. and 9 of the Mathiot addition, being in the south part of Marysville starting in the south west corner of a lot No. 9, east side of London gravel road; Thence S. 84° 10' 981 along Amelia Coder north line; Thence, N. 5° 50' E. 663 feet along Amelia Coder west line; Thence, N. 84° 10' W. 821 feet along George Fenorls, Dr. Luttrell Henderson, and John Fenorls, south line to the east side of the London Gravel road; Thence, with the east side of the London Gravel road, S. 17° 5' west 191 feet; Thence S. 82, 40' E. 173 feet along Ida Browns north line; Thence S. 8° 30' W. 150 feet along Browns East line; Thence N. 83° 40' W. 196 feet along Ida Browns south line to the east side of London Road; Thence S. 17° W. 337 feet with the east line of London Road to the beginning of survey containing 13 1/2 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 the 14 day of February, A.D. 1925 at one 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 14 day of Jan. 1925.

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Return,

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Return,

~~Case~~ W.H. Husted, Probate Judge -
Return.
The State of Ohio, Union County,
Edith Scheiderer, being duly sworn, says, that on the
16-day of Jan'y. 1925 I served this writ by delivering
a true copy thereof personally to the written names,
Geo. Scheiderer, Francis Nicol (minor) Florence Gugel (minors)
Christine Gugel (minor) and John Gugel, father of
said minors, there being no guardian.

Wainor

Edith Scheiderer, Guardian
known to before me, and signed in my presence, this
4 day of Feb'y. 1925. W.H. Husted Probate Judge.

Wainor

The undersigned party defendant to the petition in the
above entitled action, hereby waives 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,
Jan. 20- 1925.
Julius M. Scheiderer.

Wainor

Probate Court, Union County, Ohio,
The undersigned party defendant to the petition in
the above entitled action, hereby waives the issuing
and service of Summons, and 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,
Jan'y. 24- 1925-
Mrs Anna B. Johnson.

Wainor

The undersigned party defendant to the petition in the
above entitled action hereby waives 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,
Jan. 21- 1925.
Mrs Lucile L. Schaitler.

Wainor

Wainor, Probate Court, Union County, Ohio
The undersigned party defendant to the petition in the
above entitled action hereby waives the issuing and
service of Summons, and 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,
Jan'y. 23- 1925. Mrs Emma B. Gilbert.
Wainor, Probate Court, Union County, Ohio
The undersigned party defendant to the petition in the
above entitled action hereby waives the issuing and

Final Record, Union County Probate Court.

10487

the 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.

Jan. 21-1925. Katherine Scheiderer, George Scheiderer
Lena Loschky, Fannie Weaver.

Waiver

Waiver, Probate Court, Union County, Ohio

The undersigned party defendant to the petition in the above entitled action hereby waives the issuing of 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.

Jan. 23-1925. (Bertha E. Pritchard)

Summons

Summons.

The State of Ohio, Union County, To Edith Scheiderer, you are hereby commanded to notify John Bugel father of Christine Bugel, and Florence Bugel, Francis (Bugel) Nicol, and George Scheiderer,

and the following named who are minors, to wit: Christine Bugel, Florence Bugel, Francis (Bugel) Nicol, 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 13-day of January A.D. 1925, Edith Scheiderer Guardian of the person of George Scheiderer, filed her petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent in said petition described for the purpose of paying debts and maintenance of said George Scheiderer and wife, and that unless they answer by the 14-day of February, 1925, said petition will be taken as true, and an order granted accordingly. The return will make due return of this writ on the 14-day of Feb. 1925.

This writ to be served on each of said defendants by copy personally.

Witness my hand in the seal of said Court, this 13-day of Jan. 1925 Seal of W. H. Husted Probate Court

Return of Service

Received this writ on the 13 day of Jan. 1925 at 2 P.M. and on the day and in the manner hereinafter named I served the same on the within named defendants, viz: Jan. 16-1925 on the within named George Scheiderer and as to the within named

10487

Summons.

order in bearing for appraisement.

10487

defendants who are minors. Jan. 16 - 1925, on the father of minors John Kugel, the person with whom they live, Edith Scheiderer.

The above named, Edith Scheiderer who has signed the same, being duly sworn, says, the foregoing Return of Service, is true as, her really believes.

Sworn to before me, and, signed in my presence, this 3-day of February, 1925; W. H. Pritchard Probate Judge.

Summons.

Summons.

The State of Ohio, Union County, ss.

To Dr. W. H. Pritchard.

You are commanded to notify Clara Scheiderer that on the 13. day of Jan'y. 1925 Edith Scheiderer Guardian of George Scheiderer 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 George Scheiderer in said petition described, for the purpose of paying debts, and for support of her ward and paying taxes. That unless they answer by the 10-day of February 1925, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 8-day of Feb'y. 1925;

Witness my hand and the seal of said Court, this 4-day of Feb'y. 1925; W. H. Pritchard Probate Judge.

The State of Ohio, Franklin County, ss.

I, W. H. Pritchard being duly sworn, say that on the 5-day of Feb'y - 1925, I served this writ by delivering a copy thereof personally to the following named persons, to-wit:

Clara Scheiderer.

W. H. Pritchard

Sworn to before me, and signed in my presence, this 5-day of Feb'y. 1925 - W. H. Pritchard Notary Public

Journal Entry:

In the Probate Court, Union County, Ohio.

February 14 - 1925 - Journal Entry.

Order on hearing for appointment.

Edith Scheiderer, Adm.,
of Geo. Scheiderer, are
Incompetent

Plaintiff.

v.

George Scheiderer et. al.
Defendants.

This day this cause came on to be heard upon the petition, evidence and testimony, and the answer.

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Final Record, Union County Probate Court.

10481

of Katharine Scheiderr, wife of said George Scheiderer 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 defendant Katherine Scheiderer, wife of George Scheiderer is entitled to inchoate dower in said real estate; that said Katharine Scheiderr 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 George Scheiderer, described in the petition, to pay his support, ^{and} the support of his family and to pay debts.

It is ordered, that John B. Burns, Boardman Whirlin and Harry Burns, three suitable and judicious disinterested men of the vicinity of said real estate, who are free holden, be and they hereby are appointed to appraise said land as a whole at its true value in money free from the inchoate dower estate of said Katherine Scheiderer therein.

It is further ordered, that said appraisers be sworn as required by law, and afterward, upon actual view, perform the duties required of them and make return of their proceedings in writing to this Court, on or before the 20th day of Feb., 1925. and this cause is continued.

W. H. Husted, Probate Judge.

Order of appraisement.

The State of Ohio, Union County. Probate Court.

To Edith Scheiderer guardian of George Scheiderer, 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 an Plaintiff ^{vs.} George Scheiderer et al. are Defendants, you are commanded that by the oaths of John B. Burns, Boardman Whirlin ^{and} Harry Burns, judicious disinterested men of the vicinity not of kin to the petitioner, who are freeholden 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 Katherine Scheiderr, therein, to wit: Situate in the State of Ohio Union County, Being part as surveyed of out lots (No. 8 & 9,

Order of appraisement

10451

Return

Oaths of appraisers

Answer of widow

10457

of the Washolt addition lying in the South of Maryville starting in the south west corner of a lot No. 9, in east side of London gravel road; Thence S. 84° 10' 98 feet along Amelia Corder west line; Thence, N 84° 10' W. 821 feet along George Fernald, Dr. Luttrell Henderson and John Fernald south lines to the East side of the London Gravel Road, Thence, with the east side of the London Gravel Road S. 17° 3' W. 191 feet; Thence S. 82° 40' E. 173 feet along Ida Brown north line; Thence, S. 8° 30' W. 150 ft. along Ida Brown south line to East side of London Gravel Road, Thence, S. 17° W. 337 feet with the East line of the London Gravel Road to the beginning of survey, containing 12 1/2 a. 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 Maryville, Ohio, this 14 - day of Feb., 1925.

W. H. Kellegrath, Notary Public

Return

Return

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

Dated the 14 - day of Feb., 1925.

Edith Scheidner

Oath

Oath of appraisers

The State of Ohio, Union County.

of appraisers

We, the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order. John Burns, Howard Windline, Harry Burns & appraisers known to before me, and signed in my presence, this 14 - day of February, 1925. W. H. Kellegrath, 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 Sixteen Hundred Dollars.

Given under our hands, this 14 - day of Feb., 1925.

John B. Burns, Howard Windline, Harry Burns & appraisers. Fees of appra^s 2:00 per day each

Answer of Widow.

Probate Court, Union County, Ohio.

Answer of Widow

Now comes, Katharine Scheidner, ^{our} of the defendants in

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Final Record, Union County Probate Court.

10481

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 George Scheiderer and as such is entitled to her dower in the premises described in said petition, that her age is 70 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, widow dower estate may be allowed, and, paid her, in lieu thereof out of the proceeds of the sale, by such sum of money as, the Court, deems, the just and reasonable value of her dower interest in said real estate.

Katherine Scheiderer.

The State of Ohio, Union County,

Oath

Katherine Scheiderer, being duly sworn, says, that the statements in the foregoing answer are true as, she truly believes.

Katherine Scheiderer,

Sworn to before me, and, signed in my presence,

this 20th day of January, A.D. 1920.

~~seal~~ A. C. Kellebrack, Notary Public

Journal entry: Confirming appraisement^{and}, ordering Private Sale, Probate Court, Union County, Ohio, July, 14th - 1920.

Confirming appraisement and

ordering Private Sale

This day this cause came on further to be heard, and, it appearing to the Court, that the appraisement heretofore ordered has been duly made, the same is hereby confirmed; said appraisement being sixteen Hundred Dollars, the inchoate dower, estate therein of Katherine Scheiderer, wife of, said George Scheiderer.

and, the plaintiff above named having given bond, dated July, 14th - 1920; in the sum of Two Thousand Dollars with J. C. Snydel, A. L. Mann, 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 described in the petition at private sale:

It is now ordered, that said plaintiff proceed to sell said real estate free of said dower estate at private sale, at not less than the appraised value thereof, and, upon the following terms, to wit: Cash -

application to

sell at

Private Sale

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

The said Plaintiff represents that it would be for the best interest of, the said George Scheiderer her Ward,

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affidavit of Disinterested Person

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to sell the real estate described in the petition in this case at private sale, for the following reasons: That it would bring a higher price at private sale than it would at public sale, and, leaving an additional expense advertising etc.

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

Edith Scheiderer, Guardian of George Scheiderer.

The State of Ohio, Union County.

Edith Scheiderer, being duly sworn, says, that the various matters set forth in the foregoing application are true, as she truly believes. Edith Scheiderer.

Sworn to before me, and signed in my presence this 12-day of February, A.D. 1925-

Wm. A. H. Kallefrath, Notary Public

affidavit of Disinterested Person

affidavit of Disinterested Person,

The State of Ohio, Union County,

J. B. Burns, Howard Wendelin Harry Burns, 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 to sell said real estate at private sale than at public sale, as they truly believe.

John B. Burns, Howard Wendelin Harry Burns,

Sworn to before me, and signed in my presence,

this 14-day of February, 1925. Wm. A. H. Kallefrath, Notary Public

Guardian's Bond.

Bond.

Know all men by these Presents, that we, Edith Scheiderer, J. C. Kugel, A. L. Weaver, are held, and firmly bound unto the State of Ohio, in the sum of Two 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 14 day of Feb., 1925.

The condition of the above obligation is such, that whereas the above bound Edith Scheiderer was heretofore duly appointed and qualified by the Probate Court of Union County Ohio, Guardian of George Scheiderer, and, whereas the said Edith Scheiderer as such Guardian, has filed a petition in said Probate Court, asking an order for the sale of certain real estate of said ward as described in said petition, which under proceedings in said court, duly had, has been appraised at the sum of sixteen hundred dollars

Final Record, Union County Probate Court.

10487

and, whereas, said Court on the 14 day of Feb'y. 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 Edith Scheiderer, as Gdn., aforesaid shall faithfully discharge her duties as such Gdn., 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.

Edith Scheiderer, J. C. Kuyal, A. T. Mann, executed in presence of, A. H. Kallefrank, John B. Burns, this bond approved, in open Court, this 14-day of February, 1925. Seal W. T. Husick, Probate Judge - Order of Sale, Free of, D. Burr.

Order of Sale.

The State of Ohio, Union County, Probate Court, To Edith Scheiderer, Guardian, of Geo. Scheiderer, 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, George Scheiderer, are Plaintiff and, George Scheiderer, et al, are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than 1600.00 the appraised value thereof, the dower of Katherine Scheiderer wife of George Scheiderer, the following described premises to wit:

Being a part so surveyed of out lot 8 and 9, of the Kahlert addition lying in the South part of Mansfield - starting in the South West corner of a lot 9, in east line of Loudon gravel Road; thence S. 84° 10' 956 feet along Amelia border north line thence N. 5° 50' E 663 feet along Amelia border West line; thence, N. 84° 10' W. 871 feet along George Fernal, Dr Lubell Henderson, and John Husick's South lines to East side of the Loudon gravel Road; thence with the east side of the Loudon gravel Road S. 17° W. West 191 feet; thence S. 82° 40' E. 173 feet along Ida Brown, north line; thence S. 8° 30' W. 100 feet along Ida Brown east line; thence, N. 83° 40' W. 196 feet along Ida Brown south line to East line side of Loudon Road, thence S. 17° W. 337 feet with the east side of Loudon Road to the beginning, of survey containing 12 1/2 acres, more or less.

Said sale to be to the highest bidder and to be upon the following terms: Five Hundred Dollars cash, Eleven hundred dollars May 1-1925,

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

10487

Return

Report

Confirming Sale

Handwritten notes in the right margin, including names like 'Edith', 'John', and other illegible entries.

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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 this 14 day of Feb'y A.D. 1925. W. W. Husted, Probate Judge.

Return

Returns

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

Dated the 14 day of Feb'y 1925.

Edith Scheiderer, Gdn. of Geo. Scheiderer.

Report

Report of Sale.

In obedience to the within order, I sold said premises on the 14 day of February 1925 to C. O. Coder, for the sum of sixteen hundred dollars, said sum being 1600⁰⁰ the appraised value of the same.

Edith Scheiderer, Gdn. of George Scheiderer.

Dated the 14 day of February, 1925.

The State of Ohio Union Co.

The above named, Edith Scheiderer Guardian of Geo. Scheiderer 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. Edith Scheiderer, Gdn. of Geo. Scheiderer,

sworn to before me, and signed in my presence, this 14 day of February 1925. A. H. Kallpach, Notary Public.

Confirming Ed.

Probate Court, Union County, O., Feb'y. 14th 1925.

Edith Scheiderer as

Proceeding to Sell Real Estate.

Guardian of
Geo. Scheiderer

Plaintiff

v.

Confirming Sale.

George Scheiderer, et al.

Defendants

This day this cause coming on to be heard on the return of Edith Scheiderer Guardian of the estate of George Scheiderer 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 Edith Scheiderer as such Gdn., make to the purchaser, C. O. Coder, a good, and sufficient deed, for the premises so sold.

It is further ordered that this proceeding be recorded, and that said Edith Scheidner pay the costs herein W.H. Husted, Probate Judge.

10425-

10425-
Nov. 3-1924
Mrs L. Myers
attorney.

Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio.

No. 10425

G. W. Moore, executor of
the estate of
William Easterday, Dec'd.
Plaintiff

v.

Daniel Easterday
George W. Easterday
Mary Snyder
Ella Ruhl
James Harper
Leri Holt
Wm. Holt
Ollie Jones
Margaret Jones
Kornet Holt
Emery Holt, and
William Starkay

Petition.

Defendants.

The Plaintiff represents that he is the duly appointed qualified and acting executor, of the estate of William Easterday, deceased, and that he was appointed as such by the Probate Court of this Union County, Ohio.

That the total value and amount of the personal estate and effects of the said William Easterday, deceased, is wholly insufficient to pay the debts and costs of administering said estate, and the bequests as contained in the last will and testament of the said William Easterday, deceased, and that it will be necessary to sell the real estate of which the said deceased died seized and which real estate is described as follows, to wit: Situated in the village of Blairford County of Union, and State of Ohio, and being all of lot no. 23 in said village and also being all of lot no. 44 in William Jolliff Jr. first addition to said village.

For a more definite description of said lots reference is hereby made to the recorded plat of said village as found in the office of the county recorder of said Union County, Ohio.

That the said William Easterday died leaving no widow or children surviving him; and that the defendants Daniel Easterday, George W. Easterday, Mary Snyder, Ella Ruhl, James Harper, Leri Holt,

Petition

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William Bolt, Ollie Jones, Margaret Jones, Homer Hoeb, Emery Hoeb, and Milan Starkey are the only next of kin of said decedent having the next estate of inheritance from the said William Easterday, deceased, in said premises. wherefore, the plaintiff prays that he may be authorized and ordered to sell said real estate according to the statutes in such cases made and provided and for such other and further relief in the premises as may be just and equitable.

G. W. Moon, by, Milo L. Myers, his attorney, State of Ohio, Union County, ss.

G. W. Moon, being first duly sworn according to law, says that he as executor of the estate of William Easterday, deceased, is the plaintiff herein, and that the facts stated and the allegations made and contained in the foregoing petition are true as he believes.

G. W. Moon, Ex-affirmed before me, and signed in my presence, this 29th day of October 1924. Mand. Myers, Notary Public - Fees 80¢.

To the Court:

Petition

Issue summons, in the above entitled cause directed to the Sheriff of Union County, Ohio, for the defendants, David Easterday, George W. Easterday of Blairsville; Ella Puhl, James Harper, and Wm Bolt of Richmond, Indiana "action by executor to sell real estate to pay debts and legacies" and make returnable according to law.

Also, issue summons, in the above entitled cause directed to the Sheriff of Delaware County, Ohio for the defendant, Mary Snyder who resides at Radnor, and the defendant, Levi Bolt who resides at Ashley, Indiana "action by executor to sell real estate to pay debts and legacies" and make returnable according to law.

Also, issue summons in the above entitled cause directed to the Sheriff of Marion County, Ohio, for the defendants, Ollie Jones, Margaret Jones, and Homer Hoeb who reside in Marion, Indiana "action by executor to sell real estate to pay debts and legacies" and make returnable according to law.

Also, issue summons in the above entitled cause, directed to the Sheriff of Logan County, Ohio, for the defendant, Emery Bolt who resides at Mt Mansfield, Indiana "action by executor to sell real estate to pay debts and legacies", and make returnable according to law.

Milo L. Myers, atty. for Plaintiff-

Final Record, Union County Probate Court.

10425-
Filing Petition

In the Probate Court of Union County, Ohio,
G. W. Moor Executor of the
Estate of W^m Easterday, Dec'd.
Plaintiff
v.
Daniel Easterday, et. al.
Defendants

November 3- 1924.
no. Journal Entry
Filing Petition to Sell Real Estate.

This day came the Plaintiff G. W. Moor, Executor of the estate of William Easterday^{decd.} presented to this Court his petition duly verified praying an order for the sale of real estate of the said W^m Easterday, 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
Affidavit

Affidavit

In the Probate Court, Union County, Ohio,
G. W. Moor, being duly affirmed says, that he as Executor of the estate of William Easterday, deceased, is the plaintiff above named, and that the defendant, Milan Starkey is a non-resident of Ohio, and that service of summons on him can not be made in this state, that the residence of the said Milan Starkey is unknown to the affiant and can not with reasonable diligence be ascertained and that the case is one of those mentioned in Section 11292 of the General Code of Ohio.

G. W. Moor, Ex.

Affirmed before me, and signed in my presence, this 29th day of Oct. 1924. ^{Fees \$04} ~~mand.~~ ^{Pyers, Notary Public} ^(claimed)

Summons

Summons on Petition to Sell Real Estate

The State of Ohio, Union County, Probate Court.
You are commanded to notify Daniel Easterday, George W. Easterday, Ella Ruhl, and William Hobbs that on the 3rd day of November A. D. 1924, G. W. Moor, Executor of the estate of William Easterday 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 6th day of November 1924, said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due return of this writ on the 17th day of November 1924.

10425-
Sheriff's Return

Summons

Sheriff's Return

Summons

10425- witness my hand and the seal of said court, this 7-day of November, 1924. W.H. Husted Probate Judge.
Sheriff's Return

The State of Ohio Union County.
Received the writ Nov 7- 1924 at one o'clock P.M. and pursuant to its command, on Nov. 8- 9 served Daniel Easter day and George Easterday by handing to each of them a true and certified copy of this writ with all endorsements thereon; and Ella Rich, by leaving a true and certified copy of this writ with all endorsements thereon at her usual place of residence.
Frank Callier, Sheriff.

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

To the Sheriff of Marion County:
You are commanded to notify William Holt, Prospect Ave., that on the 3-day of November, A.D. 1924, Geo. W. Moon, executor of the estate of William Easterday 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 deceased, in said petition described, for the purpose of pay debts and legacies, and that unless they answer by the 25th day of January, 1925, said petition will be taken as true, and an order granted accordingly.
Said Sheriff will make due return of this writ on the 15-day of December, 1924.

witness my hand, and the seal of said Court, this 15-day of December, 1924.

W.H. Husted Probate Judge -
Sheriff's Return

The State of Ohio Marion County.
Received his writ Dec 6- 1924 at 9 o'clock A.M.
pursuant to its command on December 11- 1924, I served the writ named William Holt by personally handing to him a true and certified copy of this writ with all the endorsements thereon.
Sheriff's Fee. Frank C. Washburn Sheriff

Service return 75
2 miles at 28 16
Postage 12 Total 93

Summons -
The State of Ohio Union County, Probate Court.
To the Sheriff of Delaware County:
You are hereby commanded to notify Mary Snyder, Radnor, and Peri Holt, Ashley, that on the 3-day of Nov. 1924, G.W. Moon, executor of the estate of

witness my hand and the seal of said court, this 7-day of November, 1924.

10425-

of William Easterday, deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described for the purpose of paying debts, and that unless they answer by the 6-day of Dec. 1924, said petition will be taken as true and an order granted accordingly.

Said Sheriff will make due return of this writ on the 17-day of November 1924.

Witness my hand, and the seal of said Court, this 7-day of November, 1924 ~~at~~ W. H. Husted Probate Judge

Sheriff Return

The State of Ohio, Delaware County.

Received this writ, numbered 8th 1924, at 10 a.m. and pursuant to its command on November, 10th 1924, served the writ on the within named, Mary Snyder, and Levi Holt, by personally handing to each of them a true and certified copy of this writ with all endorsements hereon. F. D. Carter, Sheriff by Courier Lambert, Deputy Sheriff Fees.

Service -^{an} Return, 75-

1 add. names, 25-

50 miles pt. 8. 4.00 Total \$5.25

Summons

Summons.

The State of Ohio, Union County.

Probate Court.

To the Sheriff of Logan County:

You are commanded, to notify Emory Holt West Mansfield, Ohio that on the 3-day of Nov. 1924, W. H. Easterday that on the 3-day of November, 1924, W. H. Easterday Executor of the estate of William Easterday 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 6-day of Dec. 1924, said petition will be taken as true and an order granted accordingly.

Said Sheriff will make due return of this writ on the 17-day of Nov. 1924.

Witness my hand and the seal of said Court, this 7th day of November, 1924 ~~at~~ W. H. Husted, Probate Judge

Sheriff Return

The State of Ohio, Logan County.

Rec'd this writ November, 8-1924, at 9 o'clock, a.m. and pursuant to its command, on the 12 day of Nov. 1924

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10425 served the within named Emery Holt by leaving for him at his usual place of residence a true and certified copy thereof with all endorsements thereon
 Charles F. Wooley, Sheriff
 By B. H. Cole, Deputy.

Sheriff's Fees
 Service to Ret. 75
 30 miles at 8¢ 2.40
 copy 1.00
 postage .02 Total, \$3.27.

Return

The State of Ohio, Union County, Probate Court.
 To the Sheriff Marion County:
 you are commanded to notify Ollie Jones, Margaret Jones, and Homer Holt, Marion, that on the 3 day of Nov. 1924, G. W. Moore, executor of the estate of William Easterday 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 6 day of Dec. 1924, said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due return of this writ on the 17 day of Nov. 1924, ~~and~~ witness my hand and the seal of said Court this 7 day of Nov. 1924
 W. H. Husted, Probate Judge.

Sheriff's Return

Return The State of Ohio, Marion County.
 Received this writ November, 5-1924 at 9 o'clock, a. m. and pursuant to its command on November 12th 1924, I served the within named Ollie Jones, and Margaret Jones by personally handing to each of them a true and certified copy of this writ with all the endorsements thereon, and on November, 12th 1924, I served the within named Homer Holt, by leaving for him at his usual place of residence a true and certified copy of this writ with all the endorsements thereon.

Frank A. Washburn, Sheriff
 By James A. Deal, Deputy.

Sheriff's Fees
 Service to Ret. 75
 2 names 25 .25
 6 miles 8¢ .48
 Postage .02 Total, 1.50

10425-

Summons.

Probate Court,

Summons.

The State of Ohio, Union County,
 To the Sheriff of Marion County,
 you are commanded, to notify James Kasper,
 Radnor, O. P.D. that on the 3-day of Nov. A.D. 1924,
 George W. Moore, Executor of the estate of William Easterday
 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 6-day of Dec. 1924,
 said petition will be taken as true, and an order
 granted accordingly.

Said Sheriff will make due return of this writ on the 17-day of Nov 1924

Witness my hand, and the seal of said Court, this 11-day of Nov. 1924.

W. H. Husted, Probate Judge
 Sheriff's Return

Return
Oath

The State of Ohio, Delaware County,
 Received this writ Nov. 12-1924, at 9 o'clock a.m.
 and pursuant to its command, on Nov. 17-1924
 I served the writ herein named James Kasper, Radnor, O.
 P.D. by personally handing to him a true and
 certified copy of this writ with all endorsements
 thereon. F.D. Baker Sheriff, By Corner Lambert Deputy
 Sheriff's Fees,
 25 miles at \$9.20 Total \$2.75

Application
to Sell
Private sale.

Application to Sell Real Estate at Private Sale -
 Probate Court Union County, Ohio.
 The said Plaintiff represents that it would be for
 the best interest of the said estate of the said
 William Easterday, deceased, 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 time
 and the expenses of advertising and offering the same
 for sale at public sale.
 Second, that the said real estate can be sold
 forthwith for the appraised value, to wit: \$875.00 and
 for cash in full, on confirmation of sale and delivery
 of deed, and he therefore asks for an order
 authorizing him to sell said real estate at
 private sale.
 G. W. Moore, Executor of
 the Estate of William Easterday, Dec'd

10425-

affidavit of
disinterested
person.

orders on
hearing
for Private Sale

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10425 - The State of Ohio, Union County.

G.W. Moon, being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes. G.W. Moon.

Sworn to before me, and signed in my presence, this 22 day of January, A.D. 1925.

Wm. Maud Pyles, Notary Public.

Affidavit of disinterested persons.

The State of Ohio, Union County.

L.D. Webb and Norman B. Bower, 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 of the said William Easterday, deceased, to sell said real estate at private sale than at public sale. as they verily believe.

L.D. Webb.

Norman B. Bower.

Sworn to before me, and signed in my presence, this 22 day of January, 1925. Wm. Maud Pyles, Notary Public.

Journal Entry: Orders on hearing for Private Sale - Probate Court, Jan. 22 - 1925.

This day this cause came on to be heard upon the petition, evidence and testimony and the Court being duly 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 William Easterday 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 to and hereby is dispensed with. And the Court being satisfied that it is necessary to sell the real estate of said 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 G.W. Moon as such executor proceed to sell said real estate hereof, at private sale for not less than \$7500 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

affidavit of disinterested persons.

orders on hearing for Private Sale

Probate Court,

Wm. Maud Pyles, Notary Public, D. 1924.

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Sale - county, Ohio. to for said estate sale.

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Final Record, Union County Probate Court.

10425

To this Court immediately after such sale is made, this cause is continued, W. H. Husted, Probate Judge

Order of Sale

Order of Sale

The State of Ohio, Union County, To G. W. Moore, Executor:

Probate Court

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 William Easterday, deceased, are Plaintiff, and Daniel Easterday et al. are Defendants you are commanded to proceed according to law to sell at private sale, for not less than \$875.00 (the appraised value thereof) the following described premises, to wit:

Situated in the village of Leilaibona, County of Union State of Ohio, and being all of In-lot No. 23, in said village and also being all of Lot No. 44 in William J. Gifford Jr. first addition to said village.

For a more definite description of said lots reference is hereby made to the recorded plat of said village as found in the office of the County recorder of said Union County Ohio.

Said sale to be private to be upon the following terms, to wit: 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 Mansville, Ohio, this 22-day of Jan'y, 1925.

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, 1925.

G. W. Moore, Ex.

Report

Report of Sale

In obedience to the within order, I sold, on the 22-day of January, 1925, to Floy C. McAllister and Julia May McAllister for the sum of Eight Hundred and Seventy-five (\$875.00) Dollars, said sum being the appraised value of the same.

G. W. Moore, Executor.

Dated the 22-day of Jan'y 1925.

The State of Ohio, Union County

The above named G. W. Moore, as executor of the estate of William Easterday, Dec'd. 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.

G. W. Moore, Ex.

10425

Notice to non-resident

Vertical text on the right margin, including names and dates, partially obscured.

10425-

known to before me, and, signed in my presence, this 22-day of January, 1925-^{not} Maud Myers, Notary Public
Notice to non-resident Defendant,

Notice to non-resident

Milam Starkey whose place of residence is unknown
will take notice that on the 3 day of November, 1924
G. W. Moore as executor of the estate of William
Easterday, deceased, filed his petition in the Probate
Court of Union County, Ohio, being case no. 10425- against
him and other defendants praying for an order
directing him to sell the following described real estate
for the purpose of paying debts, and legacies of said
estate, to wit:

Being situated in the village of Blairborne, County of Union,
and State of Ohio, and being all of In-lot no. 23, in
said village and, also being all of Lot no. 44 in William
Jolliffe Jr. First addition to said village.

Said defendant is required to answer on or before the
20 day of December, 1924, or judgment will be taken
accordingly. Maud L. Myers, attorney G. W. Moore, Executor
State of Ohio, Union County, ss

Personally appeared before me, W. Gallaway and made
solemn oath that the notice, a copy of which is
hereto attached was published for 6 consecutive weeks on
and next after Nov. 4th 1924 in The Union County
Journal aforesaid.

W. Gallaway.

known to before me, and, signed in my presence, this
23-day of January 1925-^{not}
B. B. Hammer, Notary Public

Printer's Fees \$ 11.⁷³

Confirmation

Journal Entry: Order approving ^{the} Confirming Sale -
Probate Court, Union County, Ohio
January 22- 1925:

This day this cause coming on to be heard on the
return of G. W. Moore, Executor, of the estate of William
Easterday 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
^{the} legally made. It is ordered that the same
be and hereby is approved and confirmed; ^{and} it
is further ordered that said G. W. Moore, as such
executor make to the purchasers, Floyd, C. M. Allister
^{the} Julia May McAllister 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 taxed at \$ ---,
H. H. Kusted, Probate Judge -

Final Record, Union County Probate Court.

10454
Nov. 14-1924
E.W. Porter
attorney.

Petition for Sale of Real Estate to Pay Debts,
Probate Court, Union County, Ohio,
John A. Mann, admr. of
the estate of Louis E. Coleman, Decd.
Plaintiff.

no. 10454
Civil action

v.
Carrie A. Coleman,^{adm.} John R. Coleman,
Robert W. Coleman,^{adm.} Eugene H. Coleman,
Minors.
Defendants.

Petition
to
Sell Real Estate.
Petition.

The Plaintiff represents that he is the duly appointed and qualified admr. of the estate of Louis E. Coleman, late of Union County, Ohio, deceased, that the amount of debts due from the deceased, is \$6300.00 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 four thousand and six hundred dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that Louis E. Coleman, died seized in fee simple of the following described real estate, situated in the County of Union and State of Ohio, and in the Township of Paris and Survey no. 2254, and bounded and described as follows: Beginning at the point of intersection of the Mansville ^{or} California gravel road, with the easterly line of the T. and O. C. R.R.; thence with the center of said gravel road, S. 48° 30' E. 134 poles to a stone at the north easterly corner of said Louis E. Coleman's 100 acre tract; thence with the north line of said land S. 41° 30' W. 90 75/100 poles to a stone in the west line of said Survey; thence with said Survey line N. 7° 30' W. 101 40/100 poles to the south line of George C. Ruhl's land; thence with said line and crossing the T. and O. C. Railroad N. 51° E. 14 poles to a stake in the east line of said Railroad; thence with said Railroad line N. 39° 15' W. 60 80/100 poles to the beginning. Containing Twenty-Nine (29) acres in all, and, excluding said Railroad lands, 1 25/100 acrs. more or less. Leaving the amount herein conveyed 27 75/100 acrs. more or less.

Petition

also, one other tract of land situated in said Survey, Township, County ^{and} State, and bounded and described as follows:

Beginning at a stone in the west line of said Survey and at the north west corner of

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John A. Schalips land: thence with said survey line N. 7° 30' W. 90 ⁷⁵/₁₀₀ poles to a stone; thence N. 41° 30' E. 90 ⁷⁵/₁₀₀ poles to a stone in the center of the margin and New California pike; thence with the center of said pike S. 48° 30' E. 141 ⁴⁰/₁₀₀ poles to a stone; thence S. 41° 30' W. 68. ⁶⁰/₁₀₀ poles to a stone at the north-east corner of said John A. Schalips land; thence with the north line of said land S. 86° W. 109 ⁷⁵/₁₀₀ poles to the beginning, containing one hundred (100) acres more or less; and, being the one hundred the One hundred acres willed by Mrs. Coleman, deceased, to Lewis Coleman, See Rec. of Wills, Vol. C, Pg. 162. But, excepting therefrom 3 ⁵⁰/₁₀₀ acres of right of way conveyed to the T. and O.C. Railroad Co. leaving the acreage conveyed 96 ⁵⁰/₁₀₀ acres more or less.

The said decedent died leaving the defendant, Carrie A. Coleman, his widow; who is entitled to dower in said premises; that the defendants John R. Coleman, Robert M. Coleman, ^{and} Eugene W. Coleman, are the only children, heirs, at law, and next of kin of said decedent having the next estate of inheritance from said Lewis C. Coleman, deceased, in said premises. The Plaintiff therefore prays that the dower of said Carrie A. Coleman, in said premises may be assigned and set off to her; that the rights, interests and liens of the said John R. Coleman, Robert M. Coleman, and Eugene W. Coleman, minors, as aforesaid, 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 other proper orders and relief in the premises.

Petition

John A. Mavor, adur., as aforesaid.

Oath

The State of Ohio, Union County, ss.
 John A. Mavor 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. Mavor
 Sworn to before me, and signed in my presence, this 14th day of November 1924.

attest, Edward W. Porter, Notary Public, Union Co., Ohio
 In the Probate Court of
 Union County, Ohio.

November, 14 - 1924.
Case no. 10454.

Journal entry: Filing Petition to Sell Real Estate

Final Record, Union County Probate Court.

10454 This day came the Plaintiff John A. Mann, admr., of the estate of Louis E. Coleman, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Louis E. Coleman, deceased, to pay the debts and all 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

Answer of Widow.

In the Probate Court of Union County, Ohio, and now comes Carrie A. 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 Louis E. Coleman, deceased, and, as such is entitled to dower in the premises described in said petition: that her age is 36 years; that she consents to the sale of the real estate of said decedent as prayed for, and that she waives the assignment of her dower in said premises by metes and bounds or in rents and profits; and asks the Court that said premises 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—

Carrie A. Coleman.

Oath

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

Carrie A. Coleman.

Known to by said Carrie A. Coleman, before me, and signed by her in my presence, this 14 day of November, 1924.

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

Summons.

Summons.

The State of Ohio, Union County. To John A. Mann, you are hereby commanded to notify Carrie A. Coleman, and the following named heirs or assigns, to wit:

John R. Coleman, Robert M. Coleman, Eugene H. Coleman, making service of this summons, upon said heirs or also upon the guardian, or father, or if neither

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Return of Service

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1045-4 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 14th day of November, 1924, John A. Mearns, administrator of the estate of Louis E. 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 13th day of December, 1924, said petition will be taken as true, and an order granted accordingly.

The server will make due return of this writ on the 24th day of November, 1924.

This writ to be served on each of said defendants, by copy personally.

Witness my hand and the seal of said Court, this 14th day of November, 1924.

at W. H. Husted, Probate Judge.

Return of

Service

Return of Service

Received this writ on the 14th day of November, 1924, 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:

November 14-1924, on, Carrie A. Coleman, widow of said Louis E. Coleman, deceased, and as to the within named defendants who are minors,

on the November 14-1924 on John R. Coleman, Robert M. Coleman, and Eugene M. Coleman, each of whom are minors, and each of whom received a separate notice, and on November, 14-1924, on Carrie A. Coleman, the mother of the said John R. Coleman, Robert M. Coleman, and Eugene M. Coleman, minors as aforesaid, there being no guardian, and no father, the latter being now deceased, and November 14-1924, on David A. Coleman, the person with whom live the said John R. Coleman, Robert M. Coleman, and Eugene M. Coleman, minors.

John A. Mearns,

The above named John A. Mearns 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 14th day of November 1924, *at*

Edward H. Porter, Notary Public,

at

Union County, Ohio

Final Record, Union County Probate Court.

10454
Hearing
appraisement

Journal Entry: Order on Hearing of appraisement.
Probate Court, Union County, Ohio,
Dec. 15th 1924.

This day this cause came on to be heard upon, the petitioner 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 Carrie A. Coleman widow of said Louis E. Coleman, is entitled to 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 Louis E. Coleman, described in the petition to pay his debts.

It is ordered that J. F. McCracken, Mr. L. Bourn, Mr. M. T. Cody, three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders in, and they hereby are appointed to appraise said lands at their true value in money, free from the dower estate of said Carrie A. Coleman, therein. It is further ordered that said appraisers be sworn as required by law, and afterward upon actual view, perform the duties required of them and make return of their proceedings in writing to this Court, on or before the 20th day of December, 1924. This cause is continued.

W. H. Husted, Judge

Order of appraisement.

Order of
appraisement

The State of Ohio, Union County, ss. Probate Court.
To John A. Weaver, Adm., of the estate of Louis E. Coleman,
deceased, Executing:

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., of the estate of Louis E. Coleman, deceased, are Plaintiff and Carrie A. Coleman, et. al. are Defendants, you are commanded by the oaths of J. F. McCracken, Mr. L. Bourn, Mr. M. T. Cody, 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

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premises free of dower estate of Leanne A. Coleman, therein, to wit: Situate in the County of Union, State of Ohio, and in the Township of Paris, and survey No. 225-4, and bounded and described as follows:

Beginning at the point of intersection of the Marysville and California Mount road and the easterly line of the T. and O. C. R. R.; Thence with the center of said gravel road S. 48° 30' E. 134 poles to a stone at the north easterly corner of said Louis E. Coleman's 100-acre tract; Thence with the north line of said land S. 41° 30' W. 90 75/100 poles to a stone in the west line of said survey; Thence with said survey line N. 7° 30' W. 101 4/100 poles to the south line of George L. Rubbs land; Thence with said line and crossing the T. and O. C. R. R. N. 51° E. 14 poles to a stake in the east line of said Railroad; Thence with said Railroad line N. 39° 15' W. 60 8/100 poles to the beginning, containing Forty-nine (29) acres in all, and, excluding said Railroad lands 1 25/100 acres, more or less, leaving the amount herein conveyed 27 75/100 acres, more or less.

also, one other tract of land situated in said Survey Township, County and State and bounded and described as follows:

Beginning at a stone in the west line of said Survey and at the north-west corner of John A. Schalip's land; Thence with said Survey line N. 7° 30' W. 90 75/100 poles to a stone; Thence N. 41° 30' E. 90 75/100 poles to a stone in the center of the Marysville and New California pike; Thence with the center of said pike S. 48° 30' E. 141 4/100 poles to a stone; Thence S. 41° 30' W. 68 6/100 poles to a stone at the north east corner of said John A. Schalip's land; Thence with the north line of said land S. 86° W. 109 72/100 poles to the beginning; containing one Hundred (100) acres more or less; and being the One Hundred acres willed by Geo. Coleman, deceased, to Lewis Coleman, Su Rec. of Will Vol. C, page 162. But, excepting therefrom 3 50/100 acres of right of way conveyed to the T. and O. C. Railroad Co. leaving the acreage conveyed, 96 50/100 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 15 day of Dec. 1924.

W. H. Hunsaid
Probate Judge

10454
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. I will fully appear
by the proceedings hereto attached.
Dated the 15th day of December, 1924.
John A. Weaver.

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.
I. F. McCracken, M. L. Bourn, M. T. Cody [appraisers]
Sworn to before me, and signed in my presence,
this 15th day of December, 1924

Return

John A. Weaver, Adminr
Appraisers Return,
In obedience to the foregoing order, after being first
duly sworn, and upon actual view of the premises
therin described, we the undersigned appraisers,
estimate the value of said real estate at Two
Thousand Three Hundred and thirty-one and 81/100 Dollars,
free of said decedent's estate of Carrie D. Coleman, widow as
aforesaid, consisting of two tracts of 27.75 acres and
96.50 acres respectively, and both together consisting of
124.25 acres, which I we appraise at \$99²⁰ per acre,
or the total sum of \$12,331.81

Given under our hands, this 15th day of December, 1924
I. F. McCracken, M. L. Bourn, M. T. Cody, [appraisers,
Journal Entry:

In the Probate Court of Union County, Ohio,
December, 15th 1924.

Confirming
Appraisement

Decree confirming appraisement and
Ordering Sale

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
must have been 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 parties, conditional

10454

application
to
sell
at
Private Sale

affidavit
of
Disinterested
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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: in consideration whereof, the Court finds that it would be for the best interest 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 John A. Mann, administrator as aforesaid, proceed to advertise and sell the real estate aforesaid, free of down, at private sale, at not less than the appraised value thereof, on the following terms, to wit: cash in hand on day of sale.

and, further it is by the Court ordered that said plaintiff makes 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.

application to

Sell

at

Private Sale

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

1. Because if sold at public sale it might go for 2/3 of the appraisement, whereas, if sold at private sale, it must bring as much as the appraisement.

2. Because it will save the costs of advertising, as well as time.

3. Because a purchaser has already been secured who will give as much as the appraisement.

and, he therefore asks for an order authorizing him to sell said real estate at private sale -

John A. Mann, admin., Lewis E. Coleman, Des't, The State of Ohio, Union County, Ohio.

John A. Mann, being duly sworn, says, that the various matters set forth in the foregoing application, are true as he truly believes.

Done to Inform me, and, signed in my presence, this 15-day of December, 1924 at Edward W. Potter, Notary Public, Minn Co., O.

affidavit

of

Disinterested Persons

Affidavit of Disinterested Persons - The State of Ohio, Union County.

Norman C. Brown, Lewis L. Otto, and, W. L. Brown, being duly sworn, say, that they know the facts set forth in the application, to which this affidavit, is attached;

10454

attached; that they have no interest whatsoever, in the matter herein referred to, and that it will be more for the interest of the said estate to sell said estate at private sale, than at public sale, for the reasons herein given, as they truly believe.

Norman E. Brown, Louis F. Otto, M. L. Brown.

Known to before me, and signed in my presence, this 15th day of December, 1924, Edward H. Potter, Notary Public, Union Co. O.

Order of Sale

Order of Sale. Free of Donor.

The State of Ohio, Union County. Probate Court.

To John A. Wearn, admr. of the estate of

Lewis E. Coleman, 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 Lewis E. Coleman, deceased, are Plaintiff and Carrie A. 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 donor of Carrie A. Coleman, widow of Lewis E. Coleman, deceased, the following described premises, to-wit:

Situate in the County of Union, State of Ohio, and in the Township of Paris, and Survey No 2254 and bounded and described as follows:

Beginning at the point of intersection of the Marysville and New California gravel road, with the easterly line of the T. and O. C. R.R.; thence with the center of said gravel road S. 48° 30' E. 134 poles to a stone at the north easterly corner of said Lewis E. Coleman's 100 acre tract; thence with the north line of said land, S. 41° 30' W. 90 ⁷⁵/₁₀₀ poles to a stone in the west line of said survey; thence with said survey line N. 7° 30' W. 101 ⁴⁰/₁₀₀ poles to the south line of George L. Ruhl's land; thence with said line and crossing the T. and O. C. Railroad, N. 51° E. 14 poles to a stake in the east line of said Rail road; thence with said Railroad line N. 39° 15' W. 60 ⁵⁰/₁₀₀ poles to the beginning.

Containing twenty-nine (29) acres in all and including said Railroads lands 1 ²⁵/₁₀₀ acres, more or less, leaving the amount herein conveyed 27 ⁷⁰/₁₀₀ acres, more or less.

also one other tract of land, situated in said Survey Township, County and State, and bounded, and described as follows:

Beginning at a stone in the west line of said Survey and, at the north-west corner of John A. Schults land; thence with said Survey line N. 7° 30' W. 90 ⁷⁵/₁₀₀ poles to a stone; thence N. 41° 30' E.

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Return

Report.

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90 ⁷⁵/₁₀₀ poles to a stone in the center of the Marysville and New California pipe; thence with the center of said pipe S. 48° 30' E. 141, ⁴/₁₀₀ poles to a stone; thence S. 41° 30' W. 68 ⁶⁰/₁₀₀ poles to a stone at the north-east corner of said John A. Schalips' land; thence with the north line of said land S. 80° W. 109 ⁷/₁₀₀ poles to the beginning, containing One Hundred (100) acres more or less; and being the One Hundred acres willed by Geo. Coleman, deceased, to Lewis Coleman, See Rec. of Hills vt. Co. Pg. 162. But, excepting therefrom 3 ⁵⁰/₁₀₀ acres of right of way conveyed to the T. and O. G. Railroad Co. leaving the acreage conveyed 96 ⁵⁰/₁₀₀ acres more or less.

Said sale to be free of the dower of Carrie A. Coleman, widow herein, and to be upon the following terms: Cash on hand day of sale.

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

Witness my signature and the Seal of said Court, this 15th day of December, 1924

Edward H. Porter, 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 15th day of December, 1924.

John A. Weaver, admr, as aforesaid,
Per E. W. Porter, his attorney,
Report of Sale.

Report.

In obedience to the within order, I sold, said premises on the 15th day of December, 1924, to Carrie A. Coleman, for the sum of Three Thousand Three Hundred and Thirty one and ⁵/₁₀₀ Dollars, said sum being the appraised value of the same.

John A. Weaver, admr, as aforesaid,

Dated the 15th day of December, 1924.

The State of Ohio, Union County, ss

The above named, John A. Weaver, 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. Weaver.

Known to him, and signed in my presence, this 15th day of December, 1924.

Edward H. Porter

Probate Judge

Oath

10454

Journal Entry: Confirming Sale -

Probate Court, Union County O.

December, 15th 1924,

Confirmation

John A. Mann, admr.
of the estate of
Louis E. Coleman, Deceased.

Plaintiff

v.

Carrie A. Coleman, et. al.
Defendants.

Confirming Sale -

This day this cause coming on to be heard on the return of John A. Mann, admr. of the estate of Louis E. Coleman deceased of his proceedings and sale under the former order of this court: The Court having carefully examined said return, and being satisfied that such sale has in all respects been regularly and legally made. It is ordered, that the same be and hereby is approved, and confirmed: and, it is further ordered that said John A. Mann, as such admr. make to the purchaser Carrie A. Coleman, good and sufficient deed for the premises so sold.

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

10456

Guardian's Petition to Sell Real Estate.

Probate Court, Union County, Ohio

No. 10456

Petition to Sell Real Estate.

Dec. 22 - 1924

J. H. Kirkade,
attorney.

A. G. Kirby, Guardian of
A. G. Kirby Jr.
James B. Kirby
John B. Kirby

Plaintiff

v.

His said wards,
A. G. Kirby, Jr.
James B. Kirby
John B. Kirby
A. G. Kirby

Petition

Petition

The Plaintiff represents that he is the duly appointed and qualified Guardian of A. G. Kirby Jr. of the age of 19 years, on the 5th day of October 1924, James B. Kirby, and John B. Kirby of the age of 17 yrs. on the 29th day of October 1924. All residing within the village of Marysville, County of Union & State of Ohio. That said wards are the

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owners in fee simple of the following described real estate situated in the County of Union State of Ohio, and the village of Marysville, tract 75 feet frontage on West Seventh Street. Being Lot no. 799 and 40 feet off the west side of Lot no. 800. in Edgewood Terrace addition to the village of Marysville, Ohio.

For a more particular description reference is hereby made to the recorded Plat of said Addition.

Being same premises conveyed by John H. Shuman, ^{decedent} wife to Minnie G. Kirby, see vol. 106. page 127 record deeds, Excepting 15 feet off the west side of Lot

no. 799 see deed Minnie G. Kirby and husband to Lee Perkins July, 30 - 1920 vol. 123 page 487 record of Deeds

Said real estate is worth annually nothing. no income.

That said Plaintiff has received no rents from the real estate of his ward. Said defendant

A. G. Kirby has a dower interest in said lands, that the sale of said real estate is necessary

for the education of said wards, defendants, that it is a vacant lot, and brings no income

but only expense - in taxes and assessments, wards own no other property, and draw only

their personal earnings. That there is now no personal property nor in expectancy.

That there are no liens.

Said sale is also sought for reimbursement

in income producing property.

The plaintiff therefore prays, that said A. G. Kirby, A. G. Kirby Jr. James G. Kirby and John B. Kirby, may be

made Defendants to this petition, and adjudged by the pendency hereof, according to law.

That said A. G. Kirby set up his dower interest and, that Plaintiff may be ordered to sell said

real estate for the reasons and purposes hereinbefore proposed, and for other proper relief.

A. G. Kirby Guardian of

A. G. Kirby Jr. James G. Kirby, John B. Kirby

The State of Ohio, Union County.

A. G. Kirby 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.

Subscribed to before me and signed in my presence, this 12-day of December, 1924.

W. H. Husted
Probate Judge

Petition.

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G. Kirby Jr.
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of 17 yrs
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State of
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Final Record, Union County Probate Court.

10456

Journal Entry: Orders fixing time of hearing ^{thru} for notice.
Probate Court Union County, Ohio.

A. G. Kirby, Guardian of
A. G. Kirby Jr.
James G. Kirby
John B. Kirby, Plaintiffs.
vs.
This Wards, et al.

Order for notice.

This day, ^{the} Defendants,

A. G. Kirby Guardian of A. G. Kirby Jr. James G. Kirby
and John B. Kirby appeared in open court and filed
his petition duly verified, asking for the sale of
real estate therein described, threatening to his said
petition be and hereby is fixed for the 23rd day of
January, 1925, 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 petition, to be
given to said A. G. Kirby Jr., James G. Kirby and
John B. Kirby, his wards, to A. G. Kirby husband of
Minnie G. Kirby, deceased, 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 5 days before said day of hearing
and this cause is continued

W. H. Husted, Probate Judge

Answer of Widow

Probate Court, Union County, Ohio.

10456
Answer
of
Widow

A. G. Kirby, Guardian of
A. G. Kirby Jr. James G. Kirby
and John B. Kirby, minors.
vs.
Plaintiff.

Said Wards, A. G. Kirby, et al. Answer of Widow
Defendants.

And now comes A. G. Kirby one of the defendants in
the above entitled cause, and voluntarily enters his
appearance, herein, and answer to the petition in this
case filed, says that he is the widow of said Minnie
G. Kirby deceased, and, as such, is entitled to dower in
the premises described in said petition, that his age
is 49 years, 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

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of such down estate may amount, and paid him in lieu thereof out of the proceeds of the sale, by such sum of money as the Court deems the just and reasonable value of his down interest in said real estate.

A. G. Kirby,

The State of Ohio, Union County,

A. G. Kirby being duly sworn, says that the statements in the foregoing answer are true as he verily believes.

A. G. Kirby,

sworn to before me, and signed in my presence, this 22nd day of December, 1924.

W. H. Husted, Probate Judge
Wainwright

10456

Wainwright

Probate Court, Union County, Ohio.

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.

December, 20- 1924.

A. G. Kirby, A. G. Kirby Jr., James G. Kirby, John B. Kirby

Defendants -

10456
Summons

The State of Ohio, Union Co., To, A. G. Kirby,

you are hereby commanded to notify A. G. Kirby and the foregoing named who are minors, to wit:

A. G. Kirby Jr., James G. Kirby, and John B. Kirby,

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 22nd day of December, 1924,

A. G. Kirby Guardian of the above named 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 decedent in said petition described, for the purpose of paying debts the education of said minors and investment in an income producing property and that unless they answer by the 23rd day of January 1925, said petition will be taken as true, and an order granted accordingly.

The server will make due return of this writ on the 29th day of December, 1924.

This writ to be served on each of said defendants by copy personally and upon their parent or guardian

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or Guardian or person, with whom they live.
Witness my hand and the seal of said Court
this 22-day of December, 1924.

W. H. Husted Probate Judge
Return of Service

Recind this writ on the 22-day of December, 1924,
at 10 o'clock, A. M. and on the days, and in the
manner hereinafter named. I served the same on the
within named defendants, viz: Dec. 22- 1924, on
A. G. Kirby, A. G. Kirby Jr. James G. Kirby and John B. Kirby
and as to the within named defendants, who are
minors, Dec. 22- 1924, on A. G. Kirby the guardian of the
said A. G. Kirby Jr. James G. Kirby and John B. Kirby.
December 22- 1924 on A. G. Kirby the father of the said
A. G. Kirby Jr. James G. Kirby and John B. Kirby. December 22-
1924 on A. G. Kirby the person having care of, with whom
lives the said A. G. Kirby Jr. James G. Kirby and John B.
Kirby

The above named A. G. Kirby 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
22-day of Dec. 1924. W. H. Husted Probate Judge

10456

San.
ad litem

application for appt. of Guardian ad litem,
Probate Court, Union County, Ohio.
December, 22, A. D. 1924,

To the Hon W. H. Husted, Judge of said Court,
The undersigned A. G. Kirby makes application
for the appointment of a Guardian ad litem for the
minor defendants in the above entitled case.

The defendants A. G. Kirby Jr. James G. Kirby and
John B. Kirby are minors of the age of fourteen years,
and have been duly served with summons herein, and
desire the appointment of a Guardian ad litem

The undersigned suggests that their Uncle F. W.
Galloway who is a suitable person be appointed as
such Guardian ad litem.

Respectfully,
A. G. Kirby

Probate Court, Union County O.
December, 22- 1924

10456

This day A. G. Kirby 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
A. G. Kirby Jr. James G. Kirby, and John B. Kirby
are minors of the age of fourteen years, and
have been duly and legally served with summons

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Journal Entry
1045-6

1045-6

Order
of
appraisement

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herein and consent the appointment of their Uncle F. W. Galloway, as Guardian ad litem, it is ordered that F. W. Galloway be and he hereby is appointed Guardian for the suit, for said minor defendants and now comes the said F. W. Galloway and in open Court accepts said appointment.

W. H. Husted, Probate Judge

Probate Court, Union County, Ohio, Jan'y, 26-1925.

Journal Entry,
Order for Appraisement.

Journal Entry
1045-6

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 wards, for their maintenance, education, and reimbursement.

And, A. G. Kirby the widower of the said Minnie G. Kirby, having by this answer, waived the assignment of his widow, 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 W. H. Burdgras, B. B. Garner, and Lee Wilkins 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

10456

Order of Appraisement

The State of Ohio, Union County Probate Court.
To A. G. Kirby, Guardian, 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 Guardian of A. G. Kirby Jr. James G. Kirby and John B. Kirby minors et al. are Plaintiff and said wards et al. are Defendants you are commanded that by the oaths of W. H. Burdgras B. B. Garner & Lee Wilkins judicious disinterested men of the vicinity next of kin to the petitioners, who are freeholders of the county in which said real estate is situated and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises, free of the dower estate of A. G. Kirby therein to wit: Situate in village of Mansfield, Union County, Ohio 75 feet West Seventh Street, Being Lot No. 799 and 40 feet off the west side of Lot No. 800 - in Edgemoor Terrace addition

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To the village of Marysville, Ohio.
 For a more particular description reference is hereby made to the recorded Plat of said addition. Being same previously conveyed by John H. Shearer and wife to Minnie M. Kirby by See vol. 106 pg. 127 record of deeds, Excepting 15 feet off the west side of Lot no. 1799 see Deed Minnie M. Kirby and husband, to Lee Wilkins July 30 - 1920. vol. 123. pg. 487. record of deeds.

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 January, A.D. 1925. ~~W. H. Husted~~ Probate Judge.

10456

Return

To the Probate Court of Union County, Ohio.

In obedience to the foregoing order I have caused the foregoing order to be duly executed, as will fully appear by the proceedings hereto attached. Dated the 25-day of January, 1925.
 A. G. Kirby.

10456

Oath

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.

B. B. Gaumer, Lee Wilkins, W. H. Suddgrass, { appraisers

Done to before me, and signed in my presence, this 26-day of January, 1925.

~~W. H. Husted~~ John H. Hinkade, Notary Public.

10456

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 (\$700) Dollars less of said down estate of A. G. Kirby. Done under our hands, this 26-day of January, 1925.

B. B. Gaumer, Lee Wilkins, W. H. Suddgrass { appraisers

Journal Entry: Order approving appraisement for Bond.

Probate Court, Union County, Ohio.

January, 27th 1925.

This day came, the said Plaintiff, by his attorney Mr. produced to the Court, the report of said appraisement herein made by W. H. Suddgrass & B. B. Gaumer, and Lee Wilkins, in pursuance of a former order of this Court; and, it appearing upon examination that said report

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Approving appraisement.

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Bond

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To sell

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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 A. G. Kirby 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 Fifteen Hundred (\$1500-) Dollars, conditioned according to law, and, this cause is continued

W. H. Husted, Probate Judge

10456

Guardian's Bond.

Bond

Know all men by these Presents: That we, A. G. Kirby, F. W. Gallonay, and B. B. Ganner, are held, and firmly bound unto the State of Ohio, in the sum of Fifteen 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 27th day of January, A. D. 1925.

The condition of the above obligation is such, that whereas, the above bound, A. G. Kirby, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of A. G. Kirby Jr. James G. Kirby and John B. Kirby minors, and, whereas the said A. G. Kirby 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 \$700-

and, whereas, said Court, on the 27th day of January, 1925, made an order requiring said Guardian to execute a bond according to the statute in such cases made ^{and} provided.

now, if the said A. G. Kirby, 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.

A. G. Kirby, F. W. Gallonay, B. B. Ganner.

This Bond approved in open Court, this 27th day of January, 1925. W. H. Husted, Probate Judge.

Application to Sell Real Estate at Private Sale

Probate Court, Union County, Ohio.

10456

To Sell

at

Private Sale.

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

That said real estate is a vacant lot and unproductive and, that the proceeds thereof are

10456

necessary for the education ^{the} support of said wards. ^{the} that the same may be invested in an income producing investment.

That said Real Estate can now be sold at Private Sale for \$ 75-00, for which a buyer is waiting, and, also to save the expense of advertising auctioneers etc, and that this prospective buyer, might not bid so much, at Public Sale, if there was no competition.

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

A. G. Kirby, Edu. of A. G. Kirby Jr., James G. John B. Kirby,

The State of Ohio, Union County.

A. G. Kirby being duly sworn, says, that the various matters set forth in the foregoing application are true as he verily believes. A. G. Kirby

Sworn to before me, and signed in my presence, this 27- day of January A.D. 1925:

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

10456
affidavit

The State of Ohio, Union County.

Eber Dixon and Leonard P. Sherman, 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 wards to sell said real estate at private sale than at public sale, as they verily believe.

Eber N. Dixon Leonard P. Sherman,

Sworn to before me, and signed in my presence, this 27- day of January, 1925:

W. H. Husted, Probate Judge.

10456

Journal entry: Order approving Bond for Private Sale.

Probate Court, Union County, Ohio,
January, 27- 1925-

This day this cause came on further to be heard, and, it appearing to the Court, that the said A. G. Kirby the plaintiff above named, has given bond as heretofore ordered, in the sum of \$15-00- with F. W. Gallaway, and B. B. Gaumer, preferred 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 A. G. Kirby as such Guardian proceed to sell said real estate free of debt, at private sale, for not less than the appraised value thereof, on the following terms:

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Report
of
Sale

10456

Cash -

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

W.H. Husted Judge

Order of Sale. Free of Dower.

The State of Ohio, Union County, Probate Court.

To A. G. Kirby, 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 Guardian of A. G. Kirby Jr. James G. Kirby and John B. Kirby Minors are Plaintiff and, A. G. Kirby Jr. James G. Kirby and John B. Kirby 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 A. G. Kirby widow of Minnie G. Kirby, dec'd, the following described premises, to-wit:

Situate in the village of Marysville, Union County, Ohio, 75 feet frontage on East Seneca Street.

Being Lot # 799, and 40 feet off the west side of Lot # 800 in Edgewood Terrace addition to the village of Marysville, Ohio. For a more particular description reference is hereby made to the recorded Plat of said addition.

Being the same premises conveyed by John B. Shearer and wife to Minnie G. Kirby per vol. 106 page 127 record of deeds.

Excepting 15 feet off the west side of Lot 799, see deed Minnie G. Kirby and husband to Lee Wickins July 30 - 1920 - vol. 1123, page 487 record of deeds.

Said sale to be free of the dower of A. G. Kirby and to be upon the following terms: to-wit, cash, not less than appraised value.

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

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 27th day of January 1925.

W.H. Husted, Probate Judge

Return

10456

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 January, 1925.

A. G. Kirby.

Report of Sale - Private

10456

Report of Sale

In obedience to the within order, I sold said premises on the 27th day of January, 1925, to Louis P. Rausch, for the sum of \$75.00 Said sum being more than

Final Record, Union County Probate Court.

10406

the appraised value of the same.

Dated the 27-day of January, 1925.

W. G. Kirby,

The State of this Union County,

The above named A. G. Kirby 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. G. Kirby, sworn to before me, and signed in my presence, this 27-day of January, 1925.

W. H. Husted Probate Judge.

Journal Entry: Order of Confirmation, Distribution Probate Court, Union County.

A. G. Kirby Guardian of A. G. Kirby, Jr. James G. and John B. Kirby, minors.

January 27- 1925.

Order of Confirmation Distribution.

Confirmation

v.

said Wards. Defendants.

This day this cause came on to be heard on the report of A. G. Kirby Guardian of A. G. Kirby, Jr. James G. and John B. Kirby, (minors) 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, to wit: 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 Wards, in said real estate, to the purchaser, Louis P. Rausch, upon the said purchaser paying in cash, the purchase price \$750.00.

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 Seven Hundred fifty Dollars (\$750.00) and the said A. G. Kirby widower having by answer herein waived the assignment of dower in said premises by notes and bonds, 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 One Hundred sixty two and 34/100 Dollars.

10456

10456 Jan. 28 1925- John W. Dailey of attorney.

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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 \$ -- --
 being taxes, penalty and interest thereon, against said property second: the cost and expenses, incurred in the sale of said property, including an atty fee, \$25.00 to John H. Kinkade,

Third to A. G. Kely widower \$162.37/100 which the Court finds to be the value of his dower interest in said premises.

It is further ordered, that the balance of said proceeds, amounting to the sum of \$ -- --

be accounted for by said guardian 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

10476

Jan. 28

1920-
 John W. Daily
 attorney

Petition for Sale of Real Estate to Pay Debts.
 Probate Court, Union County, Ohio,
 vs. 10476.
 kind action

Ballie Frye, Executive,
 of the Estate of
 Rudolph Nickel, decd.
 Plaintiff

v.
 Thomas W Nickel
 Ethel M. Nickel orahood,
 Harry Frye,
 James W. Frye,
 William A. Frye,
 Retha Rotrust,
 Bernice Sternathy,
 Ida M. Harrison,
 Francis Nickel
 Margaret Nickel
 Russell Nickel
 Alvin Nickel, and
 Ethel M. Nickel
 The Richmond Banking Co.,
 Defendants,

Petition
 to
 sell Real Estate

Petition,

The Plaintiff represents that she is the duly appointed and qualified executrix of the estate of Rudolph Nickel late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Eighteen Hundred Dollars, as near as can be ascertained, and, that legates amounting to the sum of Seven hundred Dollars, in the last will and testament

10476.

10476

of Rudolph Nickol, and that no money is on hand to care for the same, 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 Rudolph Nickol died in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit:

Being a part of Military Survey 6199 bounded ^{as} described as follows: Beginning at a stone in center of road at the Southwest corner of the fifty acre tract of land owned by Samuel DeGood; thence north 11 1/2° East 124.72 rods to a stone on post and tile; thence in a westerly direction 16 rods to a stone in center of hedge; thence south 51° West along the center of said hedge 33.47 rods to a stone; thence N. 30° West 47 poles along the south line of lands heretofore deeded by Joseph G. Mow 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 Grand Pike; thence with the center of said road South 35° East 36.20 rods; thence North 61 deg. 30' E. 25.28 rods to corner of J. G. Hermanns land; thence S. 23° East 9 poles thence South 12° East 30 rods and 14 1/2 feet; thence S. 62° West 20 rods to the center of Magnetic Springs Grand Pike from which a stone placed on post and tile is placed on side of pike N. 62° E. 37 links from said corner; thence South 22° E. 59.88 rods to the center of cross roads at the stone; thence South 79° E. 23.80 rods to the place of beginning, containing 46.38/100 acres more or less.

Petition

Being the same transferred to J. Hermann unscathed by Joseph G. and Clara Mow, deed record vol. 80 Page 371-372, and transferred to said Joseph G. and Clara Mow by John Cite and wife recorded in vol. 62, Page 44, and

Samuel DeGood and wife Vol. 62, page 457 and Samuel DeGood ^{and} wife recorded in vol. 65, pg. 462. deed records of Union County, Ohio.

The said decedent died leaving defendants his only heirs of said decedent, taking the next estate of inheritance from said Rudolph Nickol deceased, in said premises; that the Defendants

The Richmond Banking Company claims some lien upon the premises above described.

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Filing Petition

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The Plaintiff therefore asks, 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 premises free from claims and liens according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

John W. Dailey

The State of Ohio, Union County, ss.

Bessie Frye, 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.

Mrs Bessie Frye, Ex-

Brown to before me, and signed in my presence, this 23-day of January, 1919, John W. Dailey, Notary Public.

In the Probate Court of Union County, Ohio, Jan. 23 - 1925.

Filing Petition To Sell Real Estate.

Filing Petition

This day came the Plaintiff Bessie Frye, and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said Rudolph Nickel 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.

W. H. Husted, Probate Judge

Wainor

Probate Court, Union County, Ohio.

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.

Jan - 26 - 1925.

John W. Frye

Wainor

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,

Final Record, Union County Probate Court.

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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 26 - 1925. Reatha Rotruck.

Wainor

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Probate Court, Union County, Ohio

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.

Jan. 28 - 1925. Mrs Berice Abramovich

Wainor

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Probate Court, Union County, Ohio

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.

July 16 - 1925: The Richmond Banking Co.

J. F. Rapp - Cashier

Wainor

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Probate Court, Union County, Ohio

We, the undersigned parties Defendant to the Petition in the above 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 28 - 1925. Thomas W. Nickol

Summons

Summons.

The State of Ohio, Union County Probate Court, To the adms. of the estate of Rudolph Nickol, Dec'd, you are commanded to notify Francis Nickol, Margaret Nicol, Russell Nickol, and Alvin Nickol minor heirs of Daleas Nickol, an Ethel Nickol, mother of said minors, that on the 25. day of Jan'y. 1925: Calie Frye, executrix, of the estate of Rudolph Nickol 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 deceased, in said petition described, for the purpose of paying debts and legacies ^{ans.} that unless they answer by the 25. day of Feb. 1925, said petition will be taken as true and an order

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Wainor

Answer ^{ans.} to Petition of Richmond Banking Co.

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granted accordingly. Said Adm^r will make due return of this writ on the 9-day of July, 1925. Witness my hand and the seal of said Court this 28. day of January, 1925. ~~W. H. Husted~~ W. H. Husted, Probate Judge
see State of Ohio, Union County.

F. Lallie Frye, being duly sworn, say, that on the 31-day of January, 1925, I served this writ by delivering a copy thereof personally to the following named persons, to wit:

Francis Nickel, Margaret Nicol, Russell Nickel, Alvin Nickel, minor and son, Ethel Nickel, mother of said minor.

Mrs Lallie Frye, Exe.

known to before me and signed in my presence, this 6-day of July, 1925. ~~W. H. Husted~~ W. H. Husted Probate Judge

Writ

Writ

Probate Court, Union County, Ohio.

Now, the undersigned, Ethel M. Nickel, Harry Frye, James H. Frye, Ethel M. Orabrod, parties defendant to the petition in the above entitled action, do each of us hereby waive the issuing and service of summons, do 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, Ethel M. Nickel Orabrod.

James H. Frye,
Harry Frye,
Ethel M. Nickel.

Answer and Cross-Petition of

The Richmond Banking Company.

Now comes the defendant The Richmond Banking Company, and says, that it is, and has been at all the times herein mentioned a corporation duly incorporated under the laws of the State of Ohio, with its principal place of business at the Village of Richmond in said State, and says, that on the 30-day of July, 1923, Harry Frye, the then duly appointed, qualified and acting guardian of said Rudolph Nickel, now deceased, did, in compliance with the order of this Court, duly made and entered in an action wherein said Harry Frye, as guardian of said Rudolph Nickel was plaintiff and said Rudolph Nickel et al. were defendants being No. 10138 in said Court, make execute and deliver to this defendant his promissory note, ^{the} mortgage to secure the payment of said note; that a copy of said note, with all indorsements thereon is hereto attached, marked, "Exhibit A" and made

Answer and Cross-Petition of Richmond Banking Co.

the Real Estate described in the petition in this action, and the same is hereby and voluntarily waived by the undersigned parties defendant to the petition in the above entitled action, according to the prayer of the same, and the undersigned parties defendant to the petition in the above entitled action, do each of us hereby waive the issuing and service of summons, do 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, Ethel M. Nickel Orabrod.

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part hereof: that this answering defendant is still the owner and holder of said note; that the interest on said note has been paid to July 30- 1924; that no part of the principal sum has been paid, and that there is now due and owing this answering defendant by the estate of said Rudolph Dickol, on the said note the sum of Eleven hundred and fifty dollars (\$1150.00) with interest thereon at the rate of seven per cent per annum from said 30th day of July, 1924.

This answering defendant further says, that in order to secure the payment of the above described note, the said Harry Hays, as guardian of said Rudolph Dickol, did under and in compliance with the order of this Court aforesaid, execute and deliver to this answering defendant, his certain mortgage deed covering all the premises set out and described in plaintiff's petition herein, which said description is hereby adopted and made part of this answer and cross petition, the same as if the same were described in full herein.

This answering defendant further says, that the said mortgage was duly filed for record on the 1st day of August, 1923, at 8:45-0 clock, a. m., in the office of the county recorder of Union Co. O. and was duly recorded in volume 83 page 309 of the mortgage records of said county, and, that the said mortgage is the first and best lien upon said real estate.

There is unpaid on said indebtedness the sum of \$1150.00 principal, and interest at 7% per annum from July 30th 1924.

Wherefore, this answering defendant prays, the protection of this court, for his claim and lien aforesaid; that the said mortgage of this defendant be declared to be the first and best lien on said real estate; and, that in the event of a sale of said real estate, the proceeds thereof be ordered to be first applied to the payment of the mortgage lien of this answering defendant, for the sum of \$1150.00 with interest thereon at 7 per cent per annum, from July 30th 1924. This answering defendant prays for all other proper relief.

The Richmond Banking Company,
By F. A. McAllister, its attorney.

State of Ohio - Union County ss.

Date

J. F. Rapp, being first duly sworn, deposes and says, that he is Cashier of the Richmond Banking Company, the foregoing answering defendant, and that the allegations contained in the foregoing

application
to sell at
Private Sale

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Answer and Verdict - Petition was true, as this affiant truly believes.

J. F. Papp, cashier
Subscribed and sworn to before me, this 17-day of February, 1920.
Sturgis H. Cheney, Notary Public, Union Co. O.
Exhibit A -

\$ 1150-

Six months, after date, for value received, we jointly and severally promise to pay to The Richmond Banking Co. or order, at its office, Eleven hundred fifty ^{no}/₁₀₀ dollars, with 7% int., payt semi-annually from date until due, and with interest at 8% per annum on all unpaid principal & interest after due until paid, interest payable semi-annually

and we, or either of us, do hereby authorize ^{Mr.} empower any attorney of any Court of Records, in the State of Ohio, or elsewhere, to waive the issuing and service of process, and to appear for us, or either of us in any said Courts at any time after the above note becomes due, and to confess judgment thereon, against us, or either of us, in favor of the payee, or legal holder hereof, for the sum due on said note, with all interests fees and cost of suit; said judgment to draw the rate of interest in note, after rendition until paid. We do also hereby waive all right of appeal, the stay of execution, the power and privilege to hold exempt from execution, any personal or real property belonging to us, or either of us, at, or after the rendition of said judgment and release all errors that may accrue in the rendition of said judgment and all rights to set out any writ of error, and our said attorney is hereby authorized to enter such release in said judgment.

(signed) Harry Frye, Guardian

This 30 July, 1923,

of Rudolph Nickel
Wairor

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Probate Court, Union County, Ohio.

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.

July, 16- 1925-

Ida M. Harrison,

Application
To sell at
Private Sale

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

The said Plaintiff represents that it would be for best interest of the said heirs at law and

Final Record, Union County Probate Court.

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legates to sell the real estate described in the petition in this case, at private sale, for the following reasons:

That an offer of the amount of the appraisement is made.

That said offer is all that the premises are reasonably worth.

That by private sale costs of advertising and etc are saved.

That by private sale all money will be received in cash and the debts can be taken care of at once.

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

Mrs. Callie Frye, Ex. of Rudolph Nirkol.

The State of Ohio, Union County,

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

Mrs. Callie Frye.

Known to before me, and signed in my presence, this 18. day of Feb. 1925. John W. Dailey, Notary Public

Affidavit of Disinterested Persons -

Affidant

of

Disinterested Persons

The State of Ohio, Union County,

A. N. Miller, Jas. Doubekin, Anna Fleming 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 heirs and legates to sell said real estate at private sale than at public sale, as they verily believe.

Jas. Doubekin, Anna Fleming, A. N. Miller.

Known to before me, and signed in my presence, this 28. day of February, 1925.

John W. Dailey, Notary Public

Ordering Private Sale.

Journalizing: Ordering Private Sale -

Probate Court, Union County, Ohio.

February, 28-1925.

This day this cause came on, to be heard upon the petition, evidence, and testimony of Callie Frye, and the answer and cross-petition of the Pickwood Farming Co., 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 Rudolph Nirkol 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

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Order of Sale.

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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 Rudolph Nickel, 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 Callie Frye,
 as such, executrix, proceed to sell said real estate
 free of dower, at private sale - for not less than
 \$3700 - 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.

Order of Sale without Dower,
 The State of Ohio, Union County, Probate Court.
 To, Callie Frye, Executrix of Rudolph Nickel, 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 are Plaintiff and Thomas Nickel et al, are
 Defendants, you are commanded to proceed
 according to law, to sell at Private sale, for not less
 than \$3700⁰⁰ the appraised value thereof without
 the dower of Rudolph being unmarried, deceased, the
 following described premises, to wit:
 Being part of Military Survey 6199 and described
 as follows, Beginning at a stone in the center of
 road, at the South West corner of, the, fifty acre tract
 of land, owned by Samuel DeBord; Thence north 11¹/₂
 East 124.72 rods, to a stone on post and tile; thence
 in a westerly direction 16 rods to a stone in center
 of hedge; thence South 51⁰ West along the center of
 said hedge 33.47 rods to a stone; thence North
 30⁰ West 47 poles along the south line of lands
 heretofore divided by Joseph H. Mory, and wife to
 Samuel DeBord; thence South 60⁰ West 50 rods to
 end of hedge fence; thence South 43⁰ West 280 poles to
 the center of Magnetic Springs Travel Road; thence
 with the center of said road south 38⁰ E. 36.20
 rods; thence North 61⁰ 30' E. 25.28 rods to corner of J.C.
 Hermanns land; thence South 23⁰ E. 9 poles; thence
 South 22⁰ East 30 rods and 14¹/₂ feet; thence South
 62⁰ West 20 rods to the center of Magnetic Springs Travel
 Pike from which a stone placed on post and tile

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is placed on side of pike N. 62° E. 37 links from said corner; thence S. 22° E. 59.88 rods to the center of cross-roads at the stone; thence South 79° E. 23.80 rods to the place of beginning, containing 46.38/100 acres, more or less, being the same lands transferred to J. Herman McCapher, by Joseph and Clara Momy, deed record vol. 80 page 371-372 and transferred to Joseph M. and Clara Momy by John White and wife, recorded in vol. 62, page 44, Samuel DeGood, and wife vol. 63, page 457 and Samuel DeGood, ^{and} wife recorded in vol. 65 page 462, deed records, in Union County, Ohio.

Said sale to be Private 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 28th day of Feb., 1925.

[Signature] W. H. Husted, Probate Judge.

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 28th day of Feb., 1925:

[Signature] Mrs. Bessie Frye

Report of Sale

Report

In obedience to the within order, I sold said premises on the 28th day of Feb., 1925, to Albert J. Phipps, for the sum of Three Thousand Seven Hundred Dollars, said sum being the appraised value of the same.

[Signature] Mrs. Bessie Frye

Feb., 28, 1925.

The State of Ohio, Union County.

The above named, Bessie Frye, 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 get for said property.

[Signature] Mrs. Bessie Frye

Done to before me, and signed in my presence, this 28th day of February, 1925.

John H. Dailey Notary Public *[Seal]*

Confirmation

Journal Entry: Probate Court, Union County, Ohio, February, 28th 1925.

orders of Confirmation. Distribution

This day this cause came on, to be heard on the report of Bessie Frye, Executrix of Rudolph Nickel, of her

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proceedings under the former order of this Court and upon the motion of said petitioner to confirm the sale made in obedience to said order; and, the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made; it is ordered, that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of, all the right, title and interest of the said Rudolph Nickol, Thomas Nickol et al, in said real estate, to the purchaser.

Albert J. Phipps upon the said purchaser paying said executrix, the purchase money, and now this cause coming on further to be heard upon the pleading herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Three Thousand Seven Hundred Dollars and the said Rudolph Nickol being unmarried,

The Court finds that there is due the said The Richmond Banking Company upon the note set forth in its answer and cross-petition from the estate of said Rudolph Nickol, the sum of Eleven Hundred ninety-four Dollars, with interest thereon from the date of this entry, that the said Harry Frye, as Guardian of the said Rudolph Nickol, 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 Harry Frye 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 executrix out of the money in her hands, pay:

First; - To the treasurer of this County, the sum of \$ 64 ⁵⁸/₁₀₀ 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 \$40.00 to John W. Daily

To The Richmond Banking Co. on the note and mortgage set forth and described in their answer and cross-petition herein, the sum of \$ 1194.40, which the Court finds to be the amount due them.

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Final Record, Union County Probate Court.

It is further ordered that the balance of said proceeds amounting to the sum of \$-- be accounted for by said executor according to law. and it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$13- out of the proceeds of said sale. W.H. Husted, Probate Judge

10469

Jan. 13 1925

Edmond W. Porter
attorney

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

Jessie Daugherty, Administratrix,
of the Estate of
Jessie W. Randall, dec'd.
Plaintiff

No. 10469
Civil Action

Edward Randall,
Edward T. Randall,
Thomas W. Randall, an.
The Citizens Home and
Savings Co.
Defendants.

Petition
to
Sell Real Estate.
Petition

The Plaintiff represents that she is the duly appointed and qualified ady. of the estate of Jessie W. Randall late of Union County, Ohio, deceased; that the amount of debts due from the deceased is \$1200- as near as can be ascertained, that the charges of administration of said estate will amount to about one hundred dollars, and that the total value of the personal estate and effects of said deceased is but - nothing being insufficient to pay the debts and costs aforesaid.

Petition

The plaintiff further represents that said Jessie W. Randall died seized in fee simple of the following described real estate, situate in the County of Union in the State of Ohio, to-wit:

In the village of Marysville and being the east half of two lots numbers, Sixty-one (61) and seventy two (72) for a more definite description of said two lots reference is hereby made to the recorded plat of said Village in the office of the Recorder of said Union County, Ohio.

The said decedent died leaving the defendant Edward Randall, her widower, who is entitled to dower in said premises; that the defendants Edward T. Randall, and Thomas W. Randall are the only children, heir at law, and next of kin of said decedent, having the next estate of inheritance from said Jessie W. Randall, deceased, in said premises, that the defendants, The Citizens Home and Savings Co. of Marysville, Ohio, claims to have some lien upon

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Petition

Filing Petition Jan

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Said premises. The Plaintiff therefore prays, that the dower of said Edward Randall, in said premises may be assigned and set off to him; that the rights, interests and liens of the said Edward Randall, Edward T. Randall, Thomas W. Randall, and 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 of said dower, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

Petition

Jessie Daugherty, per. E.W. Porter her attorney.

The State of Ohio, Union County ss.

Jessie Daugherty 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.

Jessie Daugherty, adx.

Sworn to before me, and signed in my presence, this 13-day of January-1925;

Filing Petition

Journal Entry;

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

In the Probate Court, of Union Co. Ohio, January, 13-1925; Case No. 104 69.

Filing Petition to sell Real Estate.

This day came the Plaintiff Jessie Daugherty adx. of the estate of Jessie W. Randall, decd - and, presented to his Court, her petition, duly verified, praying an order for the sale of real estate of the said Jessie W. Randall, deceased, to pay the debts, and the costs of administering the estate of said decedent.

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

To Jessie Daugherty.

You are hereby commanded to notify the following named who are minors, to wit: Edward T. Randall, Thomas W. Randall, making service of this summons, upon said minors, also, upon said minors, also, upon the guardian,

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or further can be found, then upon the mother, or the person leaving the care of said minors, or with whom they live; that on the 13-day of January, 1925, Jessie Dargherty admr. of the estate of Jessie W. Randall, deceased, filed his 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 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 14th day of Feb. 1925, said petition will be taken as true, and an order granted accordingly.

The answer will make due return of this writ on the 26-day of January 1925-

This writ to be served on each of said defendants by copy personally. Witness my hand and the seal of said Court, this 13-day of January, 1925:

W. H. Busted, Probate Judge ^{Recd}
Return of Service

Return of Service

Received this writ on the 13-day of January, 1925, at 10 o'clock, a.m. and on the days and in the manner hereinafter named, I served the same on Edward T. Randall, and Thomas W. Randall, the within named defendants who are minors.

January 13- 1925, on Edward Randall, the father of the said Edward T. Randall, and Thomas W. Randall, minors, as aforesaid, there being no guardian.

Jessie Dargherty
The above named, Jessie Dargherty 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 14-day of January, 1925.

^{Recd} Edward W. Porter, Notary Public, Union Co., Ohio.
Answer of Widower.

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Answer of widower

In the Probate Court of Union County, Ohio, and now comes Edward Randall 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 Jessie W. Randall, deceased, and as such, is entitled to dower, in the premises described in said petition; that his age is 48 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 may be sold free from his dower

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Carte

Widower

Cross-Petitioner
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estate therein and, that the value of such down estate may be allowed, and paid him in money out of the proceeds of such sale, as the Court may deem reasonable.

Edward Randall,

The State of Ohio, Union County ss.

Carte

Edward Randall, being duly sworn, swears that the facts stated in the foregoing answer are as he believes, true. Edward Randall.

Done to by said Edward Randall, before me, and signed by him, in my presence, this 13-day of January, A. D. 1925.

Edward W. Porter, Notary Public, Union Co., Ohio, No. 10469

Wainor

Probate Court, Union County, Ohio.

Mr. 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.

The Citizens Home and Savings Co., By C. A. Hoopes

Cross Petition of the Citizens Home and

Savings Company, Case No. 10469.

Cross-Petition

Citizens

Home & Savings

Co.

Jessie Danyhurst, adx., of the estate of Jessie W. Randall, Dec'd.

Plaintiff

Edward, Randall, et al.

Defendants.

Cross Petition of

The Citizens Home & Savings Co.

now comes the Citizens Home & Savings Company and says that it is a corporation, duly organized under the laws of the State of Ohio, with its principal of business at Mansfield, Ohio. That on the 6-day of May, 1919, Jessie W. Randall, and Edward Randall executed and delivered to this defendant their promissory note for the sum of \$1400.00 with interest 7% from date, and that there is now due, upon said note the sum of \$450.50 with interest at 7% from January 22, 1925. That on the 6-day of May, 1919, in order to secure the payment of said note said Jessie W. Randall and Edward Randall, executed and delivered to this defendant, their mortgage deed, thereby conveying the premises described in the petition, that said mortgage was conditioned in substance, that if said note be paid, then, this said mortgage be void, otherwise to remain absolute. That said

The person they live; Danyhurst filed said Union to and the sale of, in said my debts day of e, and are his writ defendants seal of 1925: in the same on the ther of, the and all. law. erty signed going rs. present. im Co, Ohio. in County, Ohio, defendants enters to the the widow w. is in said consents cedent, signment bounds st that down

10469

mortgage was filed for record with the recorder of Union County, on the 6-day of May, 1919, at 2:30 P. M. o'clock, and was by him recorded in Book 76, page 215- 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 claims be first paid out the proceeds to C. A. Hoopes.

State of Ohio, Union County, ss:

Oath

C. A. Hoopes being first duly sworn, says that he is the attorney for the Citizens Home & Savings Company; the defendant herein, 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 22-day of January, 1920;

Jessie W. Southwick, Notary Public.

Order for appraisement.

Probate Court, Union County, Ohio.

February, 26-1920- No. 10469.

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 sell the real estate therein described, to pay the debts of the said Jessie W. Randall deceased.

And, Edward Randall, the widower of the said Jessie W. Randall deceased, having by his Answer, waived the assignment of this debt by metes and bounds, it is therefore ordered, and adjudged by the Court, that the said premises be appraised hereof, done, by the votes of J. A. Mangano, Herman Bohm, and H. W. Asman, Judicious and disinterested freeholders of the vicinity, whom the Court hereby appoint for that purpose, that they return their proceedings to this Court, for confirmation.

W. H. Husted, Probate Judge

Order of appraisement

Probate Court,

Order of appraisement

The State of Ohio, Union County, ss.

To Jessie Daugherty, admr. of the estate of

Jessie W. Randall, 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 Administrator of the estate of Jessie W. Randall, deceased, are Plaintiff and Edward Randall, et al. are Defendants, you are

10469

Return

oath of appraisers

appraisers Return

To sell at Private Sale.

10469

commanded, that by oaths of J. A. Mangans, Herman Braun
and H. W. Asman, judicious disinterested men of the vicinity
near 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 Edward Randall, therein, to wit:

Situate in the county of Union, State of Ohio, and in
the village of Mansville, and being the east half of
two lots numbers sixty one (61) and seventy-two (72).
For a more definite description of said two lots
reference is hereby made to the recorded plat of
said village in the office of the Recorder of said
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 Mansville, Ohio, this 26-day of February,
A.D. 1925. ~~Seal~~ W. H. Husted, Probate Judge

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 27-day of Feb., 1925.

Jessie Darylhart, adm.
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.

J. A. Mangans, Herman Braun, H. W. Asman & app. C.
Sworn to before me, and signed in my presence, this 27
day of Feb., 1925. ~~Seal~~ Edward H. Peter, Notary Public, Union Co. O.

Appraisers

Appraisers Return

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
\$1850.00 free of said dower estate.

Given under our hands, this 27-day of February, 1925.

J. A. Mangans, Herman Braun, H. W. Asman & appraisers
Application to Sell Real Estate at Private Sale
Probate Court, Union County, Ohio.

No. 10469

To Sell
at Private
Sale.

10469 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:

1st. Because it will save the expense of advertising
2- " if sold at private sale, it must bring the full appraisement, whereas, if sold, at public sale, it might bring but 7/8 of the appraisement.

3- Because a purchaser, has, already been secured who will pay, the full appraisement and, she therefore asks, for an order, authorizing her, to sell said real estate at private sale.

Jessie Dargherty, admx. of the estate of Jessie W. Randall, Deceased.

The State of Ohio, Union County,

Oath

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

Done to before me, and, signed in my presence, this 27. day of July, 1925 ~~at~~ Edward H. Porter, Notary Public, Union Co., Ohio.

Affidavit

Affidavit of Disinterested Persons.

of Disinterested Persons.

The State of Ohio Union County,

M. S. Brown, Eber W. Dillon, and, Lemuel P. Sherman, 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 Jessie W. Randall, deceased, to sell said real estate at private sale, than at public sale, for the reasons given herein, as they verily believe.

M. S. Brown, Eber W. Dillon, Lemuel P. Sherman.

Done to before me, and, signed in my presence, this 27- day of July, 1925 ~~at~~ Edward H. Porter, Notary Public, Union Co., Ohio.

Confirming appraisement

Journal entry:

In the Probate Court of Union County, Ohio.

February, 27- 1925. No. 10469

Order confirming appraisement & ordering sale.

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

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Order of Sale.

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plaintiff as such, admr., 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 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 Jessie Darguarty, as such, 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 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

Order of Sale - Free of Down.

The State of Ohio, Union County ss. Probate Court.
To Jessie Darguarty, Admr. of the estate of Jessie W. Randall, 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 Admr. of the estate of Jessie W. Randall, Dec'd, are Plaintiff and Edward Randall, 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 Edward Randall, widow of Jessie W. Randall, dec'd, the following described premises, to wit:

Situate in the County of Union, State of Ohio, and in the village of Marysville, and being the east half of lots numbers, Sixty-one (61) and 72. For a more definite description of said lots, reference is hereby made to the recorded plat of said village in office of the Recorder of said Union Co. Ohio. Said sale to be free of down, and taken 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 Court, this 27th day of July, 1925.

W. H. Husted Probate Judge

Return

Return

To the Probate Court of Union County, Ohio

Final Record, Union County Probate Court.

10469

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., 1925.

Jessie Daugherty, admx., as aforesaid.
Report of Sale

Report

In obedience to the within order, I sold, said premises, on the 27-day of February, 1925, to Edward Randall, for the sum of Eighteen Hundred and fifty dollars, said sum being the appraised value of the same.

Jessie Daugherty, admx.

Dated the 27-day of Feb., 1925.

The State of Ohio, Union County ss.

The above named Jessie Daugherty, admx., of the estate of Jessie W. Randall, 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.

Jessie Daugherty, admx., as aforesaid

Done to before me, and signed in my presence this 27-day of February, 1925. ^{sub} Edward W. Porter, Notary Public Union Co. Ohio.

Probate Court, Union County, O., Feb., 27- 1925.
Confirming Sale.

Confirmation

This day, this cause coming on to be heard on the return of Jessie Randall, admx., of the estate of Jessie W. Randall, 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 Jessie Daugherty, as such, admx., make to the purchaser, Edward Randall, good and sufficient deed for the premises so sold.

It is further ordered, that this proceeding be recorded, and that said admx. pay the costs.

W. T. Husted, Probate Judge.

95-03

Files
Nov. 24-1920

Petition

Order

Private

Sale

Vertical text on the right margin of the adjacent page, including words like 'Petition', 'Order', 'Private', 'Sale', and 'this'.

95-03
 Files
 Nov. 24th 1920

Petition to Sell Personal Property.

Probate Court Union County, Ohio.
 In the matter of the Estate of J. W. Ritchie, Deceased.
 To the Judge of said Court: The undersigned respectfully represents that he is the duly appointed and qualified admr. of the estate of Joseph W. Ritchie, 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:

Petition

Five white hogs -	Feeding	\$ 112.50
Fifteen red hogs -	" "	210.
150 bu. standing corn		75.
35 " wheat		56.

said authority is asked for the following reasons:

1. Because said hogs are now ready for the market.
2. Because said standing corn can not readily be sold in that form, but can be fed to said feeding hogs.
3. Because said wheat can be disposed of easier at a warehouse and for that reason there is no demand for wheat at a public sale.

John F. Corn.

The State of Ohio, Union County, ss.

Order

John F. Corn, admr. being duly sworn, says that the facts stated in the foregoing petition are true, as he truly believes.

John F. Corn.

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

Edward H. Potes, Probate Judge -

order
 Private

Journal Entry: Order for Private Sale, Personal Property.
 Probate Court, Union County, Ohio,
 Nov. 24th 1920.

Date. This day this cause came on to be heard upon the petition herein filed & the testimony of John F. Corn, admr. of the Court, being advised in the premises finds that the statements & allegations in said petition are true & that the property therein described ought to be sold as prayed for, and the Court, being satisfied upon good and sufficient proof that it will be to the advantage of said estate to sell said personal property at private sale; it is therefore ordered, that John F. Corn as admr. of said estate of J. W. Ritchie, deceased proceed to sell

Final Record, Union County Probate Court.

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.

It is further ordered, that said Adm- make return of his proceedings herein within 2 months from this date in this cause do continued. Edward W. Porter, Probate Judge

9362
Apr. 1-1920

In the matter of, the Estate of Carrie V. Hamilton, Deceased.
Petition To Sell Personal Property.

Probate Court, Union County, Ohio.

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified adm. of the estate of Carrie V. Hamilton dec'd 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:

1	Davenport.	30-
2	Ring	25--
3	Library Table	10-
4	cow	65-
5	45-bu corn, \$1.50 per bu.	67.50
6	3 Ton Hay 20.00 " Ton	60.

Said authority is asked for the following reasons: there being only a few articles a private sale would save the expense of advertising.

The State of Ohio, Union County, ss.

David S. Davis, being duly sworn, says.

Date

that the facts stated in the foregoing petition are true, as he verily believes.

Done to inform me, he signed in my presence, this 1-day of April, 1920.

Agnes D. Porter, Deputy Clerk,

Journal entry: Probate Court, Union County, Ohio
April 1-1920.

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

order of.

Date.

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Report.

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no 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 David S. Davis 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 -

It is further ordered that said admr. make return of his proceedings herein, forthwith after such sale is made - ^{to} this cause is continued.

Edward W. Porter, Probate Judge

order of.

order of sale -

Probate Court, Union County, Ohio,

Sale. To David S. Davis, admr. of the estate of Carrie V. Hamilton, 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 Carrie V. Hamilton you are hereby authorized and required to proceed according to law to sell at Private Sale - not less than the appraised value thereof, the following goods & chattels belonging to said Carrie V. Hamilton, to wit:

- Davenport #30. -
- my 25. -
- Litrary Table 10 -
- Cow 65.00
- 45 bu Corn - 67.50
- 37 Hay 60.
- 4200 # hay 20.16
- Hay 24.84 Total 299.50

Said sale to be upon following terms - cash -

you will return this order 4 months from this date.

Witness my hand and the seal of said Court, this 1st day of April, 1920. ^{Seal} Edward W. Porter, Probate Judge

Return.

Probate Court, Union County, Ohio.

Report of Sale -

Report.

The undersigned David S. Davis admr. of Carrie V. Hamilton dec'd, says he sold said personal property commencing April 20 - 1920 closing May 9 - 1920 for sum of \$299.50 said sum not less than appraised value of same - a detailed Bill of said Sales attached

Dated July 10 - 1920. David S. Davis admr. -

Davenport	30.00	To Mrs C. F. Newman	\$ 30.00
my	25.00	" " " " "	25.00
Litrary Table	10.00	" " " " "	10.00
1 Cow	65.00	" " " " "	65.00

Final Record, Union County Probate Court.

45-bu. Corn #1 ⁵⁰ per bu. 67.50.	H.O. Gunders.	claim us good.	\$67.50
3 Ton hay 20 ⁰⁰ per ton 60.00	" "	" "	60.
4200 Hay	20.16	marion Rudman	20.16
" "	20 ⁰⁰ per T. 21.84	" "	21.84
			<u>299.50</u>

The state of Ohio, Union County ss.

David S. Davis admr. of the estate of Carrie V. Hamilton 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

David S. Davis

Sworn to before me, and signed in my presence. This 10-day of Feb. 1925 W.H. Husted, Probate Judge

Journal Entry: Probate Court, Union County, Ohio July 10th 1925

This day this cause coming on to be heard on the report of David S. Davis admr. of the estate of Carrie V. Hamilton 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 admr. pay the costs \$3.00. W.H. Husted, Probate Judge

6607³ Jan. 24/1921

In the matter of the Estate of John Michael Berger, Petitioner to Sell Personal Property.

To the Judge of said County: The undersigned respectfully represents, that he is the duly appointed and qualified admr. of John Michael Berger, dec'd. He binds now with full auth. of said County.

your petitioner makes application to sell at Private Sale

1	Milk from cows giving milk during season.	
2	120 sheep	125.00
3	1 Horse	65.00
4	1 Huffer	20.00
5	20 Hogs on fattening preparing for May market.	135.00
6	14 Pigs feeding for May market.	49.00
7	14 " " " Sept. "	14.00
8	19 sheep now growing on same (sheep value \$53.50)	
9	100 bu. wheat in bin	75.00
10	1 buggy, harness, robe, blanket, & storm front.	75.00

9698 Filed April 28-1923

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Said authority asked for the following reasons; that the appointed and qualified adms. Mrs. Amelia Berger having died Jan. 13-1921. and owning one-half interest of same appraised value given being one-half of full value. and the intention to run farm another year as before, the tenants year having begun Jan. 1-1921. therefore the Personal Property mentioned being ready for market and being prepared for market would either be a detriment or a loss to the estate if not put on the market and sold.
Jehas Rausch, admr.

The State of Ohio Union County, ss.
Jehas Rausch being duly sworn, says that the facts stated in the foregoing petition are true, as he truly believes.
Jehas Rausch.
Sworn to before me, and signed in my presence, this 24 day of January, 1921. Edmond W. Porter, Probate Judge
Journal Entry no. 36. Pg. 291.

9637
Nov. 27-1922.

In the matter of the Estate of Elizabeth Kyle, Deceased.
affidavit on application to sell Personal Property at less than the appraised value.
Probate Court, Union County, Ohio.

The State of Ohio, Union County, ss.
The undersigned being first duly sworn, say that they are interested in the estate of Elizabeth Kyle, decd. that they have examined the property mentioned in the application of Thomas Price, Executor, of said estate to sell said property at private sale, filed in said Court, October 24-1922, and have well examined the Inventory and appraisement thereof; that said property cannot be sold at its appraised value, and that it will be for the interest of said estate to sell the same, at a less price, as they verily believe.

L. J. McCoy, J. F. Rapp, Robt. Peck.
Sworn to before me, and signed in my presence, this 27 day of November 1922.
Edmond W. Porter, Notary Public, Union Co. O.
Entry see Journal, 37, Pg. 445.

9698
Filed
April 28-1923

In the matter of the Estate of G. L. Curry, Deceased
Petition to Sell Personal Property.
Probate Court, Union County, Ohio.
The undersigned respectfully represents, that he is the duly appointed and qualified administrator of the Estate of G. 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:

one Government 4 1/2% bond	\$ 1000-
Three " " " "	500-

Said authority is asked for the following reasons: that it is necessary to sell said bonds, in order to close up the estate of said G. L. Curry, deceased, and they will sell to a better advantage to self 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 truly believes.

J. E. Curry, admr.
 Sworn to before me, and signed in my presence, this 28 day of April, 1923. ¹⁹²³ W. H. Busted Probate Judge
 Journal no. 37, Pg. 640-

Order of Private Sale and Report of Sale
 Probate Court, Union County, Ohio
 To J. E. Curry, admr., of the estate of G. 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:

- 1 one - Gov. Bond \$ 1000-
- 3 three " " " 500.- each.

Said sale to be cash in hand time of sale. You will return this order, within one month from this date, together with your report.

Witness my hand and the seal of said Court this 28 day of April, 1923. ¹⁹²³ W. H. Busted, Probate Judge

Return - Report of Sale of Personal Property
 The undersigned admr. of the estate of G. L. Curry, decd., says that in obedience to the order of said Court hereto attached, he sold, said personal property on the market the Bank at different times, closing on the 4 day of March, 1924 for the sum of \$ 1996.⁷⁵ said sum being not less than appraised value.

A detailed Bill of said Sale is hereto attached.
 Dated this 9 day of June, 1925;
 J. E. Curry admr.

10024
 July 10th 1923

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2	\$500 ⁰⁰	Bonds.	924.70	Sold to First Natl. Bank Plain City O.	1000 ⁰⁰
1	1000 ⁰⁰	"	924.20	" " " " " "	996.95

The State of Ohio, Union County,
 J. E. Curry, Adm., of E. L. Curry 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
 Sworn to before me, and signed in my presence this 9th day of January, 1925
 W. H. Husted, Probate Judge

Journal Entry:
 Probate Court, Union Co., Jan'y, 9 - 1925 -
 The adm., of the above named decedent, having filed his return of the sale of 2 \$500- bonds and 1 \$1000- bond on order heretofore issued for private sale of the personal property of said decedent, and the court, having carefully examined the same finds said proceedings in all respects regular, and in accordance with law, and, therefore approves same, confirms the same.

W. H. Husted, P. J.

10024
 July 15th 1923

In the matter of the estate of Elton D. Bailey, deceased,
 Petition to Sell Personal Property at Private Sale,
 Probate Court, Union County, Ohio.

To the Judge of said Court:
 The undersigned Fay R. Bailey, adm., of the estate of Elton D. Bailey, 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 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:
 1. Because said property is the undivided one-half of a grocery store, the other half being the property of the administrator herein who as surviving partner is entitled to take at the appraisement.
 2. Because it will save the expense necessary in public sale.
 3. Because it saves time and conserves the property

Final Record, Union County Probate Court.

us. a large proportion thereof is perishable.

Dated Feb. 15th 1923.

Fay, R. Bailey, adur.

The State of Ohio, Union County

Fay R. Bailey being duly sworn, says, that the various matters and things contained in the foregoing application, are true, as he verily believes.

Fay, R. Bailey

Known to before me, and signed in my presence, this 15th day of February, 1923.

Edward W. Potter, Notary Public, Union Co.

116	bars. peaches	20.64	horse radish	1.04
24	" corn	2.40	32 lb. olso	7.90
26	" tomatoes	2.60	1 roll paper	1.78
12	" salmon	2.76	1 electric fan	10.00
14 1/2	bags flour	5.50	1 clock	3.00
49	cans. milk	4.90	1 gas stove	5.00
25	lbs. walnuts	5.00	9 clothes lines	1.08
4	boxes apples	8.00	11 lard cans	2.20
73	" oranges	4.50	50 lbs. lard	6.25
	hickory nuts	1.50	19 yankee doodle	4.18
20 lb.	Popcorn	2.	97 bars soap	3.88
12 1/2	dried peaches	1.68	16 " F. A. T. B.	1.44
40 lb.	dates	5.00	bags	2.50
35	coffee	5.61	brans	1.92
17	" O.K. "	5.51	1 box soap	6.50
15	cans. red top malt	7.50	"	6.10
33	" spaghetti macaroni	5.94	164 cigars	5.74
135	" soap tobacco	2.81	150 " "	3.00
24	lbs. lion coffee	9.18	75 " "	4.50
73	" boravan coffee	6.21	lot candy	1.00
37	" "	11.10	50 gum	1.50
1	bottle	1.75	4 life savers	2.00
8	grs. can rubbers	4.80	40 gal. vinegar	12.00
	citron	5.00	1 bag onions	1.00
32	lbs. coffee	10.56	5 rolls paper	8.75
25	" "	7.00	2 cans linnery	3.60
23	" "	8.74	30 P. R. Teco.	2.40
4	cans. plums	.72	36 W. paper cleaner	1.80
44	" cherries	8.20	5 keys	3.25
5	" olive oil	1.88	23 bags potatoes	40.25
15	lb. dates	1.20	33 sacks of flour	9.81
1	lob almond nuts	4.50	20 sacks of pancake flour	2.40
5	lbs. pea nuts	1.50	100 rolls toilet paper	7.00
1	jar	1.00	1 bbl. apples	5.00
20	lbs. lard	2.50	39 tomatoes	3.12
24	lb. mince meat	2.88	150 boxes maltes	7.50
			10 cans milk	1.00
			240 " apris	18.00

20	cans
25	"
24	lb.
39	ca
60	"
3	"
15	pk.
15	"
10	"
19	ca
9	pk
18	"
46	ca
11	"
103	"
5	pk.
19	ca
21	pk.
16	"
29	"
41	ca
27	"
21	"
39	"
104	"
40	ba
13	"
109	"
25	ca
14	"
11	"
43	ca
30	"
15	"
23	pk.
73	"
116	"
10	"
48	ca
5	"
84	"
17	"
14	pk.
20	"
102	"
8	"
5	"
24	lb.

Final Record, Union County Probate Court.

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20 cans, S. potatoes,	3.00	8 lb. glass starch	1.49
25 " Flouring	1.75	8 " " "	2.67
24 lb. rice	1.92	2 pk. moist powder	.39
39 cans wall cleaner	3.90	6 " E. Z.	.60
60 " Sol-	3.00	19 " pins	1.82
3 " peas	.39	8 " starch	.64
15 pk. bran	1.20	1 " postum	.18
15 " pancake flour	1.80	17 paraffine	1.70
10 " cream wheat	1.80	7 - starch	.63
19 cans spiracle	2.80	25 lb. R. Baking Powder	8.40
9 pk sugar	3.24	4 pk. Zupicard	.36
18 " "	1.44	5 bottles ammonia	.35
46 cans tomatoes	4.60	38 pk. baking powder	2.66
11 " corn	1.65	26 " " "	3.38
103 " eye-	10.30	22 " " "	8.50
5 pk. Sugar	.75	39 bars soap	1.56
19 can beans	2.78	3 boxes wax	.30
21 pk. pancake flour	2.52	17 " "	.68
16 " Cocoa	4.00	6 " blue devil	.54
29 " spg tea	2.32	88 bars soap	4.40
41 cans symp-	5.12	100 lbs. coffee	16.00
27 " corn	2.16	50 " starch	1.00
21 " tomatoes	2.10	96 pk. starch	6.72
39 " soup	1.56	48 Joan ask	2.60
104 Ivory flakes	9.36	1 case tomatoes	2.40
40 bars soap	2.00	Soap	11.52
13 " soap	1.30	144 cleanser	5.76
109 " soap	4.36	24 corn	2.40
25 can Rufford B. Powder	7.00	48 cans peaches	8.96
14 " cleanser	.56	16 pk. tea	2.40
11 " spray	1.98	72 pk. macaroni	3.00
43 bars soap	2.36	1 ice box	25.00
30 " "	2.10	1 meat cutter	60.00
18 " "	.72	1 " block	37.50
23 bluing	1.84	1 " grinder	11.50
73 soap	2.92	1 " saw	3.75
116 " "	7.12	1 " cleaver	3.00
10 " "	.70	1 " steel	2.00
48 cans, B. Powder	3.60	1 paper rack	1.25
5 " " "	.32	3. knives	4.75
84 " " "	6.72	1 bill scale	.60
17 " " "	2.55	5. meat pans	7.00
14 pk. barley	1.40	Cash register	55.00
20 " soda	.80	hook flour case	65.00
102 " Jello	8.16	1 safe	25.00
8 " Cocoa	.60	20 lb. shelling	20.00
5 " Bird seed	.50	1 counter	5.00
24 lb. starch	1.92	1 awning	25.00

Final Record, Union County Probate Court.

1	fruit rack.	3.00
10	blars jar.	75.00
1	hot plate	3.00
15	bottle olives	1.80
21	lbs. cherries	.30
3	cans. symp.	.60
9	" apple butter	.90
14	" sour cream	3.50
1	" grape juice	.25
15	" freshme.	2.80
6	apple cal.	
32	honey	3.20
20	y. cut.	2.40
33	blackberries	5.94
19	Pie apples.	8.13
4	par. andc.	1.20
2	mayonaise	.20
21	cans. beans.	1.50
31	" salmon.	7.13
16	" cod fish	1.50
39	" salmon	4.68
20	" moss R. B.	2.00
39	" white Corn Corn	3.90
19	lb. v. H. Coffee	6.08
21	" asparagus	3.15
9 1/2	dz. milk	5.32
22	lbs. coffee	5.94
26	Catsup	3.38
17	"	3.06
6	mustard	.48
30	lb. Tea.	4.50
24	"	1.68
33	" raisins	4.62
14	B. Beans.	1.40
36	" "	2.58
57	" "	3.56
6	lb. chocolate	2.10
40	cocoa	2.00
14	Marsh mallons.	1.40
16	F. Mustard	2.
30	P.R. Salt	2.25
22	Sagutti	2.70
4	bars wash white	.60
10	" " powder.	.60
12	boxes starch	.96
3	" Col. maline	.27
24	" Bon ami	2.32
2	" shiriso	14

10	gal. vinegar.	1.20
18	boxes cleanser.	.72
84	" "	3.36
46	" starch	2.32
6	cans. symp.	4.50
8	pk. wheat	1.00
20	lb. rice	2.60
3	boxes bran.	.45
5	lb. Tea	3.00
5	box Post Toasties	.35
21	" " "	1.68
35	lb. oats	2.80
40	rolls toilet paper.	2.00
	fruit	6.00
40	lb. crackers.	6.12
6	" cakes	1.80
6	" ginger cakes	1.80
9	" cakes.	1.80
24	empty cans.	14.50
12	pk. crackers	.84
1	lot naps.	2.50
20	lb. soap chips	2.00
3	Bestal loaf.	.60
1	slicing machine	320.00
1	grinder	110.00
1	electric met.	5.00
	scales.	40.00
	gas stove	3.00
	Ford truck	750.00

\$2034.99

Depreciation in values 404.25

1/2 \$1632.74

Journal entry: Journal 37 Pg. 5-51

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17 Pg. 551

Order of Private Sale, Personal Property

Probate Court, Union County, Ohio
To Fay R. Bailey, admr. of the estate of Elton D. Bailey 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 estate, you are hereby
authorized and required to proceed according to law
to sell at Private Sale, at Private Sale, at not less
than the appraised value thereof, the following goods
and chattels belonging to said estate, to-wit:

It being the undivided one-half of the grocery
store, belonging to deceased, during his life-time
which is enumerated in detail in the schedule
attached to petition to sell personal property at
private sale, and, which is also enumerated in
the inventory of said estate filed in this Court;
and too numerous for further incumbrance of the
record, to which reference is hereby made-

said sale to be on the following terms:
Cash in hand at time of sale.

You will return this order within twelve months
from this date, and forthwith upon the execution
of the same, together with your return enclosed.

Witness my hand, and the seal of said
Court, this 15th day of Feb., 1923.

Wm. H. Husted Probate Judge
Return

Probate Court, Union County, Ohio.

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 personal property commencing on the
15th day of February 1923, and closing on the 15th
day of February 1923, for the sum of \$16³⁷
said sum, being not less than the appraised
value of the same. A detailed Bill of said Sales
is hereto attached, as indicated herein.

Dated this 19th day of March, 1925.

Fay Bailey admr.

The State of Ohio Union County

Fay R. Bailey, admr. of the estate of Elton D.
Bailey, deceased, being duly sworn, says that the fore-
going Report, is in all respects true and correct, that
such sale was 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 that
property. Fay R. Bailey, sworn to & signed in my presence, this 19th March, 1925
Wm. H. Husted Public Notary, Union Co. O. Jour. Ent. Journal #37, Pg. 587.

Final Record, Union County Probate Court.

10490.
March 4, 1925

In the matter of the Estate of Jacob F. Hauser, Deceased.
Petition to Sell Personal Property at Private Sale
Probate Court, Union County, Ohio

To the Judge of said Court;
The undersigned Minnie Hauser, adx, of the estate of
Jacob F. Hauser, late of said County, deceased, 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 advantage of said estate for the following
reasons:

That the said adx, has a good offer on said
chattel property, and that a public sale would be
to his expense.

Dated March 4 - 1925. Mrs Minnie Hauser, adx,

The State of Ohio, Union County

Minnie Hauser, being duly sworn, says that
the various matters and things contained in the
foregoing application, are true, as he truly believes.
Mrs Minnie Hauser.

Sworn to before me, and signed in my presence, this
4 - day of March, 1925. ~~sent~~ Notarized. Probate Judge.
Schedule -

Brings the int. of personal property enumerated in
Schedule D - of the Int. and appraisement of said
estate, excepting the following articles:

- Wheat \$120.00
 - Arts 15.00
 - Lawn Mower . 25
 - Forging anvil 2.00
 - old buggy 25
 - cream separator 3.00
 - Butcher's out fat 10.00
- Total \$150.00

Total value of property to be sold \$868.00

Journal Entry: See Journal 39, Pg. 154

Order of Private Sale Personal Property
Probate Court, Union County, Ohio

To Minnie Hauser, adx, of the estate of Jacob F. Hauser.

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 sell at Private Sale - at not less than the appraised
value, the following goods and chattels:
all articles as outlined in application \$868.00 described in application

Report

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10464
Jan 16 - 1925

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said sale to - cash in hand at time of sale
you will make return this order, one month from
this date, witness my hand and the seal of said
court, this 4-day of March, 1924

W.H. Husted Probate Judge

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

Report

The adx. of said estate says that in obedience to
order of said Court, hereto attached, she sold said
personal property, on the 4-day of March, 1925 for the
sum of \$ 868.⁵⁰ (said sum being appraised value
of the same.

Dated this 4-day of March, 1925.

Mrs. Minnie Hauser.

all articles as shown.

in application \$868.⁵⁰ To Carl Blemuschein \$68.⁵⁰
The State of Ohio, Union County.

Oath

Minnie Hauser, adx. of the estate of Jacob F. Hauser,
being duly sworn, says that the foregoing report is in
all respects true and correct, that such sale has
been made after diligent endeavor, to obtain the
best price for the property, and that the sale reported
is for the highest price she could get for the property.

Mrs. Minnie Hauser.

Sworn to before me and signed in my presence
this 4-day of March, 1925. W.H. Husted Probate Judge.
Journal entry. See Journal, 39, P. 9, 15-4

10464
Jan 16-1925

In the matter of the estate of Rudolph, Nichol, Deceased
Petition to Sell Personal Property at Private Sale,
Probate Court, Union County, Ohio

To the judge of said Court:

The undersigned Bessie Lynn, Executrix of the
estate of Rudolph E. Nichol late of said County, deceased
respectfully makes application for authority to sell
at private sale and at not less than the 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.

Also the petitioner alleges, that said sale
would be for the advantage of said estate, for
the following reasons - - -

Dated Jan 16-1925. Bessie Lynn, Ex-
State of Ohio, Union County.

Bessie Lynn, being duly sworn, says that the
various matters and things contained in the

\$868.⁵⁰
application

Final Record, Union County Probate Court.

forgoing application, and true, as he verily believes.

Callie Frye

sworn to before me, and signed in my presence, this 16-day of Janry, 1925.

W. H. Husted Probate Judge

Schedule -

Household goods \$ 73.50

Tools 8.00

Corn, 30 shocks, 24.00

Journal entry See Journal, 39 Pg. 94

Order of Private Sale, Personal Property

Probate Court, Union County, Ohio

In obedience to an order and decree of the Probate Court, you are hereby authorized to sell at Private Sale, at not less than appor - value to wit:

Household goods \$ 73.50

Tools 8.00

Corn, 30 shocks, 24.00

Terms: Cash in hand.

You will return this order, within 3 months time from this date.

Witness my hand and seal of said Court, this 16-day of Janry, 1925. W. H. Husted, Probate Judge.

Return

Probate Court, Union County, Ohio

The undersigned executrix of said estate says, that in obedience to the order of said Court, she has attached she sold said personal property on the 19-day of Janry, 1925 for sum of \$105.50, said sum being not less than the appraised value of the same.

Dated this 20th day of Janry, 1925.

Callie Frye, Ex -

Bill of Sale

Household goods \$ 73.50 To Lewis Dean, \$ 73.50

Tools 8.00 " Harry Frye 8.00

Corn, 30 shocks, 24.00 " " " 24.00

\$ 105.50

The State of Ohio Union County,

Callie Frye, Ex - of the estate of Rudolph E. Mickol, 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.

Callie Frye

sworn to before me, and signed in my presence, this 20-day of Janry, 1925.

W. H. Husted Probate Judge -

Journal entry: See Journal 39, Pg 99

10421

Oct. 20 -

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10421
Oct. 20 -
1924.

Assignee's Petition to Sell Real Estate,
Probate Court, Union County, Ohio,
vs. 10421

Blarence E. Fackler, Assignee
of
William C. Davis
Plaintiff.

William C. Davis,
Rural Mortgage & Finance Co.,
Ohio Securities Co.,
Carl Theobald,
Defendants.

Petition to
Sell Real Estate,
Petition.

The Plaintiff represents that he is the duly appointed and qualified assignee of said William C. Davis; that the amounts of debts owing by said assignee is six thousand dollars, as near as they can be ascertained; that the charges of administration of said trust estate will amount to about Four Hundred & Fifty dollars, and, that the total value of the personal estate and effects of said trust estate is but Five thousand and Twenty dollars, being wholly insufficient to pay the debts & costs aforesaid.

Petition

The Plaintiff further represents that said William C. Davis by his deed of assignment filed in said Probate Court, Sept. 22. A.D. 1924, at -- o'clock -- m., conveyed to said Clarence E. Fackler, in trust for the benefit of his creditors all his personal property and real estate, not exempt by law.

Said real estate is situate in the County of Union and State of Ohio, and is bounded and described as follows, to-wit:

Situated in the Township of Taylor and County of Union; Survey No. 5646. From a Survey made by A. S. Mowry, Deputy Surveyor, Union County 5th & 6th days of December, 1865: Beginning at a stone in the east line of Survey No. 3690 1/4th 114.5 poles north 8° 20' E. from 2 cedar trees and stone and brick the north west corner of Survey No. 3691. Thence with the east line of said Survey No. 3690 N 1° 20' E. 32.87 poles to a stone at the northeast corner of said Survey No. 3690 and in the South line of Survey 11346 thence with said line S. 83° E. 24.32 poles to a stone planted in place of a stake set for the north east corner of said Survey No. 11346, by A. F. Watkins, thence N. 8° 20' E. 35.45 poles to a stone set for the

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10421

North west corner of the southeast Division Survey No. 5646. (see Court Rec. Vol. 5: Pg. 481) thence, with the north line of said Division S. 80° E. 138.72 poles to a stone and brick 43 feet at right angles on the north west side from the center of the track of the A. & G. W. Ry. thence, with the north west line of said Railway Co. parallel with the track S. 42° W. 83 poles to a stone; thence, S. 80° W. 116.5 poles to the beginning, containing 55 acres, and 78 poles to the same or less ^{ac.} being a part of Thomas Worthington's Survey No. 5646, which real estate was heretofore appraised, in accordance with an order of said Court, by the appraisers of the property and assets assigned, at the sum of Ten thousand, and Twenty Dollars, and the Plaintiff further asks, that any other appraisement be omitted, and the above appraisement be adopted or substituted by the court in the sale of the within described property. That said William C. Davis, unmarried.

Petition

That one Carl Schubert who resides at Richmond, O., has or claims to have a mortgage lien on said premises, and The Rural Mortgage ^{Co.} Finance Co., of Columbus; The Ohio Securities Co., of Newark, Ohio. The Plaintiff asks, that they set up a claim or be forever barred.

Said Plaintiff therefore prays, that the said The Rural Mortgage ^{Co.} Finance Co., The Ohio Securities Co., and, Carl Schubert, may be made parties defendant in this petition, that they may be notified of the pendency hereof, according to law, that their 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 & relief in the premises. C. E. Fackler, assignee of William C. Davis

back

State of Ohio, Union County, ss.

Clarence E. Fackler, Assignee, the Plaintiff named in the foregoing petition, being duly sworn, says that he believes the facts stated in said petition are true.

C. E. Fackler,

Sworn to before me, ^{and} signed in my presence, this 20- day of October, 1927.

John L. Langhrey,

Notary Public, Union Co. Ohio.

10421

Filing Petition

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10421

In, the Probate Court of Union County, Ohio,
 Clarence E. Fackler, assignor
 of William C. Davis,
 Plaintiff

October 20th 1925
 vs. 10421.

Filing Petition

William C. Davis,
 Rural Mortgage and Finance Co.
 Ohio Securities Co.
 Carl Thibaut,
 Defendants.

Journal entry,
 Filing Petition to
 Sell Real Estate.

This day came the Plaintiff Clarence E. Fackler, assignor of William C. Davis, assignor, to pay the debt ^{an.} Costs of administering the estate of said assignor. 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 ^{an.} 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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Probate Court, Union County, Ohio.

Clarence E. Fackler, assignor
 of W^m C. Davis, Plaintiff

William C. Davis, et al.

Wainor ^{an} Consent To Sell

Defendants

We, the undersigned parties defendant to the Petition in the above entitled action, do each of us hereby wainor 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. 22 - 1924, William C. Davis Carl L. Thibaut

Parcise

Parcise

To the Clerk: Issue summons from the defendant The Rural Mortgage and Finance Company a corporation, to the Sheriff of Franklin County, Ohio, Endorse action to sell real estate,

Clarence E. Fackler, Per. John L. Longhuy, Atty.

Summons

Summons

The State of Ohio, Union County, Probate Court,
 To the Sheriff of Franklin County, Ohio:
 you are commanded to notify The Rural Mortgage and Finance Co. that on the 20th day of October A. D. 1924, Clarence E. Fackler, assignor of the estate of W^m C. Davis deceased, filed this petition in the Probate

Final Record, Union County Probate Court.

10421 Court of said Union County, Ohio, against them ^{or} 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 December 1924, 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 December, 1924.

Witness my hand and the seal of said Court, this 29th day of November, 1924. ^{and} W. B. Husted, Probate Judge.

Sheriff's Return

Court

The State of Ohio, Franklin County,

Received this writ, December 1st 1924,

at 12:30 o'clock P.M. and pursuant to its command, on Dec. 2 - 1924, I served the within named, The Rural Mortgage and Finance Co., by personally handing a true and certified copy of this writ, with all endorsements thereon to, O. L. Kearney, the President of the Rural Mortgage and Finance Company.

H. W. Boyer, Sheriff,
Franklin Co. Ohio.

By, A. B. Walker, Deputy.

Fee

Service ^{and} Return, .75

5 miles at 8¢, .40

Postage .06

Total \$ 1.21 -

Summons

Summons

The State of Ohio, Union County,

Probate Court,

To the Sheriff of Licking County,

You are commanded to notify Robins Hunter, Assignor of the Ohio Securities Company, that on the 20th day of October A.D. 1924, Clarence E. Fackler assignor of the estate of William C. Davis, assignor, filed his petition in the Probate Court of said Union County, Ohio, against them ^{or} 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 24th day of January, 1925, 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 January, 1925.

Witness my hand and the seal of said Court, this 22nd day of December, 1924.

^{and} W. B. Husted,

Probate Judge

10421

Sheriff's Return

The Court at m. Rob. by the Sheriff

Summons

The Sheriff

at 12:30

of

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Summons

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Return

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Sheriff's Return

Sheriff's Return.

The State of Ohio, Licking County.
Received this writ December 23-1924,
at 9 o'clock a.m., and pursuant to its command
on December 27-1924, I sent the writ in named
Robins Hunter Receiver of The Ohio Securities Company
by handing to him personally a true copy of this
writ with all the endorsements thereon.

Fred B. Vogelmeier, Sheriff
By Geo. C. Leuder, Deputy

Fees: 75¢ 4 miles @ .32 Total \$1.07

Summons

Probate Court, Union County.

The Rural Mortgage
Finance Company,
Plaintiff.

v.
Clarence E. Fackler, assignee
of William C. Davis,
Defendant.

To the Clerk:-

Issue summons for the within defendant
Robins Hunter, Receiver for The Ohio Securities Company,
to the Sheriff of Franklin County, Ohio.

Endorse action to sell real estate.

John L. Longberg, Atty.

Summons

Summons.

The State of Ohio, Union County, Probate Court.

To the Sheriff of Franklin County:

You are commanded to notify Robins Hunter
Receiver of The Ohio Securities Company, that on the
20-day of October A.D. 1924, C.E. Fackler, assignee
of the estate of Wm C. Davis assignor, filed his
petition in the Probate Court of said Union County
against them & 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 17-day of January, 1925,
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 December, 1924.

Wm. H. Husted, Probate Judge

Return

Sheriff's Return

The State of Ohio, Franklin Co.,

Oath

Received this writ December 18-1924, at 8 o'clock a.m.,
pursuant to its command on demand, on
December 24-1924, after due & diligent search, was
unable to find the within named defendant within

Final Record, Union County Probate Court.

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my Bailiff, H. W. Boyer, Sheriff, O. B. Walker, Deputy,
Sheriff's Ret. Return, 75. Postage & Total \$1

Motion
to
Quash
service of
summons.

State of Ohio, Union County, ss.
In the Probate Court.
Motion to Quash the Service of Summons,
and now comes Robbins Hunter as Receiver for the
property and assets of the Ohio Securities Co., appearing
solely for the purpose of this motion and not
intending thereby to enter his appearance, and moves
the Court that the Sheriff's return of service of summons
be set aside on the following grounds:-

First: This return is not made a party
defendant by the language of the petition herein.
Second: No leave was obtained from the
Common Pleas Court of Licking County, Ohio, which Court
appointed this Receiver to make this Receiver a
party to this case. Third: This Receiver has
long prior to the service of summons herein,
submitted himself, and the matters and things
herein pending, to the jurisdiction of the Common Pleas
Court of Union County, Ohio, in a case therein pending
wherein the Rural Mortgage and Finance Company is
plaintiff and the Plaintiff herein and others are
defendants. Jonas Jones and Co - attorneys
for Robbins Hunter, as Receiver for the property and assets
of the Ohio Securities Company.

Motion
overruled.

In the Probate Court of Union County, Ohio
Motion overruled.
This matter this day coming to the Court upon the motion
of Robbins Hunter, Receiver of the Ohio Securities Company;
to quash the service of summons, in the above
intituled action, the Court upon consideration of the
same overrules said motion. W. H. Husted, Probate Judge

Motion
to
Dismiss
Petition

In the Probate Court, Union County, Ohio,
Motion to dismiss Petition, order.
This cause coming now for hearing, on motion of the
Rural Mortgage and Finance Company to Dismiss the
petition, on consideration thereof, the Court overrules
the same, and excepts, and for the defendant.

Answer
Cross-Petition

W. H. Husted, Probate Judge
Answer and Cross-Petition
Probate Court, Union County, Ohio,
no. 10421
Answer to Cross Petition, Answer.
For its answer to the Petition in this case filed,
The Rural Mortgage and Finance Company, admits
that Clarence E. Fackler, is the duly appointed

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Cross-Petition

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Mrs. acting assignor of the property of William C. Davis, assignor and, that said assignor, was possessed of the real estate as set forth in said petition. This answering defendant for want of knowledge as to the value of the real estate and personal property alleged in the petition and any other facts, concerning the same, as a matter of form denies each and every allegation of the petition herein, not specifically admitted to be true.

Cross-Petition

For its Cross petition herein the Rural Mortgage & Finance Co., says, that it is a corporation, duly qualified, existing and acting under and by virtue of the laws of Ohio, with its principal office & business place in the City of Columbus, Ohio, and that there is due and owing it from the defendant William C. Davis the sum of \$3667.00 with interest at the rate of 7% per annum, payable semi-annually from February 23-1923, on a promissory note, a copy of which is herein set forth as follows:—

\$ 3800.00 August 23 - 1922.

On or before 5 yrs. after date for same required Mr. Journal to pay to the order of The Ohio Securities Co. thirty eight hundred dollars with interest at the rate of 7% per annum, Payable semi-annually.

We hereby authorize any attorney at law to appear in any Court, of record, in the United States, after the above obligation becomes due, and waive the issuing and service of process, and confess a judgment against us, in favor of the holder thereof, for the amount then appearing due, together with costs of suit, We thereupon to release all errors We waive all right of appeal.

Signed William C. Davis
 " " Dora B. Davis

The following credits appear upon the back of the said note since the date of the note: Interest paid 2-23-23 amount \$133.00 there are no other credits upon said note: The endorsements upon said note are the following:— The Ohio Securities Co. by W. A. C. a Cash Secretary; The Rural Mortgage & Finance Company by O. L. Barry President; pay to the order of the Rural Mortgage & Finance Co., without recourse, The Columbus Mutual Life Insurance Co. by C. W. Brandon, President W. S. A. Hoskins, Treasurer

1.85 Documentary stamps.

That the said note herein set forth together with the interest accrued thereon is past due & unpaid.

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at the time of delivering said note to the Ohio Securities Company. The Indorsers hereby referred to the defendant, Wm. C. Davis ^{and} Dora B. Davis his wife, since deceased, duly executed ^{and} delivered to the said The Ohio Securities Company their mortgage deed covering the following described property, to wit:

" Situated in the County of Union, State of Ohio ^{and} in the Township of Tugel, and bounded ^{and} described as follows: -

In survey no. 5646, from a survey made by A. S. Mowry Deputy Surveyor of Union County, Ohio, on the 5th and 6th day of December, 1865, and

Beginning at a stone in the east line of Survey no. 3690 (and 114.5 poles N. 8° 20' E. from 2 sugar trees and stone and brick, the N.W. corner of Survey no. 3691, thence with the east line of said Survey no. 3690 N. 20° E. 32.78 poles to a stone at the N.E. corner of said Survey 3690 and in the South line of Survey no. 11346; thence with said line S. 83° E. 24.32 poles to a stone planted in the place of a stake set for the N.E. corner of said Survey no. 11346, by A. F. Wickins; thence N. 8° 20' E. 35.78 poles to a stone set for the N.W. corner of the south-west Division of Survey no. 5646. (see Court Record Vol. 5 page 481) thence with the north line of said Division 80° E. 138

72 poles to a stone and brick, 43 feet at right angles, on the north-west side from the center of the track of the A. ^{and} W. Ry; thence with the north west line of said Ry, and parallel with the track, S. 42° W. 83 poles to a stone; thence S. 80° W. 116.5 poles to the beginning, containing 55 acres, and 78 poles, in the same or less ^{and} being a part of Thomas Worthington's Survey, no. 5646, and being the same premises conveyed by John A. Snyder and Jane Snyder to Wm. C. Davis. Reference is hereby made to Vol. 111, page 42, Union County Record of Deeds.

Said mortgage was conditioned upon the payment of the promissory note set forth in the cause of action, first preceding this cause, with interest thereon ^{and} as follows:

" Provided always, that the said mortgagor pay, or cause to be paid unto the said The Ohio Securities Company, or to its successors, Executor ^{and} assigns, their or several cognovit promissory note of even date herewith, due on or before five years after date ^{and} payable to the order of the Ohio Securities Company calling for \$3800⁰⁰ with interest at the rate of 7% per annum, payable semi-annually ^{and} signed by the said William C. Davis ^{and} Dora B. Davis ^{and} with the usual cognovit clause when the same

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the Ohio referred Davis his believed in mortgage city, town of Ohio described survey made county, this and re of survey 2 sugar er of survey survey no. The N.E. north line 83° E. 24.32 u stake b. by a. f. stone Division of 481) Hence E. 138 b at right center of the file with the track, 5° N. 116.5 and 78 part of the land Jane hereby made Deeds. payment of action, first as follows: pay or, cities as, their date date and pany of 7 of ned is an same

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becomes due. This cross-petitioning defendant says that the defendant William B. Davis has not paid the interest nor the principal as stipulated in said note and mortgage as set forth herein, and that this cross-petitioning defendant has elected to declare said mortgage absolute. On April 5th 1923, at 2 o'clock P.M. said mortgage was duly left for record at the Recorder's office in Union County, Ohio, and was duly recorded in mortgage vol. 90 page 73 of the Record of Mortgages of said county.

This cross-petitioning defendant says that the following words and figures are found upon the mortgage as follows:

Columbus, Ohio, 5-28-1923.

For value received, I, Mr. or, either of us, hereby assign, sell, transfer, and set over, all our right, title and interest in, to and under the within mortgage to the Rural Mortgage Finance Company.

The Ohio Securities Co.

(signed) Geo. Hayden, Pres.

By, Walt. H. Land, Secy.

This assignment entered of record, April, 17-1924.

(signed) A.W. Newlove.

Recorder of Union County, Ohio.

Columbus, Ohio, April, 14th 1924.

For value received, the undersigned, hereby assign, sell, transfers and sets over, all our right, title and interest in, to and under the within mortgage to The Columbus Mutual Life Insurance Company, of Columbus, Ohio.

The Rural Mortgage Finance Company

By, O.L. Barry (signed) President.

This assignment entered of record April, 17-1924.

(signed) A.W. Newlove, Recorder of Union Co. Ohio, Columbus, Ohio.

For value received, the undersigned hereby assigns, sells, transfers, and sets over, all our right, title and interest in, to and under, the within mortgage to the Rural Mortgage Finance Co. of Columbus, Ohio.

The Columbus Mutual Life Insurance Co.

By, C.W. Brandow, President.

" S.A. Hoskins, Treasurer.

This cross-petitioning defendant says that the said Dora B. Davis in said mortgage released, her right, and expectancy of dower, or any other statutory right or exemption in the said Dora B. Davis.

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This cross-petitioning defendant says further that the mortgage herein set forth is the first

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1st lien against the real estate described herein is prior and superior to any other lien against said premises, that the Ohio Securities Company, a corporation is in Newark, Ohio, so this defendant is informed and through believes in the hands of a receiver, Hon. Judge Robbins Hunter who is now the duly appointed, qualified, acting receiver of the aforesaid defendant corporation, Carl Thibaut claim or have some interest in said premises.

This cross petitioner defendant says what interest said defendant the Ohio Securities Co. Carl Thibaut, or any other of the defendants herein may have is inferior to the rights of this cross-petitioning defendant except as herein stated. Wherefore, this cross-petitioning defendant prays, this court that summons on this cross-petition may be issued for the defendants: William B. Davis, Carl Thibaut, Hon. Judge Robbins Hunter, receiver of the defendant the Ohio Securities Company, a corporation and prays judgment against the defendant William B. Davis for the sum of \$ - - as follows:

The principal \$3667.⁰⁰ together with the interest thereon at 7% per annum, payable semi-annually from February 23-1923, and its costs. That the property may be ordered sold to pay the costs, liens and debts of the said assignee William B. Davis according to the statute in such case made and provided and the proceeds applied to payment of such costs, liens, debts as provided for in the statute, and for all proper orders and relief in the premises.

attorney for the Rural Mtg. & Finance Co.,
The State of Ohio, Franklin Co. Ohio ss -
O. L. Harney, being just duly sworn says, that he is the duly elected and acting President of the Rural Mtg. & Finance Co., the cross-petition defendant herein, and that he has read the foregoing answer and cross-petition and that the facts and allegations therein contained are true, as he believes.

The Rural Mtg. & Finance Co.,
By O. L. Harney, President.
Sworn to before me, and subscribed in my presence, this 1st day of Feb'y, 1925. John L. Longmire, Notary Public in and for Ohio.

In the Probate Court, Union Co. Ohio,
Case no. 10421 Journal entry,
February, 5th 1925.

The Court on application of the defendant, Carl Thibaut for leave to file an action answer and cross-petition after rule day herein grants leave

files
Feb'y 5th '25

Motion

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July 5- '25

to said Defendant to file the same, W. H. Husted Judge
Motion

Probate Court, Union County, Ohio.
No. 10421
Motion.

Motion

Now comes the Rural Mtg. and Finance Company, an Ohio corporation and files herein a motion and moves this Court for one purpose only, to wit: In order to determine the right of jurisdiction of this Court over the parties and the property herein, moves that the petition be stricken from the files for the following reasons:

First, that the Common Pleas Court of Union County, Ohio, is a court of competent jurisdiction and had prior jurisdiction over the parties.

Memorandum.

An action is deemed commenced even in a court of competent jurisdiction only by filing a petition and a service of summons, 35th O.S. 661, followed in the 18th O.D. 384 15th N.P. N. 5.74.

It is true there was a deed of assignment made and duly recorded and a petition filed, no process on the 20th day of October, 1924, by the Plaintiff, assignee in the Probate Court.

A service of summons was issued to this defendant over the Court's signature on the 29th day of November, 1924, an action was commenced in the Common Pleas Court of Union County, Ohio, prior to the issuance of the service of summons, said action was styled The Rural Mortgage Co. Finance Co. Plaintiff, v- Clarence E. Facker, Assignee and being No. 11409 of the Common Pleas Court of Union Co., and summons was duly issued and returned before the issue of summons in this action on the Rural Mtg. Finance Co., as well as The Ohio Securities Co., which same action has for its determination the same subject matter ^{between} parties.

The Ohio Securities Company, is a corporation with its principal business place in Peermont, Ohio, and is in the hands of a receiver to wit: The Hon Judge Robert Hunter Receiver.

That no service of summons had previously been issued on the said receiver ^{and} no writ received by the plaintiff herein, or, no permission granted by the Court of DePue County to take jurisdiction over the aforesaid Receiver.

W. H. Husted

W. H. Husted

" no other Court, than the one in which

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the Reciprocity was appointed can authorize a suit against the Reciprocity." Osborne v. Railway Co.

9. D. R. P. (N.S.) 541
21. O. D. (N.P.) 744

We wish to cite to the Court the following as pertaining to priority of jurisdiction: "The question of jurisdiction of a Court in which suit is brought has no effect in determining what is, or, what is not, the commencement of an action." 64 - O. S. 26. followed in

107. O. S. 394
1 app - 272
24 C. D. 286
31 - C. D. 235
17 C. C. N. S. 189
20 C. C. N. S. 139

We wish to further cite to the Court, bearing on the subject of jurisdiction the filing of prior action in competent courts the 9 - app. 368 and Eick v. McDonald 8 O. D. N. S. 670; Western Reserve National Bank v. North Park Development Co., Common Pleas Court, Tremble Co., # 17363.

We respectfully submit that the Probate Court of Union County, under the law had jurisdiction of the property interests of the parties, unless a petition had been filed and service of summons had been made upon all the parties prior to any other action in an equally competent Court, determining the same cause. But, as the Probate Court has not obtained jurisdiction of the parties until after the Common Pleas Court of the same county, had obtained jurisdiction of the property interests than the Common Pleas Court would be considered in our opinion as the prior Court of competent jurisdiction.

We therefore hold that this Court has no jurisdiction over the Rural Mtg. & Finance Co., in this action, and that our motion should therefore be sustained and the petition stricken from the files.

Respectfully submitted, James R. Spellman
Atty. for the Rural Mtg. & Finance Co.

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Oath

State of Ohio, Franklin Co., ss.

O. L. Harry, being duly sworn, says that he is the president of The Rural Mtg. & Finance Co. Dept. and that he has read the foregoing Answer and Cross Petition and that the facts and allegations stated therein are true as he verily believes.

O. L. Harry,
Sworn to and subscribed in my presence, this 5 day of Feb. 1925.

H. B. Lindstrom,
Notary Public, Franklin Co., Ohio

Probate Court, Union County, Ohio
Case, 10421.

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Answer and Cross Petition in

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Answer ^{ans.} to Cross-Petition

Now comes Carl Thibaut, one of the answering defendants, in the above entitled case, and admits the allegations of the petition of the Plaintiff herein, and consents to the sale of the premises described in said petition and joins in the prayer of said petition for the sale of said premises.

Answer to Cross-Petition

Now comes the defendant Carl Thibaut. ^{ans.} for cause of action says that on September, the 3- 1918, the defendant William C. Davis and his wife Dora D. Davis made, executed, and delivered their promissory note, for \$1000- to him, a true copy of which is as follows:

\$1000-

Richwood, Ohio, Sept. 3-

Two years from April 1st 1919 after date, we, or either of us, promise to pay to the order of C. L. Thibaut, One Thousand and no - - - - - Dollars, at the First National Bank.

Richwood, Ohio, for value received, with interest from April 1- 1919, at the rate of 7% per annum, payable semi-annually, until due, and with interest at 8% per cent per annum, on all unpaid principal and interest after due, until paid.

And we hereby authorize and empower any attorney at law, of any Court, of Record, at any time after the above note becomes due, to appear for us or any of us, without process, in any process in the Court, of Record, in the State of Ohio, or elsewhere, and confess a judgment for the said amount, interest and costs, in favor of the payee, legal holder, indorser or assignee hereof, ^{ans.} release all errors, which may accrue in the rendition of such judgment. And we also release the right of appeal, the stay of execution, and the power ^{ans.} privilege to hold exempt from execution, any personal or real property belonging to us, or either of us, at and after the date of said judgment, and of our said attorney is hereby authorized to enter such release in said judgment. Endorses name, demand, protest, notice of protest. ^{ans.} legal diligence to enforce collection.

Dues, April 1- 1921

William C. Davis

P.O. - - - - -

Dora B. Davis -

The following endorsements appear upon the back of the note: Interest April 1- 1920. \$ 70⁰⁰ interest paid April 1- 1921 - \$ 70⁰⁰. Partial payment on principle April 1- 1921 - \$ 250⁰⁰. Partial payment

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principle April 27-1921 \$ 1500 Interest paid to April-1922, by note. Defendant further says that he is now the holder in due course of the above described promissory note and that there is now due on said note the amount of \$500 with interest at the rate of 7% from April 1-1922. Defendant further says that at the time of the making of said note the said William B. Davis and his wife, Dora B. Davis, in order to secure the payment of the note herein described executed a mortgage on the premises described in the petition and delivered the same to this defendant which said instrument was delivered to the Recorder of Union County and by him recorded in vol. 82 P. 186 of the mortgage records of said county and that said mortgage was then a valid and subsisting second lien against the premises described in the petition. Defendant further says that in order to allow a later mortgage to become a prior lien he executed a waiver to allow the mortgage later recorded to have such priority. By reason of the execution of the above mortgage and waiver this mortgage becomes a valid and subsisting third lien against the premises. Wherefore this defendant prays your honorable Court that he upon the sale of the premises described to enter judgment for the amount of \$ 500 with interest at the rate of 7% from April 1-1922; and that the Court further find that the mortgage set up by this cross petition to be a valid and subsisting third lien against the premises in the petition.

Fackler ^{attys.} Fackler, attys. for Defendant.
 State of Ohio, County of Union, ss:

Oak

Carl Thibaut being duly sworn according to law, deposed and says that the allegations in the cross petition above are true as he truly believes.
 Carl L. Thibaut.

Sworn to and subscribed in my presence, this 5 day of July, 1925 ^{at} Jacob R. Fackler, Notary Public,
 Com. Expires Nov. 14-1927

Waino

Waino of Summons, on Cross Petition, Probate Court, Union County, Ohio, Mr. et al. undersigned, parties defendant to the cross petition in the above entitled action filed by the defendant, The Rural Mortgage and Finance Company, hereby waive the issuing ^{and} service of summons and voluntarily enter her appearance as such defendants.
 Robbins Hunter
 July 13-1925.
 Recursor of the Ohio Securities Co.

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 answer ^{ans.}
 Cross-Petition
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Cross-Petition
of
Robbins
Hunter
Receiver

answr ^{aw.} Cross Petition of
Robbins Hunter, as Receiver
of The Ohio Securities Company,
Now comes Robbins Hunter, as Receiver, of The Ohio
Securities Company ^{aw.} for his answer to the petition
of the plaintiff herein, and to the cross-petition
of the defendant, The Rural Mortgage Finance
Company, herein, says:

That on the 23-day of July, 1923, he was by the
consideration of the Honorable Pleas Court of
Licking County, Ohio, in a suit therein pending
wherein W. B. Bay was plaintiff ^{aw.} The Ohio
Securities Company was defendant, duly appointed,
qualified as the receiver of the property and assets
of The Ohio Securities Company, and still is by virtue
of said appointment ^{aw.} and qualifications the duly
appointed, qualified ^{aw.} acting receiver of the said
The Ohio Securities Company.

Said receiver for
answer to said petition and cross-petition further
says: That he admits that the plaintiff
is the duly appointed and acting assignee
of the property of Mrs. C. Davis was possessed of, the
real estate described in said petition.

Further receiver says that: -
By way of answer, that he is not advised ^{aw.}
has no knowledge as to the other facts set forth
in the petition in this case and therefore denies
the same and demands proof thereof.

Said receiver for further answer to the cross-
petition of the Rural Mtg. ^{aw.} Finance Company
says: That he admits all allegations in said
cross-petition to be true, and further answering
^{aw.} by way of cross-petition, the said Robbins Hunter
says that he incorporates into this cross-petition
all of the allegations in his answer herewith filed
having to do with his appointment, qualifications
and acting as the receiver of the property and
assets of The Ohio Securities Company the same as if
it were herewith re-written. ^{aw.} Further says:

That on or about the 23-day of August 1922, the
said Mrs. C. Davis ^{aw.} Dora B. Davis (his wife) made,
executed ^{aw.} delivered to the Ohio Securities Company,
their certain promissory note of said date by which
they jointly and severally agreed to pay to the
said The Ohio Securities Company, on or before five (5)
years from the date thereof the sum of One
Thousand Dollars (\$1000-) with interest thereon at
the rate of 7% payable semi-annually.

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Ans. that on, or, about the same date the said Wm. B. Davis & Dora B. Davis for the purpose of securing payment of said note according to its tenor & effect, made, executed and delivered to the said The Ohio Securities Co., their certain mortgage deed of even date with said note by the terms of which they conveyed to the said The Ohio Securities Company the real estate described in the cross-petition of the Rural Mortgage and Finance Co. heretofore filed herein.

That said mortgage deed contained a defeasance clause in substance as follows:

"That if the said Wm. B. Davis and Dora B. Davis, or either of them should pay or cause to be paid to the said The Ohio Securities Company or their assigns the said sum of money mentioned in said note together with all interests according to the tenor and effect thereof then said mortgage should be void otherwise to remain and full virtue in effect in law forever." That said mortgage was

delivered to the Recorder of Union County for record April 5, 1923, and was by him duly recorded in volume 90 of mortgages of Union County at page 75.

Said decedent further says:

That no payments have been made upon the note heretofore described except one payment of interest made on the 22-day of Feb., 1923, of \$35.00. There is due and payable to this decedent from the said Wm. B. Davis and Dora B. Davis the sum of \$1140.00 with interest thereon from the 23-day of Feb., 1925.

This answering defendant further says:

That said mortgage constitutes a lien on the real estate described in the petition and in the cross-petition of the Rural Mortgage and Finance Co. - second, only to the lien of the mortgage set up in the cross-petition of the said The Rural Mortgage and Finance Company.

Wherefore, this answering defendant prays the Honorable Court that on the sale of the real estate covered by said mortgage the assignor be ordered and directed to pay to this decedent out of the proceeds of the sale of said real estate, the sum of \$1140.00 with interest thereon from February 23, 1925, immediately after he had paid the actual court costs of this proceeding, the taxes unpaid and delinquent on said real estate, if any, and the amount due the said The Rural Mortgage and Finance Company under the note and mortgage set up in their cross-petition and for such other and further relief to which

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Entry. Bond

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This assuming defendant may be entitled to in equity and good conscience. Jones Jones ^{Att.} for Robbins Hunter, as Receiver of the property ^{and} assets of the Ohio Securities Co., State of Ohio, Licking Co., ss.

Robbins Hunter being duly sworn according to law deposes and says. he is the duly appointed, manifested and acting receiver of the property and assets of the Ohio Securities Co. and, that he files the foregoing answer and cross-petition in that capacity; and that the ~~for~~ matters and things in the foregoing answer and cross petition are true as he verily believes Robbins Hunter

Sworn to before me, and subscribed in my presence, this 13-day of July, 1925-

~~Notary~~ J. Dale McNamee, Notary Public, Licking Co., Ohio.

Journal Entry: Order approving Bond for Public Sale. This day this cause came on for trial to be heard, ^{Mr.} it appearing to the Court, that the said Clarence E. Frackler, assignee, the plaintiff above named, has given sufficient bond, and, that said bond has been approved, by the Court.

Entry.
Bond

It is therefore ordered, that said Clarence E. Frackler, as such assignee, proceed according to law to sell the real estate described in the petition, for of down at public auction for not less than $\frac{2}{3}$ the appraised value thereof, on the following terms; Cash in hand on day of sale.

It is further ordered, that said petitioner give notice of such sale conspicuously of the terms and time and place of sale, prior thereto, in some newspaper printed and of general circulation in Union County, Ohio, where said real estate is situated, and said petitioner is ordered to make return to this Court, immediately after such sale is made. ^{Mr.} This cause is continued.

W. H. Husted Probate Judge

Waiver of Summons ^{and} Consent to Sell Probate Court, Union County, Ohio.

Waiver

The undersigned party defendant to the Petition in the above entitled action, do hereby of us hereby waive the issuing and service of summons ^{and} 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; ^{and} further waive (ab) the summons on the answer and cross-petition of the

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Rural Mortgage ^{vs.} Finance Co., ^{v.} The Ohio Securities Co.,
Care L. The Court

Warrant

Warrant of Summons.

Probate Court, Union County, Ohio.

The undersigned party, Defendant to the Petition in the above entitled action hereby waives the issuing ^{of} service of Summons, and, voluntarily enters appearance, as such Defendant, and hereby consents to the sale of the Real Estate described in the petition in said action according to the prayer of the same, and, further waives the summons on the answer, and, cross-petition of the Rural Mortgage, and, Finance Co., ^{vs.} The Ohio Securities Company.

W. C. Davis

Legal notice

Legal notice.

State of Ohio, Union County ss.

Personally appeared before me, Walter Tite ^{who}, made solemn oath, that the notice, a copy of which is hereto attached was published for 4 consecutive weeks, or ^{the} next, after Feb. 17-1925, in the Union County Journal, a newspaper of general circulation in county aforesaid

Walter Tite

Subscribed to before me, ^{who}, signed in my presence, this 17- day of March, 1925.

Subscribed B. B. Ganner, Fees, \$17.00

Legal notice assignor's sale of Real Estate

Pursuant to an order of sale, to me issued by the Probate Court, of Union County, Ohio, in the case of Clarence E. Fackler, assignee of William C. Davis v. William C. Davis, et. al. the undersigned will offer for sale at Public Auction at the north door of the Court House on March, 21- 1925, at one o'clock, p. m., the following described real estate: Situated in the Township of Engler ^{County}, County of Union State of Ohio, ^{being} part of Survey # 5646. From a survey made by A. S. Murray, Deputy Surveyor, Union County, 5- and 6- days of Dec. 1865;

Beginning at a stone in the east line of Survey no. 3690 and 114. Five poles north 8° 20' East from 2 sugar trees and stone and brick the north west corner of Survey no. 3691; thence, with the east line of said Survey no. 3690 north degrees 20' E, 32.57 poles to a stone at the north east corner of said Survey # 3690 and, in the south line of Survey # 11346; thence, with said line South 83° East 24.32 poles to a stone planted in place of a stake set for the north east corner of said Survey no. 11346 by A. F. Watkins; thence north 8° 20' east 35.45 poles to a stone set for the north west corner of the south west Division Survey # 5646 (see Court Rec, vol. 5, pg. 481) thence with the north line of said Division South 80° East, 138.72 poles to a stone

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Order of Sale.

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43. brick 43 feet at right angles on the north west side from the center of the track of the a. and G. W. Ry; Thence with the north west line of said Ry - and parallel with the track South 42° West 83 poles to a stone; Thence South 80° West 116.5 poles to the beginning containing 5.5 acres and 78 poles in the same more or less, and being a part of Thomas Worthington's Survey No. 5646.

Said tract is appraised at \$5020.00

" premises will be sold for cash, to the highest bidder.

Clarence E. Fackler, assignee of William C. Davis.

John H. Langney, atty.

Order of Sale.

Order of Sale. Free from Debt.

The State of Ohio, Union Co., Probate Court.

To Clarence E. Fackler, assignee of Wm C. Davis, Greeting:

In obedience to an order and decree of the Probate Court, within the Co. for said County, made this day, in a certain cause, wherein you, as Clarence E. Fackler,

assignee of Wm C. Davis, are Plaintiff and Wm C. Davis 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 free from the debt (no wife) the following described

premises to wit: situated in the township of Taylor, Co. of Union Survey No. 5646. From a Survey made by A. S. Mowry, Deputy Surveyor, Union Co. O. 5-16- days of Dec. 1865.

Beginning at a stone in the east line of Survey No. 3690. (and 114.5 poles north 8° 20' E. from 2 sugar trees and stone and brick the north west corner of Survey No. 3691; Thence with the east line of said Survey No. 3690. N - by 20' E. 32.87 poles to a stone at the northeast corner of said Survey No. 3690 and in the south line of Survey No. 11346; thence with said line S. 83° E. 24.32 poles to a stone planted in place of a stake set for the north east corner of said Survey No. 11346 by A. F. Wickins; Thence North 8° 20' E. 35.48 poles to a stone set for the northeast corner of the south west Division Survey No. 5646. (see Court Record vol. 5. Page 481); Thence with the north line of said Division S. 80° E. 138.72 poles to a stone and brick 43 feet at right angles on the north west side from the center of the track of the a. and G. W. Ry; Thence with the northwest line of said Ry and parallel with the track S. 42° W. 83 poles to a stone; Thence S. 80° W. 116.5 poles to the beginning.

Containing 5.5 acres and 78 poles in the same

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more or less. ^{the} being part of Thomas Worthington's Survey
No. 5-46. It is further ordered, that the appraisement
be adopted as, in the inventory of Clarence E. Fackler
Assignee of William C. Davis ^{no. 10406.}
appraised value, \$5020.00

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 17-
day of February, A. D. 1925. ~~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 23-day of March, 1925.
C. E. Fackler, assignee of Wm. C. Davis.

Report

Report of Sale.
In obedience to the within order, I duly advertised
the real estate therein described for sale, in the
^{Union} 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 21-day of March, 1925, 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 1.00 clock, P. M. I attended the sale and
offered said real estate for sale, free from, down
estate of anybody therein, when J. T. Reed, bid to pay
for the same, the sum of Five thousand one hundred
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 J. T. Reed, for that sum.

C. E. Fackler, assignee of Wm. C. Davis.
Dated the 23-day of March, 1925.

Confirmation

In the Probate Court, Union County, Ohio,
March, 28-1925.
Journal Entry,
Orders on Confirmation of land sale,
^{and} distribution of the proceeds.

This day this cause came on to be heard, by the
Court, upon the report of C. E. Fackler, assignee of William
C. Davis, 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

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Confirmation

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

It is further ordered, that said petitioner execute a deed of all the right, title and interest of said assignor in said real estate to the purchaser upon the said purchaser paying the full purchase price, \$5,100.00 and now this cause coming on further to be heard upon the cross-petitions and the pleadings herein, and upon a motion to distribute the proceeds of the sale amounting to the sum of \$5,100.00 and the said assignor leaving no widow entitled to dower or entitled to dower in the premises, the Court orders distribution as follows:

Confirmation

The Court finds that there is due the Rural Mortgage Co. Finance Co. upon the note set forth in its answer and cross-petition, the sum of \$--- and that William C. Davis and Dora B. Davis to secure the payment of said note, gave a mortgage upon the premises in the petition described which was a valid and subsisting lien and the first ⁱⁿ lien upon the premises, and now upon the funds in the hands of said assignee arising from the sale of the said premises.

The Court further finds that there is due Robbins Hunter as Receiver of the Ohio Securities Co. the sum of \$- upon the note described in his cross-petition; and that to secure the payment of said note, the assignor William C. Davis and his wife Dora B. Davis, executed and delivered a mortgage upon the premises in the petition described which was a valid and subsisting lien and the second lien upon the premises, and now upon the funds in the hands of said assignee arising from the sale of said premises. The Court further finds that there is due Carl Thibaut upon the note set forth in his answer and cross-petition, the sum of \$--- and that to secure the payment of said note, the assignor William C. Davis, and his wife Dora B. Davis, executed and delivered to him a mortgage upon the premises described in this petition which was a valid and subsisting lien and the third lien upon said premises and now upon the funds in the hands of the said assignee arising from the sale of the said premises.

The Court further orders, that an entry of release and satisfaction of the three above

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mentioned mortgages be entered of records, in the office of the Recorder of Union County, Ohio, according to law. 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 \$391.⁷⁷
- 2nd. The costs and expenses, in the sale of said property, including an attorney fee of \$222.⁰⁰ to John Longbrun, ^{the} \$222.⁰⁰ the per centum of said l.e. Fackler, assignee herein, amounting to the sum of \$536.⁹⁴
- 3rd To The Rural Mortgage Finance Co. upon the note "l. mty." set forth in its answer. ⁱⁿ Cross-petition, the sum of \$3866.⁰⁰

And, it appearing to the Court, that the proceeds of the sale are exhausted, in the payment of the above amounts it is ordered, that these proceedings be recorded, and that said petitioner pay the costs herein, out of the proceeds of said sale, within ten days, to all of which order of distribution Robbins Hunter, Receiver of the Ohio Receiver Co., et cpts. W. H. Stuedt, Probate Judge

Filed

April 6

1925

The State of Ohio, Union Co. S.S.

In the Probate Court.

Clarence E. Fackler, as assignee of Wm. C. Davis,

No. 10421

notice of appeal.

notice of appeal.

Wm. C. Davis, et al.

And, now comes, Robbins Hunter as Receiver of the property and assets of the Ohio Securities Co., under an order of the Court of Common Pleas of Licking County, Ohio, giving notice of his intention to appeal to the Court of Common Pleas of Union County Ohio, from the order of this Court distributing the proceeds of the sale of Real Estate heretofore sold in this case.

Robbins Hunter as such

Receiver by James James & Orr Tuff his attorneys.

Certified copy of Journal entry,

Court of Common Pleas Licking Co. Ohio,

April Term - 1925.

Jr. Vol. 57. Pg 394

William C. Day, Plaintiff vs The Ohio Securities Company, Inc. Ohio Corporation, Defendants.

Certified copy of Journal entry,

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This cause coming on to be heard, upon the petition of the Plaintiff for the appointment of a receiver and the answer of the defendant admitting the allegations of the petition to be true, and it appearing to the Court, that the allegations of the petition are true, and that it is necessary for the protection of the stockholders and creditors of said defendant company that a receiver be appointed, the Court by consent of the parties hereto appoint Robbins Hunter, of Newark, Ohio, receiver herein, and directs and impowers said receiver to take possession of all property of said defendant, and said receiver is authorized to sue for and collect in his name as receiver all the assets and credits of said defendant company, and the Court reserves the power to make such further orders from time to time as may be necessary in the premises, and said Robbins Hunter appeared in open Court, and accepted said appointment as receiver and the Court fixed the bond of said receiver at \$25,000.

The State of Ohio, Licking Co. ss. Court of Common Pleas

I, Harold Westborn Clerk of the Court, of Common Pleas within and for said County, Ohio, in whose custody the files, journals, and records of said Court, are required by the laws of the State of Ohio, to be kept, do hereby certify that the foregoing is taken in copies from the Journals of the proceedings of said Court; that the foregoing has been compared by me, with original entry in said Journal, and same is true and correct copy.

In Witness Whereof, I hereto subscribe my name officially and affix the seal of said Court at the Court House in Newark, O. this 6 day of April, 1925

Harold Westborn By Carrie C. Miller, Deputy Clerk
Released.

Release.

Whereas, William C. Davis, made a deed of assignment of all his property to C. E. Fackler as assignee for the benefit of his creditors said deed of assignment being made in the Probate Court of Union County,

Whereas, an assignees sale of real estate was conducted by said assignee in said Probate Court;

Whereas, the Rural Mortgage Finance Co. of Columbus, Ohio, filed this answer and cross-petition in said action, setting up a mortgage lien against said premises, which lien was the

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first ⁱⁿ last lien; also the Ohio Securities Company of Robbins Hunter, receiver of said company, filed their answer and cross-petition setting up a mortgage lien against the premises which lien was the second last lien on the premises.

Whereas, a sale of the premises, was ordered by said Court in said action and liens were paid according to their priority as determined by the court.

Whereas, upon sale, the premises were purchased by J. F. Reed.

Whereas, the Rural Mortgage and Finance Company and the Ohio Securities Company, took exceptions to the order of distribution made by the court.

Now, therefore, Robbins Hunter, as assignee of the note and mortgage held by the Rural Mortgage and Finance Co., and as Receiver of the Ohio Securities Co., in consideration of the payment to him of the amount of \$122.95, done in behalf of said company who held the first and second mortgages against said premises, release all claims that they may have against the purchaser of the premises and the assignee of Wm. C. Davis arising out of the sale of the premises herein mentioned, and agrees to accept the above amount in full payment of all claims and agrees and approves the final account of C. E. Fackler, as assignee of the estate of Wm. C. Davis.

Robbins Hunter, assignee of The Rural Mtg. & Finance Co. Receiver of the Ohio Securities Co.,
June 20th 1925

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Jan. 10.
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Milo L. Myers,
attorney

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 Jan. 10. 1925.
 Fred Stiroff, admr.
 of the estate of
 Henry G. Nicol,
 deceased,
 Plaintiff.
 v.
 Mabel Nicol,
 Helen Nicol
 Hazel Nicol
 George Nicol, ans.
 The Prudential Life
 Insurance Co.
 Defendants.
 Petition to Sell Real Estate
 In the Probate Court, Union County, Ohio
 No. 10466
 Petition
 The Plaintiff represents that he is the duly
 appointed qualified and acting administrator of
 the estate of Henry G. Nicol, deceased, and that he
 was appointed as such by the probate court of
 Union County, Ohio and therein qualified,
 that the total value of the personal estate
 and effects of the said deceased are wholly
 insufficient to pay the debts of the said deceased
 and the costs of administering his estate
 that the said Henry G. Nicol did seized
 in fee simple of the following described
 real estate situated in the county of Madison
 State of Ohio township of Pike and a part of
 Survey no. 8415.
 Beginning at a stake in the County line
 between Madison Co. Union County (S. 29° 44' W. 56.16
 poles from a stone formerly witnessed by Three Burr
 Oaks, thence from one root north east corner to
 Survey nos. 7472, and, 7677; thence S. 29° 44' W. 18.40
 poles to a stone; thence S. 55° 11' E. 124.24 poles
 to a stone in the easterly line of a tract said
 to contain 25.5. 60 acres, more or less and conveyed
 by Charles A. Baker, et al. to George Nicol on the
 2^d day of April 1906, (see vol. 71 pages 367-368
 record of deeds Madison County, Ohio) thence
 with said line N. 26° 18' E. 92.76 poles to a
 stake in said county line between Madison
 Co. Union County; thence with said county line
 N. 87° 42' W. 134.80 poles to the place of beginning
 containing 43.69 acres, more or less
 That it will be necessary to sell the said above
 described real estate in order to pay the debts
 of the said deceased, and expenses of.

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Administration of his estate.

That the said decedent died leaving the defendant Mabel Nicol, his widow, who is entitled to dower in said premises; and he died leaving the defendants, Helen Nicol, Hazel Nicol, and George Nicol, his only children and heirs at law, they having the next estate of inheritance from the said decedent, in said premises, that the said defendant, Helen Nicol, Hazel Nicol, and George Nicol, are minors under the age of eight years.

That the defendant, The Prudential Life Insurance Company, has or claims to have some lien on said premises.

The plaintiff therefore prays that the dower of the said defendant, Mabel Nicol, in said premises, may be assigned and set off to her, and that the rights, interests, and liens of the other defendants may be fully determined, adjusted, and protected according to law, and that your petitioner may be authorized and ordered to sell real estate, and for such other and further relief in the premises as may be just and lawful.

Fred Stierhoff, adm. of the estate of Henry G. Nicol, Dec'd

By Mabel L. Myers, His attorney.

State of Ohio, Union Co. ss.

Fred Stierhoff, being duly sworn, says that he is the plaintiff named in the above entitled cause, and that the facts stated and the allegations made, and contained in the foregoing petition are true as he believes. Fred Stierhoff.

Sworn to before me, and signed in my presence, this 10-day of January, 1925. Maud Pyles, Notary Public for claimed.

death

Filing Petition

Journal Entry: Filing Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio, January, 10- 1925.

This day came the Plaintiff Fred Stierhoff, as adm. of the estate of Henry G. Nicol, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Henry G. Nicol, 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

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Summons.

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Summons.

required by law to answer the same, to be given to each of the said defendants ^{ans.} This cause is continued, W.H. Husted, Probate Judge

The State of Ohio, Union County, Probate Court.
To Fred Stierhoff, of said County:

You are hereby commanded to notify Mabel Nicol, ^{the} following named who are minors, to wit: Helen Nicol, Hazel Nicol and George Nicol.

making service of this summons upon said minors, ^{the} 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 10-day of January, 1925, Fred Stierhoff ^{adver.} of the estate of Henry G. 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 14-day of February, 1925, 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 - 1925.

Witness my hand, and the seal of said Court this 10th day of July - 1925. W.H. Husted, Probate Judge

Return

The State of Ohio, Union County.

Fred Stierhoff being first duly sworn says, that he received this writ January, 10-1925 at 3:30 P.M. and on the day and in the manner hereinafter named I served a copy of the same on the within defendants, January 12-1925, on Mabel Nicol, personally, ^{the} also, as to the within named defendants who are minors, January 12-1925, on Helen Nicol, of the age of five years, first; Hazel Nicol of the age of four years; and, George Nicol of the age of two years, by handing to each of them personally a copy of this writ, and on January 10-1925, on Mabel Nicol the mother of the said Helen Nicol, Hazel Nicol, and George Nicol, minors, they or either of them having no guardian appointed, or father living, and they and each of them residing with the said Mabel Nicol, she having the care thereof.

Fred Stierhoff
Sworn to before me, ^{the} signed in my presence, this 12-day of July, 1925. Mabel Pyles, Notary Public

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Answer
of
widow

Answer of Widow.

Probate Court, Union County, Ohio.
And now comes, Mabel 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 Henry G. Nicol dec'd, and as such is entitled to dower in the premises described in said petition, that her age is thirty-six 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, by such sum of money as the Court deems just and reasonable value of her dower interest in said real estate.

Mabel Nicol.

The State of Ohio, Union County,

Mabel Nicol being duly sworn, says that the statements in the foregoing answer are true, as she verily believes.

Mabel Nicol.

Given to before me, and signed in my presence, this 29th day of January, 1925.

State.

Maud Pyens, Notary Public.

Answer to
Cross Petition
Prudential
Insurance
Co.

Answer to Cross Petition of the Defendant,
The Prudential Insurance Co. of America.

State of Ohio, County of Union ss.

In the Probate Court, No. 10466

Fred Stinshoff, admin.
of the estate of
Henry G. Nicol, Dec'd.
Plaintiff
v.
Mabel Nicol; Helen Nicol;
Hazel Nicol; George Nicol;
The Prudential Ins. Co.
Defendants.

Answer to Cross-Petition
of
Prudential Insurance Co.

Answer

Now comes, the defendant, The Prudential Insurance Co. of America, of Newark New Jersey, and waives the issuance of process of summons, in this cause, and voluntarily enters its appearance, as a party defendant herein, for answer to the petition of the Administrator herein to sell real estate, says: that it is a body corporate, existing under and by virtue of the laws of the State of New Jersey, and having its chief office in the City of Newark, and State of New Jersey; that it admits that Henry G. Nicol and

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Mrs. Mabel D. Nicol, his wife, being indebted to The Prudential Insurance Company of America, in the sum of Twenty-Two Hundred (\$2200.00) Dollars, on November, 27-1923, executed and delivered a first mortgage to this defendant, The Prudential Insurance Co., of America, to secure the repayment of a promissory note of Twenty Two Hundred (\$2200.00) Dollars, dated November, 27-1923, as will hereafter be shown in the cross-petition of the defendant, The Prudential Insurance Company of America; that said note and mortgage are the first and paramount lien on the real estate described in said mortgage, which real estate is the same as that described in plaintiffs petition of the administrator herein; and for want of further information, this defendant denies each and every other allegation of said petition and the various answers, cross-petitions filed herein inconsistent with the facts hereinafter stated.

Cross Petition.

This answering defendant, The Prudential Insurance Company of America, by way of cross-petition, says: That, on the 27-day of November, 1923, the said Henry H. Nicol and Mabel D. Nicol, being indebted to the said The Prudential Insurance Company of America in the sum of Twenty-Two Hundred (\$2200.00) Dollars, executed to the said The Prudential Insurance Company of America their promissory note of that date and thereby promised to pay to the order of the said The Prudential Insurance Company of America, the principal sum of Twenty-Two Hundred, (\$2200.00) Dollars, with interest thereon from November 27-1923, until due, at the rate of five (5%) percent per annum, payable semi-annually, on the 27-day of May and November, in each year, until due on the 27-day of November, 1928, with interest on said note after maturity, and on all accrued interest after maturity, at the rate of 8% per annum payable annually, all of which will more fully appear by said principal note for Twenty Two Hundred (\$2200.00) Dollars, ready to be produced in Court, and by a photographic copy of the same attached hereto, filed herewith, marked Exhibit "A" and made a part of this cross-petition. This answering defendant further alleges that to secure the payment of the said principal note as aforesaid, as well as the sum, embezzled thereby, said Henry H. Nicol and Mabel D. Nicol, being their husband and wife, did on

Cross-Petition

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27-day of November, 1923, execute ^{an}. deliver to the said the Prudential Insurance Co. of America, their certain mortgage of that date by which they conveyed to the said the Prudential Insurance Company of America, the following described real estate in Madison County, Ohio:

A part of Survey # 8415, bounded ^{an}. described as follows, to wit: Beginning at a stake in the County line between Madison ^{an}. Union Counties - South 29° 44' W. 56.16 poles from a stone formerly witnessed by 3 bar oak, 2, from the north northeast corner to Survey # 7472, and # 7677 - thence South 29° 44' West 18.45 poles to a stone; thence South 55° 11' East 124.24 poles to a stone in the Eastern line of a

tract said to contain 255.60 acres, more or less, conveyed by Charles A. Baker, et. al. to George Nicol, on the 2-day of June A.D. 1906, see vol. 71, page 367-368, rec. of deeds Madison County, Ohio, thence with said line North 26° 18' East 92.16 poles to a stake in said County line

between Madison ^{an}. Union Counties; thence with said County line North 87° 42' W. 134.80 poles to the place of beginning, containing 42.60 acres, more or less, in Pike Township, Madison Co. Ohio.

which real estate is the same as that described in the administrators petition herein; that the said Henry G. Nicol and Mabel D. Nicol were the owners in fee simple of the said real estate on November 27-1923, the time of the execution of said note, ^{an}. that said mortgage was duly acknowledged on the 28-day of November, 1923, and on the 1-day of December 1923, duly filed for record at 11 o'clock, A.M., and recorded on December 3-1923, in Volume 65-page 167, of the records of Madison County, Ohio, all of which will more fully appear by said mortgage and its accompanying certificates of acknowledgment ^{an}. recording, ready to be produced in Court, ^{an}. by photographic copy of the same attached hereto, filed herewith, marked Exhibit "A" and made a part of this cross-petition; that in joining with her husband the said Henry G. Nicol, in the execution of the mortgage to this defendant ^{an}. cross-petitioner hereinbefore described, the said Mabel D. Nicol released and relinquished to this defendant ^{an}. cross-petitioner all her dower right, interest claim or demand in said real estate; and that as against the said mortgage of this defendant and cross-petitioner she has no such dower right, interest, claim or demand; that as against said mortgage of this defendant ^{an}. cross-petitioner, the said Helen Nicol

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Hazel Nicol, ^{W.} George Nicol, children, of the decedent, Henry M. Nicol, have no dower right, have no dower interest, claim or demand in the said real estate.

This answering defendant and cross-petitioner further alleges that the semi-annual interest on said mortgage, due November 27-1924, has been paid, ^{and} that the interest in the sum of fifty-five (\$55-) Dollars for the six months from November 27-1924, to May 27-1925, will not be due and payable until May 27-1925. Therefore, this answering defendant ^{and} cross-petitioner hereby consents to a sale of the real estate described in the administrator's petition herein subject to its said first mortgage; the purchaser to give bond conditioned to the payment of which mortgage in accordance with its terms. Or, it consents to sale free and clear of liens, provided, however, that the following amounts be paid out of the first proceeds of the sale of said real estate, and that a lien for the said amounts be a lien on the proceeds; namely, principal twenty-two hundred Dollars (\$2200-00), plus five per cent (5%) interest thereon from November 27-1924, to date payment is made, payable semi-annually.

Wherefore, this answering defendant and cross-petitioner, The Prudential Insurance Co. of America prays that the amounts due it, as hereinabove alleged, be so adjudged, and decreed by the Court; that the validity and priority of its mortgage be determined; that said real estate be described in its said mortgage and in the petition of the administrator herein be sold subject to its mortgage, the purchaser to give bond conditioned to the payment of the same, in accordance with its terms; or, that, if said real estate be ordered sold free ^{and} clear of liens, it be paid out of the sale of said real estate, the amount hereinabove alleged to be due it, in the order of the priority of its said mortgage lien upon said real estate, for such additional judgment, order, and decree to which it may be entitled in law, or in equity.

William R. Stewart, atty. for
The Prudential Insurance Co. of America,

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State of Indiana, County of Marion, ss.
William R. Stewart, being duly sworn according to law, says that he is attorney for the defendant ^{and} cross-petitioner, The Prudential Insurance Co. of America; that said defendant and cross-petitioner is a body corporate, duly incorporated

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under the laws of the State of New Jersey, with its principal office in Newark, New Jersey; that as such attorney said affiant has authority to make this affidavit; and that the allegations contained in the foregoing answer and cross-petition are true as he verily believes. William R. Stewart.

Subscribed and sworn to before me, this 30 day of January, 1924 ^{year} Lavinia Biatt, Notary Public. ^{State}
Guardian ad Litem.

Guardian ad Litem

Probate Court, Union County, Ohio,
April 1 - A.D. 1925.

To the Hon. W. B. Busted, Judge, of said Court:

The undersigned Fred Stierhoff makes application for the appointment of a Guardian ad Litem for the minor defendants in the above entitled case.

The defendants Helen Nicol, Hazel Nicol, Mrs. George Nicol, under the age of fourteen years, ^{and} have been duly served with summons herein, and have neglected for over 20 days after the return and filing of summons herein, to make application for the appointment of a guardian ad litem or to file answer.

The undersigned suggests that John H. Kirkade who is a suitable person to be appointed as such Guardian ad litem.

Respectfully, Fred Stierhoff
Probate Court, Union County, Ohio,
April 1st, 1925.

Appointment of Guardian ad Litem

Appt. of Guardian ad Litem

This day the Plaintiff Fred Stierhoff, 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 Helen Nicol, Hazel Nicol, Mrs. George Nicol are minors under the age of 14 years, ^{and} have been duly and legally served with summons herein, ^{and} has neglected for more than twenty days after the return and filing of the summons on them herein, ^{and} has neglected to answer or apply for a Guardian ad litem for this suit, it is ordered that John H. Kirkade Sr., and being is appointed Guardian for the suit, for said minor defendants, and now comes the said John H. Kirkade ^{and} in open Court, accepts said appointment.

W. B. Busted, Probate Judge,
Answer of Guardian ad litem

Answer of Guardian ad litem

And now comes the said Helen Nicol, Hazel Nicol and George Nicol, the minor defendants to the petition in said cause, by John H. Kirkade their Edu., 24.

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litens 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 the 1-day of April, 1925.

Helew Nicol, Hazel Nicol, George Nicol

By J. W. Tinkade Esq. ad. litem.

Order

Journal Entry: Order on Hearing for Private Sale - Probate Court, April, 1-1925.

for Private Sale.

Order of Sale

This day this cause came on to be heard upon the petition evidence and testimony, the answer of the widow, Hazel Nicol and, the answer of the Executor ad litem, for the minor defendants, and, the cross-petition of the Prudential Life Insurance Co., 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 Henry H. Nicol deceased, did leave a widow entitled to dower in the estate to be sold, and, by her answer has waived the same, and, an appraisement of such estate is contained in the Inventory.

It is ordered that another appraisement be, and, hereby is dispensed with, that said appraisement be approved, confirmed, and, the Court being satisfied that it is

necessary to sell the real estate of said Henry H. Nicol, Dec'd - 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 ordered, that said Fred Sturhoff as, such administrator proceed to sell said real estate, free of dower, at private sale for not less than \$4000.00 the appraised value thereof, on the following terms, to wit: cash in hand on day of sale, and, it further appearing to the Court that said administrator has given bond at the time of his appointment as, such administrator further bond is dispensed with, and, said petitioner

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Appl-
to sell
at Private Sale.

is ordered to make return to this court immediately after such sale is made. ^{W.H. Stusted Probate Judge} This cause is continued.

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

The said Plaintiff represents that it would be for the best interest of 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 for a price for more than the appraised value.

Second: to sell at private sale will save time and expense of advertising ^{the} offering the same at public sale.

Third: it can be sold for the amount of purchase price, in full, in cash on day of sale.

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

Fred Stierhoff, Admr.

The State of Ohio, Union County.

Oath

Fred Stierhoff being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.
Fred Stierhoff

Sworn to before me, ^{Mr.} signed in my presence, this 1. day of April, A. D. 1925 ^{at} Mand Pyles, Notary Public, Affidavit of Disinterested Person.

The State of Ohio, Union County.

Oath

Chas. D. Webb ^{and} E. H. Haunser, 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, E. H. Haunser.

Sworn to before me, and signed in my presence, this 1. day of April, 1925 ^{at} Mand Pyles, Notary Public.

Order of
Sale.

Order of Sale from Court.

The State of Ohio, Union County, Probate Court.

To Fred Stierhoff, Executor:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Admr., of the estate of Henry H. Nicol, deceased, are Plaintiff ^{vs.} Mrs. Mabel Nicol et al. ^{are} Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$4400.00 the appraised value thereof from the dower of Mabel Nicol widow of Henry H. Nicol, deceased, the following described premises, ^{to wit:}

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Situated in the county of, Madison, State of Ohio, township of Pike, and a part of, Surry, No. 8415:
 Beginning at a stake in the county line between Madison & Union Cos. (S. 29° 44' W. 56.16 poles from a stone formerly witnessed by three Burr oaks, two from one root North-east corner of Surry No. 7472 and 7677); thence S. 29° 44' W. 18.40 poles to a stone thence S. 55° 11' E. 124.24 poles to a stone in the easterly line of a tract said to contain 255.60 acres, more or less, and conveyed by Charles A. Baker, et al. to George Nicol on the 12-day of April 1906 (see Vol. 71, pages 367. and 368 rec. of deeds Madison County, Ohio); thence with said line N. 26° 18' E. 92.16 poles to a stake in said county line between Madison and Union counties; thence with said county line N. 87° 42' W. 134.80 poles to the place of beginning, containing 43.69 acres, more or less.
 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 & the seal of said Probate Court at Marysville, Ohio, this 1-day of April, A.D. 1925.
 Fred Pyers, Notary Public.

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 1-day of April, 1925.

Fred Stierhoff

Report

Report of Sale Private.

In obedience to the within order, I sold said premises on the 1-day of April, 1925, to Martha Thiergartner for the sum of Four Thousand ⁰⁰/₁₀₀ Dollars, said sum being more the appraised value of the same.

Dated the 1-day of April, 1925,

Fred Stierhoff.

The State of Ohio, Union County:

Oath

The above named Fred Stierhoff 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.

Fred Stierhoff

Sworn to before me, and signed in my presence this 1-day of April, 1925.

Fred Pyers, Notary Public.

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Journal Entry: Orders of Confirmation, Distribution
Probate Court, Union County, Ohio,
April 1 - 1925;

Fred Stierhoff admr. of
the Estate of
Henry G. Nicol. Decd.
Plaintiff.

Orders of Confirmation
Distribution

Mabel Nicol et al.
Defendants.

Confirmation

This day this cause came on to be heard on the report of Fred Stierhoff admr. of the estate of Henry G. Nicol deceased, of his proceedings under the former order of this court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; and the court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fair 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 Henry G. Nicol, in said real estate, to the purchaser Martha Thiergartner, 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 Seven Thousand and 71/100 Dollars; by the said Mabel Nicol, widow leaving 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 Nineteen Hundred and one and 63/100 Dollars. The court finds that there is due the said The Prudential Life Insurance Company of America upon the note set forth in its answer and cross-petition, from the estate of said Henry G. Nicol, the sum of Forty-two Hundred and forty-four Dollars, with interest thereon from the date of this entry; that the said Henry G. Nicol, and said Mabel Nicol his 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 finding

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Feb. 3. 1925

Fackler &
Fackler
attorneys

Petition

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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 be entered of record in the office of the recorder of Union County, Ohio, according to law. It is further ordered that said admin. out of the money, in his hands, pay: First: To the Treasurer of Madison Co., the sum of \$30⁵⁰ being the taxes, penalty and interest thereon, against said property. Second: The cost & expenses incurred in the sale of said property including an attorney fee of \$3- to John B. Hinkley Esq. ad litem Court Costs amounting to the sum of \$17⁰⁰. Third - To make Nicol widow the sum of \$1901.⁶³ which the Court finds to be the value of her dower interest in said premises. Fourth: To the Prudential Life Insurance Company on the note & mortgage set forth and described in its answer. & cross-petition herein. The sum of \$2240- 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 \$2376.⁷⁹ 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 \$- out of the proceeds of said sale, within ten days.

W. H. Hustel, Probate Judge

10480
Feb. 3, 1925.

Fackler & Fackler
attorneys
Wickert C. Hill,
Administrator
of the estate of
Maggie A. Hill,
Deceased,
Plaintiff

Petition for Sale of Real Estate to Pay Debts.
Probate Court Union County, Ohio,
no. 10480.

Civil action,
Petition to Sell Real Estate,
Petition.

J. M. Wagstaff
Mrs Elizabeth Wagstaff
Josephine Baines (widow)
Eugene Hill
Petitioner Mrs Maggie A. Hill, Guardian
of Margaret A. Hill
Defendants

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of Maggie A. Hill late of Union County, Ohio, deceased, that the amount of debts due

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from the deceased is Two thousand (\$2000-) Dollars as near as can be ascertained. that the charges of administration of said estate will amount to about One Hundred Dollars, and, that the total value of the 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 Maggie A. Hill died in fee simple of the following described real estate, situate in the County of Union and State of this, to-wit:

Beginning Twenty-two feet from the north west corner of lot No. 56, in the said village of Richmond at a point N. 10° E. from the corner of said lot: thence easterly, parallel with the north line of said lot, 132 feet; thence N. 10° E. 44 feet; thence westerly parallel with the north line of said lot 132 feet; thence S. 10° W. 44 feet to the beginning, containing twenty-one and one third (21 1/3) poles more or less.

The said decedent died leaving the defendants J. M. Maystiff, Mrs. Mrs Elizabeth Maystiff (widow and wife)

Josephine Cairns (widow)

Eugene Hill (single)

Mrs. Maggie B. Hill, adm. of Maggie A. Hill (minor)

as the only heirs of said decedent having the next estate of inheritance from said Maggie A. Hill, dec'd, in said premises.

The Plaintiff therefore prays: that the rights, interests, and claims of the said heirs may be fully determined, adjudicated, and protected according to equity, and that your petitioners may be authorized and ordered to sell said real estate free said down, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

Lackler & Lackler, attys. for Pltff.

The State of this, Union County ss.

Wickert C. Hill the within named Plaintiff

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

Witness my hand and signed in my presence, this 3 day of Feb, 1925. W. H. Husted Probate Judge

In the Probate Court of Union County, this, Feb. 3-1925.

Journal Entry: Filing Petition to Sell Real Estate. This day came the Plaintiff Wickert C. Hill, adm. of the estate of Maggie A. Hill, Dec'd, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the

Petition

Oath

Filing Petition

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application to sell at Private Sale

Final Record, Union County Probate Court.

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said Maggie A. Hill, 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. W. H. Husted, Probate Judge

Wainor's 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. J. M. Wagstaff, Mrs. Elizabeth Wagstaff

Wainor of Summons and 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 voluntarily enter our appearance as such defendants, and we do hereby consent to the sale of the real estate described in petition.

Josephine Baines.

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 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.

Eugene Hill, Mrs. Maggie B. Hill, Adm. of Margaret A. Hill Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

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

1. Plaintiff can sell the premises described for the full amount of the appraisement.
 2. It will save to the estate all expenses of advertising and selling same at public sale.
- He therefore asks for an order authorizing

Application to sell at Private Sale.

10480

him to sell said real estate at private sale.
Walter C. Hill, adur. of Est. of Maggie Hill

The State of Ohio, Union County

Walter C. Hill, adur., being duly sworn, says, that the various matters set forth in the foregoing application are true, as he truly believes. Walter C. Hill, adur.

Known to inform me, and signed in my presence, this 25th day of February, A.D. 1925. ^{Seal}
Jacob R. Fackler, Notary Public, Union Co., Ohio.

affidavit of Disinterested Persons.

Affidavit

7.

Disinterested Person

The State of Ohio, Union County.

W. C. Jacobs, Mr. Ralph W. Fackler, 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 J. M. Raystaff, et al. to sell said real estate at private sale than at public sale, as they truly believe. W. C. Jacobs, Mr. Ralph W. Fackler.

Known to inform me, and signed in my presence, this 25th day of Feb. 1925. Jacob R. Fackler, Notary Public, Union Co., Ohio. ^{Seal}

Probate Court, Union County, Ohio,
March 9th 1925:

Order for Private Sale.

Order for

Private sale

This day, this cause came on to be heard upon the petition, evidence and testimony of the plaintiff herein, 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 Maggie A. Hill 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 Maggie A. Hill deceased, 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 Walter C. Hill adur. of the estate of Maggie A. Hill as such adur.

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Order of Sale.

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Final Record, Union County Probate Court.

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proceed to sell 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. Husted, Probate Judge

Order of

sale.

Order of Sale - Free from Dower.
The State of Ohio, Union County, Probate Court.
To Michael C. Hill, admr. of the estate of
Maggie A. Hill. Greeting:

In obedience to an order and decree of the Probate Court, within ^{the} for said County, made this day, in a certain cause, wherein you, as admr., of the estate of Maggie A. Hill, are Plaintiff, and J. M. Magstaff, Mrs Elizabeth Magstaff, 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 the following described premises, to wit:

Situated in the County of Union, State of Ohio, and in the village of Richwood more particularly described as follows: Beginning 22 ft. from the north west corner of the in-lot # 56 in the said village of Richwood at a point N. 10° E. from the corner of said lot; thence easterly, parallel with the north line of said lot 132 ft; thence N. 10° E. 44 ft; thence westerly parallel with the north line of said lot 132 ft; thence S. 10° W. 44 ft. to the beginning, containing 2 1/3 poles 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 17-day of Feb., 1925 ^{seal} W. H. Husted Probate Judge

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 5th day of March, 1925
Michael C. Hill, admr. of Est. of Maggie A. Hill,
Report of Sale

Report

In obedience to the within order, I sold, said premises on the 5th day of March, 1925, to N. W. Spratt, Richwood, Union Co. Ohio for the sum of \$25.00 - said sum being the appraised value of the ^{same}.
Witness: Michael C. Hill, admr.
Dated March, 5th 1925.

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The State of Ohio, Union County.
 The above named, Wilbert C. Hill Adm. of the estate of
 Maggie A. Hill, 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.

Wilbert C. Hill, admr.

Sworn to before me, and signed in presence, this 5-
 day of March, 1926. *seal* Jacob R. Lackler, Notary Public, Union Co. O.

Confirmation

Journal Entry: Orders, approving and confirming Sale -
 March 9th 1926.

This day this cause coming on to be heard on, the
 report of Wilbert C. Hill, admr. of the estate of Maggie
 Hill 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 lawfully is
 approved, and confirmed. It is further ordered
 that said petitioner execute a deed of all the
 right, title and interest of the said Maggie Hill
 deceased, in said real estate, to the purchaser
 N. W. Spratt.

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

10491
 Feb. 14
 1925

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

Charles Rausch, Administrator
 with the Will annexed,
 of the estate of
 Peter Gasw, deceased.
 Plaintiff.

No. 10491
 kind action.
 Petition

To Sell Real Estate

Johm Harold Gasw,
 Lota Anna Gasw, and
 Bertha M. Wursty,
 Defendants.

Petition

The Plaintiff represents that he is the duly
 appointed and qualified Administrator with the
 Will annexed, of the estate of Peter Gasw, late of

10491

Petition

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Union County Ohio, deceased; that the amount of debts due from the deceased, is, six thousand two hundred and fifty - two / 100 Dollars, as near as can be ascertained that the charges of administration of said estate will amount to about five hundred Dollars; that the total value of the personal estate and effects of said deceased is but three thousand eight hundred and fifty and two / 100 Dollars, being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said Peter Gase died seized in fee simple of the following described real estate, situate in the County of Union, Ohio, State of Ohio, to wit: Being part of Survey No. 8153, 12238, and 6543 in the Township of Union.

Beginning at a stone, south easterly corner of said Survey No. 8153; thence with the south line of said Survey (and the center of the Sabine and Bigelow Grant Road) north 86° 35' west 97.54 poles to a stone, the southeast corner of a tract of land, containing 94 acres conveyed by Peter Gase to Henry Moodie April 10th 1896; thence with the east line of said tract north 1° 30' east 171.80 poles to a stone, the north east corner to said land, in the north line of said Survey No. 12238; thence with the said line south 76° 15' east 15.60 poles to a stone in the south westerly line of the P.C.C. & L. Ry. (40 feet from the center of the main track); thence with the said line south 52° east 145 poles to a stone in the westerly line of said Survey No. 8543; thence continuing with said railway line south 52° east 9.12 poles to a stone in the center of the Sabine and Bigelow Grant Road; thence with the center of said road south 30° west 57.40 poles to the beginning.

Petitioner

Containing 99.75 acres, more or less.

The said decedent died leaving no widow who is entitled to dower in said premises; that the defendants John Harold Gase, Leta Anna Gase, and Bertha M. Wursty are the only children of said decedent having the next estate of inheritance from said Peter Gase, deceased, in said premises.

The Plaintiff therefore prays, that the rights, interests, and liens of the said defendants, John Harold Gase, Leta Anna Gase, and Bertha M. Wursty 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, for all other

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proper orders, and relief in the premises.

The State of Ohio, Union County, ss.

Charles 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.

Sworn to before me, and signed in my presence, this 14th day of February, 1925. Milo L. Myers, Notary Public, Probate Court, Union County, Ohio.

Crawford

Charles Rausch, adur. etc., of the estate of Peter Gase, deceased. Plaintiff.

John Harold Gase, et al. Defendant.

Endorse "action to sell Real Estate to pay debts and make distribution" directed to the Sheriff of said county, returnable according to law. Milo L. Myers, Clerk Tally.

In the Probate Court of Union County, Ohio, Feb. 14 - 1925.

Filing Petition

Filing Petition to sell Real Estate.

This day came the Plaintiff, Charles Rausch, adur., with the within annexed, of the estate of Peter Gase, and presented to this court his petition, duly verified, praying an order for the sale of real estate of the said Peter Gase, 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.

Summons

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 John Harold Gase, Leta Anna Gase, Bertha M. Wurst, and William Ell, guardian of Leta Anna Gase, a minor, that on the 14 day of February, a. d. 1925, Charles Rausch, adur., of the estate of Peter Gase, 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

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Sheriff's Return

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debts and make distribution and that unless they answer by the 14-day of March, 1925, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 23-day of Feb. A.D. 1925.

Witness my hand, and the Seal of said Court, this 14-day of February, A.D. 1925.

Sheriff's Return

Sheriff's Return:

" office, Union County, Ohio, Feb. 23-1925.

Received this writ Feb. 14-1925, at 9 o'clock A.M. and pursuant to its command, I served each of the within named defendants by personally handing to John Edward Gass, Leta Anna Gass, & Bertha M. Wurst, and William Ell, Guardian of Leta Anna Gass, a true and certified copy of this writ with all endorsements thereon.

The said minor, Leta Anna Gass, being a minor and having no father or mother living.

F. S. Boyer, Sheriff, D. S. A. W.

For

Service Return. 75-

Additional names. 75-

Mileage 47 at 8¢, 3.7¢. Total. \$ 5.26.

Application for appointment of Guardian ad litem, Probate Court, Union Co. Ohio.

March 30 - A.D. 1925.

appl. for Guardian ad litem

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

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

The defendant Leta Anna Gass, is a minor, now the age of 14 yrs. and has been duly served with summons herein, and has neglected for over twenty days after the return and filing of summons herein, to make application for the appointment of a guardian ad litem, or to file answer.

The undersigned suggests that John B. Linkade who is a suitable person to be appointed as such Guardian ad litem. Respectfully, Charles Rausch.

Probate Court, Union County, O.

March 30 - 1925.

Entry

This day the plaintiff Charles Rausch, 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

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defendant Lota Anna Gase, is a minor, over the age of 14 yrs. and has been duly and legally served with summons herein, and has neglected for more than twenty days after the return and filing of the summons on her herein, and has neglected to answer or apply for a guardian ad litem for this suit, it is ordered that John H. Kirkade Sr. and he hereby is appointed guardian for the suit for said minor defendant, and now comes the said John H. Kirkade Sr. in open court accepts said appointment.

W. H. Husted Probate Judge

Answer of Guardian ad litem.

Answer of Guardian ad litem

Probate Court, Union County, Ohio.
 Answer of minor Defendants.
 and now comes the said Lota Anna Gase, the minor defendant, to the petition in said cause, by John H. Kirkade 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 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, for such relief as may be just.

Dated this 30-day of March, 1925.

Lota Anna Gase. By John H. Kirkade, Guardian ad litem.
 application to sell Real Estate at Private Sale.

appl. to sell at Private Sale.

Probate Court, Union County, Ohio.

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

First: that by the provisions and conditions contained in the last will and testament of the said Peter Gase, deceased, the son, John Harold Gase, has elected to take the same, at its appraised value.

Second: that the appraised value of said real estate, to wit: \$7500 per acre, is all that the same is reasonably worth.

Third, that to sell the same, at private sale according to the provisions of said will, will save time and expenses of a public sale.

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

Chas. Rausch, admr. of the est. of Peter Gase.

The State of Ohio, Union County.

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affidavit
 of
 Disinterested
 Person.

Affidavit to

Table Real Estate

Order for Private Sale

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Charles Rausch, being duly sworn, says, that the various matters set forth in the foregoing application are true, as he verily believes. Charles Rausch - sworn to before me, and signed in my presence, this 30-day of March, A.D. 1925. Mand Pyles, Notary Public, affiant of Disinterested Persons.

affiant of Disinterested Person.

The State of this Union County.

Chas. D. Webb and E. K. Baumer, being duly sworn, says that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matter therein referred to, and, that it will be more for the interest of the said estate, to sell said real estate at private sale than at public sale as they verily believe.

Chas. D. Webb - E. K. Baumer.

Sworn to before me, and signed in my presence, this 30-day of March - 1925.

Mand Pyles, Notary Public.

Election to

In the Probate Court, Union County, this Election To Take Real Estate.

Take Real Estate

John comes John Harold Gase, son and devisee of Peter Gase, deceased, and represents to the Court ^{that} does hereby and by these presents elects to take the real estate of which the said Peter Gase died seized and as described in the said Plaintiff's petition at its appraised value of \$85-00⁰⁰ according to the terms and provisions of the last will and testament of the said Peter Gase, deceased, being filed ^{and} probated herein on June 17th 1924, in case no. 10341, which will and testament contained the provision "that in the event my son, John Harold Gase, would prefer to purchase the farm he shall have the full right to do so, at the appraised value of the land". John Harold Gase.

Order for Private Sale.

Journal Entry: Order for Private Sale.

appraisement in Inventory.

This day this cause came on to be heard upon the petition, the answers, and cross-petition of the guardian ad litem, and the Court being fully advised in the premises finds: that all the defendants herein have been duly and legally served with summons and process, and are now properly before the Court, ^{and} are in default for answer or demurrer, excepting the minor defendant, and, that the statements, and the allegations made and contained in said petition are true. Further the Court, finds that the said Peter Gase, died leaving no widow entitled

10491

in the real estate to be sold, and, that an appraisement of said real estate is contained in the inventory, it is ordered, that another appraisement be, and, hereby is dispensed with, and, that the said appraisement made ^{and} contained in the inventory be, and, the same, hereby is approved, and, confirmed. Further the Court finds that it is necessary to sell the said real estate, described in the petition to pay the debts of the said Peter Gase, deceased, and, that the last will and testament of the said Peter Gase, deceased, filed and probated herein contains a provision, that in the event that his son, John Harold Gase, would prefer, to purchase, the farm he shall have the full right to do so, at the appraised value of the land, and, that the said John Harold Gase, has elected to take said real estate at its appraised value, to wit, \$1500- according to the terms ^{and} provisions of said last will ^{and} testament, and, it being further made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said estate to sell said real estate described in the petition at private sale, to the said John Harold Gase, It is therefore further ordered ^{and} decreed by the Court that the said Charles Rausch, as such administrator proceed to sell said real estate free of down, at private sale, for not less than \$1500- the appraised value thereof for cash, in full, on day of sale, to the said John Harold Gase, and, the said petitioner is ordered, to make return to this Court immediately after such sale is made his proceedings therein. ^{and} This cause is continued.

W.H. Husted, Probate Judge.

Order of Sale.

Order of Sale.

The State of this Union Counties, Probate Court,
 To Charles Rausch, 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 Peter Gase, dec'd, are Plaintiff ^{and} John Harold Gase, et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$1500- the appraised value thereof, the following described premises, to wit:

Situated in the township of Union, County of Union ^{and} State of this ^{and} part of Survey No 8153, 12 2 38, and 65-43. Beginning at a stone, south easterly corner of said Survey No. 8153; thence with the south line of said Survey (and the center of the Sabine and Bigelow Lane Road) North 86° 30'

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Report

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Met 97.54 poles to a stone, the south-east corner of a tract of land containing 94 acres conveyed by Peter Gase to Henry Woodie April 10-1896: Thence with the east line of said tract North 1° 30' East 171.50 poles to a stone, the north-east corner to said land, in the north line of said survey no. 12238: Thence with said line South 76° 15' East 15.60 poles to a stone in the southerly line of the P.C.C. St. L. Ry. (40 ft. from the center of the main track): Thence with said line South 52° East 145 poles to a stone in the westerly line of said survey # 6543: Thence continuing with said sy. line South 52° East 9.12 poles to a stone in the center of the Sabine ^{av.} Bigelow Farm Road: Thence with the center of said road South 30° West 87.40 poles to the beginning.

Containing 99.75 Acres, more or less.
Said sale to be private and to be upon the following terms: Cash, in hand, on day of sale. ^{av.} to be sold to John Harold Gase, according to the provisions of the last Will and testament of the said Peter Gase, deceased. you will make return of your proceedings to this court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Mansfield, Ohio, this 1-day of April, 1925
Chas. W. 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 1-day of April 1925: Chas. Rausch,

Report

Report of Sale Private
In obedience to the within order, I sold said premises on the 31-day of March, 1925 to John Harold Gase, for the sum of \$55.00 - said sum being the appraised value of the same.
Dated the 1-day of April, 1925: Chas. Rausch, Adm'r.

oath.

The State of Ohio, Union County,
The above named Charles Rausch, being duly sworn, says that the sale above reported was lawfully 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.
Chas. Rausch.
Known to before me, and signed in my presence, this 1-day of April, 1925
Maud Pyles, Notary Public.

10491

Journal Entry: Order approving ^{Mr.} Confirming Sale -
Probate Court, Union Co., Ohio.
April, 1 - 1925.

Confirmation

This day this cause coming on to be heard on, the report of Charles Rausch, Adm^r. of the estate of Peter Gase, 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 fair and legally made, It is ordered that the same be and hereby is approved and allowed, ^{and} confirmed. It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Peter Gase ^{and} of the said Charles Rausch, as Adm^r. of the estate of said Peter Gase, dec'd, in said real estate to the purchaser, John Harold Gase, upon said purchase, paying to the said administrator the purchase price for said real estate, in full, It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed, \$ ---. W. H. Trustad, Probate Judge

10504

March 4 - 1925

Mrs. J. Rogers
attorney

C. S. Coons, administrator
of the estate of
Irene Works, deceased.
Plaintiff

Forest Works.
Annetta Works.
Harry Works.
Charles Works.
Marjorie Works, and
Lillian Cook.

Defendants.

Now comes C. S. Coons, and says that he is the duly appointed and qualified administrator of the estate of Irene Works, deceased, ^{and} that he was appointed as such administrator by the probate Court of Union County, Ohio, ^{and} is still acting as such. Further the said plaintiff says that the total amount of the personal property and effects of the said deceased, are insufficient to pay all her debts, and that it will be necessary in order to pay the debts of the said deceased, ^{and} the

Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio
vs. 10504

Petition.

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costs of administering her estate to sell the real estate of which she died seized, which real estate is described as follows, to wit: Being situated in the Township of Liberty, County of Union and State of this, and, as part of Survey No. 3443, being in two tracts, and bounded ^{as} described as follows:

First Tract: Beginning at a stake near an elm tree in the west side of the county road and south-west corner to land formerly owned by Charles Jolley, ^{and} north east corner to 29.08 acres sold by Perry Cook, to C. P. Morse; thence north 72 1/2° west 39 poles to a stake in Uriah Cook's east line; thence north 9 1/2° east 136.9 poles with said Uriah Cook's east line to a stake in William Hollomay's south line; thence south 77° east 38.8 poles to a stake in the west line of said road; thence south 9 1/2° west 136.76 poles to the place of beginning,

Containing 32.92 acres, more or less.

Second Tract: Beginning at a stake at the south-west corner of William Hollomay's land; thence north 78° east 43.18 poles to a stake; thence south 73 1/4° east 78 poles to the center of the Jolley road; thence south 78° west (with the center of said road) 43.18 poles to a stone south-east corner to land above described.

(Containing 32.92 acres); thence north 73 1/4° west 78 poles to the place of beginning, containing 21 acres, more or less.

Further the plaintiff says, that the said decedent died leaving no widows entitled to dower in said premises.

That the defendants, Forest Robt, Lucretia Robt, Henry Robt, Charles Robt, Gusfred Robt, and Letta Cook, are the only children of the said decedent, and, only persons having the next estate of inheritance from the said deceased, in said premises.

The plaintiff C. S. Coons, as adm^r of the estate of the said Irene Robt, deceased, therefore prays that he may be authorized and ordered to sell said real estate, according to the statutes in such cases made and provided, and for the purpose paying the debts and the costs of administering said estate, and, for such other ^{and} further relief in the premises as may be just, and equitable.

C. S. Coons, Adm^r of Est. of Irene Robt, dec^d
By: M. S. Myers, his attorney.

State of this Union County ss-

C. S. Coons being first duly sworn, says that the facts stated ⁱⁿ the allegations made, and, contained in the foregoing petition are true as he believes.

C. S. Coons.

Petition

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From to before me, and signed in my presence, this 28-day of February, 1925. ¹⁹²⁵ Maud Piers, Notary Public.

To the Court:

Issued summons, in the above entitled cause directed to the Sheriff of Union County, Ohio, for the defendants, Harry Woods, Garfield Woods, and Letta Cook. Indorse "action for sale of real estate to pay debts of Irene Woods, deceased", and make returnable according to law. also issue summons, in the above entitled cause directed to the Sheriff of Logan Co. Ohio, for the defendant, Forest Woods, who resides near Zanesville. Indorse "action for sale of real estate to pay debts of Irene Woods, deceased", and make returnable according to law. Mrs. L. Myers, atty. for Plt.

Filing Petition

Journal Entry: Filing Petition to Sell Real Estate.

In the Probate Court of Union Co. Ohio, February, 28-1925.

This day came the Plaintiff, Cyrus Coons, as, admr. of the estate of Irene Woods, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Irene Woods, 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 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 the Sheriff of said County:

You are commanded to notify Harry Woods, Garfield Woods, Letta Cook, and Forest Woods, that on the 4-day of March, A. D. 1925, C. S. Coons, Admr., of the estate of Irene Woods, 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 purposes of paying debts of Irene Woods. Now, that unless they answer by the 4-day of April 1925, said petition will be taken as true, and an order granted accordingly. you will make return of this writ on the 16-day of March, 1925.

Witness my hand, and the Seal of said Court,

10504

Sheriff Return

Order for appraisement

order of appraisement

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10504
Sheriff's
Return

This 4th day of March, A.D. 1925;
W.H. Husted, Probate Judge

Sheriff's Return
Sheriff's office, Union County, Ohio,
March 13 - 1925.

Received this writ March 4 - 1925, at one o'clock P.M., and pursuant to its command, I made personal service upon the within named Harry Works, and Lettie Cook by handing to each of them a true and certified copy of this writ, with all endorsements thereon and upon the within named Garfield Works, and Forest Works, by leaving a true and certified copy of this writ with all endorsements thereon at their usual place of residence.

F.S. Hager, Sheriff.

Service & Return 75 - 3 additional names 75; 5-7 miles 4.⁰⁸ total 5-58

Order for
appraisement

Order for appraisement.

Probate Court, Union County, Ohio,
April, 22 - 1925.

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 Irene Works deceased. It is therefore ordered and adjudged by the court, that the said premises be appraised free of honor by the oaths of Albert Skidmore, Harry Skidmore and Wm Penhollow, judicious and disinterested freeholders of the vicinity whom the Court hereby appoint for that purpose, & that they return their proceedings to this Court for confirmation.

W.H. Husted, Probate Judge

Order of appraisement.

Order of
appraisement

The State of Ohio, Union County, ss.
To G.S. Coons, Sheriff:

In obedience to an order and decree of the Probate Court within and for said County, made this day in a certain cause, wherein you as adver., of the estate of Irene Works as Plaintiff, and, Forest Works, et al. are Defendants, you are commanded that by the oaths of Albert Skidmore, Harry Skidmore & Wm Penhollow 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 township

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of Liberty, county of Union, State of Ohio, and a part of Sunny Co. 3443, being in two tracts and bounded and described as follows: First tract: Beginning at a stake near an Elm tree in the west side of the county road and south west corner to land formerly owned by Charles Tobey and north-east corner to 29.08 acres owned by Perry Cook, to C.P. Morse; thence north 72 1/2° west 29 poles to a stake in Arrial Cook's east line; thence north 9 1/2° East 136.9 poles with said Arrial Cook's east line to a stake in William Halloray's south line; thence South 77° East 38.8 poles to a stake in the west line of said road; thence South 9 1/2° west 136.76 poles to the place of beginning.

Containing 32.92 acres, more or less.

Second tract: Beginning at a stake at the south-west corner of Wm Halloray's land; thence north 78° East 43.19 poles to a stake; thence South 7 3/4° East 78 poles to the center of the Tobey Road; thence 78° west (with the center of said road) 43.18 poles to a stone south-east corner to land above described (containing 32.92 acres); thence north 7 3/4° west 78 poles to the place of beginning. Containing 21 acres, more or less.

Total 53.92 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 22-day of April, A.D. 1925.

Wm. Husted Probate Judge

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 24-day of April 1925.

B. L. Coons.

Oath of appraisers

Oath of appraisers.

The State of Ohio, Union County, I, the undersigned appraiser, 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. Alva B. Skidmore, Wm. Pughwood, Harry Skidmore

Sworn to before me, and signed in my presence, this 24-day of April, 1925. Miles 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,

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minor

confirming appraisement

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appl. to sale at private sale

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estimate the value of said real estate at Twenty-^{hundred} seven
and no/100 Dollars,

Given under our hands, this 24th day of April
1925. Alva C. Skidmore, W.E. Penhollow, Harry Skidmore & Sons
Warr

In the Probate Court, Union County, this
I, the undersigned, do hereby waive the issuing and
service of summons and process, or service by
publication in the above entitled cause, and do hereby
enter my appearance in this cause, and consent
to the sale of said real estate.

Charles Woods, Arnetta Woods,
Probate Court, Union County, Ohio.
April 29 - 1925.
Confirming appraisement, and
ordering Private Sale -

This day this cause came on further to be heard, and
it appearing to the Court that the appraisement
heretofore ordered has been duly made, the same is
hereby confirmed: said appraisement being for
Twenty-seven hundred and no/100 Dollars.

And the plaintiff above named having given
bond, dated June 12th 1925, in the sum of \$300
Thousand Dollars, with Forest Woods and Lemuel P.
Sherman 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
that said real estate, at private sale, at not
less than the appraised value thereof, and upon the
following terms, to wit: Cash in full in hand on day of sale.

W. H. Husted, Probate Judge.
Application to Sell Real Estate at Private Sale,
Probate Court, Union County, Ohio.

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

- First: That said real estate can be sold forthwith
at the appraised value thereof.
- Second: That said sale can be made for cash
in full in hand on day of sale.
- Third: That the appraised value of said real
estate \$2700.00 is all said real estate is reasonably
worth.
- Fourth: To sell at private sale will save costs of
offering said real estate at public sale, and the

105-04

chain of sale, my, her, therefore asks for an order authorizing him to sell said real estate at private sale.

L. S. Coons, Adm. of
The Estate of Irene Woods, Deceased,
The State of Ohio - Union County.

Oath

L. S. Coons, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.

Affidavit

Given to before me, and signed in my presence, this 29-day of April, 1925. ^{Wm. S. Myers} Notary Public
affidavit of Disinterested Person

Disinterested Person

The State of Ohio, Union County.
J. S. Kayay, and Chas. D. Webb, 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.

J. S. Kayay Chas. D. Webb

Order

Given to before me, and signed in my presence, this 29-day of April, 1925. ^{Wm. S. Myers} Notary Public
Order of Sale

Sale

The State of Ohio, Union County, ss. Probate Court.
To L. S. Coons, Executor: 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 the estate of Irene Woods, are Plaintiff and, Irene Woods et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$2700.00 the appraised value thereof, the following described premises, to wit:

Being situated in the Township of Liberty, County of Union, and State of Ohio, and a part of Survey No. 3448, and being in two tracts and bounded and described follows:

First Tract: Beginning at a stake near an elm tree in the west side of the county road, and south west corner to land, formerly owned by Charles Lohy and north-east corner to 29.08 acres, sold by Perry Cook to C. P. Morse; thence north 72 1/2° west 39 poles to a stake in Uriah Cook's east line; thence north 9 1/2° east 136.9 poles with said Uriah Cook's east line to a stake in William Halloway's south line; thence south 77° East 38.8 poles to a stake in the west line of said road, thence, south 9 1/2° west, 136.76 poles to the place of beginning, containing 32.92 acres, more or less.

Second Tract: Beginning at a stake at the south west corner of William Halloway's land; thence north 78°

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East 43.18 poles to a stake; thence South 73/4 East 78 poles to the center of the Lohy Road; thence South 78° West (with the center of said road) 43.18 poles to a stone south-east corner to lands above described (containing 32.92 acres); thence North 73/4 West 78 poles to the place of beginning. Containing 21 acres, more or less.

Said sale to be private and to be upon the following terms: to wit: cash in full in hand on day of sale. you will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature and the Seal of said Court this 29-day of April, 1925. *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 April, 1925. *C. S. Coons,*

Report

Report of Sale

In obedience to the within order, I sold said premises on the 29-day of April, 1925 to

Arnetta Woods, for the sum of Two Thousand Two hundred and ^{no} 00/100 Dollars, said sum being the appraised value of the same.

C. S. Coons,

Dated the 29-day of April - 1925;

The State of Ohio, Union County, ss.

The above named C. S. Coons, 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. S. Coons,

Confirmation

Shown to before me and signed in my presence, this 29-day of April - 1925. *Mrs. L. Myers, Notary Public*

Journal Entry: Orders approving & confirming sale - Probate Court, Union County, Ohio, April, 29 - 1925

This day this cause coming on to be heard on, the report of C. S. Coons, as aforesaid, of the estate of Jane Woods, 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 & legally made. It is ordered, that the same

to 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 Anna Woods, in said real estate, to the purchaser, Annetta Woods, upon the said purchase, paying the purchase price in full, in cash therefor.

It is further ordered, that this proceeding be recorded and, that said petitioners pay the costs \$--

W. H. Husted, Probate Judge.

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March 7-1925

Petition for Sale of Real Estate to Pay Debt

Mrs L. Myers
atty.

Clara C. Bantner, Executrix,
of the Estate of
John E. Bantner, Deceased.
Plaintiff

Probate Court, Union County, Ohio,
No. 105-08

Civil Action
Petition to Sell Real Estate

Clara C. Bantner, and
Ainsworth D. Penhamb.
Defendants

Petition

The Plaintiff represents that she is the duly appointed and qualified executrix of the estate of John E. Bantner late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Two thousand (\$2000) Dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about One hundred (\$100) Dollars; and that the total value of the personal estate and effects of said deceased is but four hundred and eighty-six Dollars, being wholly insufficient to pay the debts and costs aforesaid.

Petitioner

The plaintiff further represents that said John E. Bantner died seized in fee-simple of the undivided 1/2 interest of the following described real estate, situated in the County of Union and State of Ohio, to-wit:

In the Township of Lusterburg, part of Survey no. 5613, 4th. Beginning at a stone (two beeches gone) in the West line of Survey No. 5613, and northmost corner to Lot no. 8 of the subdivision of the said survey; thence with the north line of said lot N. 79° 20' E. 130 poles to a stone and two beeches, northmost corner to said lot no. 8; thence with the east line of said lot S. 9° E. 32 1/2 poles to a stone and brick corner to T. F. Gault's land; thence with the line of said land as follows, S. 79° 20' W. 39 20/100 poles to a stone; thence S. 9° E. 5 1/2 poles to a stone; thence S. 79° 20' N. 93 poles to a stone northmost corner to said T. F. Gault's land in the west line of said survey no. 5613; thence with said line N. 8° 55' W. 84 34/100

Petitioner

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... to the beginning, containing 56 7/10 acrs. more or less.
The said decedent died leaving the defendant, Clara C. Cantner his widow, who is entitled to dower in said premises; that the defendant, Clara C. Cantner is the only heir at law of said decedent, having the next estate of inheritance from said John E. Cantner deceased, in said premises; that the Defendant, Anisworth D. Pinchot claims to have a mortgage lien upon said premises.

The Plaintiff therefore prays, that the dower of said Clara C. Cantner in said premises may be assigned and set off to her; that the rights, interests and claims of the said Anisworth D. Pinchot 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 other proper orders and relief in the premises.

Miles L. Myers, atty. for Plaintiff

The State of Ohio, Union County, ss.

Petitioner

Clara C. Cantner the within named Plaintiff being duly sworn, says that the various matters therein set forth in said petition are true, to the best of his knowledge and belief.

Clara C. Cantner, Executrix of John E. Cantner, deceased, sworn to before me, and signed in my presence, this 5th day of March, 1925. Miles L. Myers, Notary Public

In the Probate Court of Union County, Ohio, March 7- 1925. No. 105-08.

Journal Entry.

Filing

Filing Petition to Sell Real Estate.

This day came the Plaintiff Clara C. Cantner Ex. of the estate of John E. Cantner, deceased, and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said John E. Cantner, 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, 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; &c. This cause is continued.

W.H. Knotted, Probate Judge

further of all the in said on the full, recorded the Judge, County, Ohio Estate appointed Cantner late amount said (\$2000) amount that the of said six debts and John E. undivided late, situated onib: no. 5613, the West no. 8 of the north one and Thence with to a stone tile the line goes to a ce. b. 79' ner to said l. Perry W. 84 3/4

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In the Probate Court of Union County, this
answer of Widow.

Answer
of
widow

And, now comes, Clara B. Cantner 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, say: that she is the widow of said
John E. Cantner, deceased, and, as such, is entitled to
dower in the premises described in said petition;
that her age is 50 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;
she 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.
Clara B. Cantner.

The State of Ohio, Union County, ss.

Clara B. Cantner, being duly sworn, makes oath
that the facts stated in the foregoing answer are as
she believes true.
Clara B. Cantner,

Sworn to by said Clara B. Cantner, before me,
and, signed by her in my presence, this, 5-day of
March, A.D. 1925. ~~Wm. P. Piers~~ Wm. P. Piers, Notary Public, Union Co. O.

Waiver

Waiver of Summons. ^{av.} Consent to Sell.

Probate Court, Union County, Ohio.
The undersigned party Defendant to the Petition in the
above entitled action, hereby waives the issuing ^{av.}
Service Summons, and, voluntarily enters ~~our~~ appearance
as such Defendant. ^{av.} hereby consent to the sale
of the Real Estate described in the petition in said
action according to the prayer of the same.
Clara B. Cantner

Waiver

Waiver of Summons. ^{av.} Consent to Sell.

The undersigned party defendant, to the Petition in the
above entitled action, hereby waives the issuing ^{av.}
Service of Summons, and voluntarily enters appearance
as such Defendant. ^{av.} do hereby consent to the sale
of the Real Estate described in the petition in said
action according to the prayer of the same.
March 26 - 1925. Ainsworth Q. Reinhardt

Answer of
A. Q. Reinhardt

In the Probate Court, Union County, Ohio
Answer ^{av.} Cross-Petition
of Ainsworth Q. Reinhardt.

Now comes, the defendant, Ainsworth Q. Reinhardt ^{av.}
hereby enters his appearance, herein and for answer
^{av.} Cross petition say, that, on the 1-day of March

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1920, the deceased, John E. Cantner and his wife Clara C. Cantner, made, and delivered to him their certain promissory note of that date, which note is as per the following copy, to-wit:

\$3000- Marysville, Ohio, March 1- 1920.

On or before three years, after date, for value received on jointly and severally promise to pay Amisworth D. Rinehart or order, Three Thousand Dollars, with interest from date at the rate of 5% per annum, payable annually. (usual legumit clause)

\$3000- (signed) John E. Cantner Clara C. Cantner.

Further, the said defendant, says, that the following endorsements appears on the back of said note, to-wit:-

June 18- 1929.

I hereby agree to extend the time of payment of this note to March 1- 1929. By agreement the interest rate on this note is to be 5 1/2%.

(signed) Amisworth D. Rinehart, John E. Cantner.

Further the defendant says, that the interest on said note has been paid to the 1st day of March, 1925; and that there is still due on said principal note the sum of \$3000- with interest thereon at the rate of 5 1/2% per annum, from the 1st day of March, 1925. and that he is still the owner and holder of said note.

Second cause of action

For a second cause of action, this defendant says, that he adopts the whole of his first cause of action herein set forth as if herein re-written in full, and makes it a part of this his second cause of action, and says, that the said deceased, John E. Cantner and his wife Clara C. Cantner, on the first day of March, 1920, in order to secure the payment of said note aforesaid and the interest that may accrue thereon, made, executed and delivered to this defendant, the said Amisworth D. Rinehart their certain mortgage deed of that date, and thereby conveyed to him, his heirs, and assigns, the following described real estate, to-wit:

Situated in the township of Leesburg, County of Union, State of Ohio, and a part of Survey # 5613, beginning at a stone (two beeches gone) in the west line of Survey # 5613, and north west corner to lot # 8 of the subdivision of the said Survey; thence with the north line of said lot N. 79° 120' E. 120 poles to a stone and two beeches northwest corner to

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10508.

lot. No. 8: thence with the east line of said lot S. 9° E. 37 1/2 poles to a stone and brick corner to T. F. Gault's land; thence with the line of said land, as follows: S. 79° 20' W. 39.20 poles to a stone; thence S. 9° E. 57 1/2 poles to a stone; thence S. 79° 20' N. 93 poles to a stone north-west corner to said T. F. Gault's land in the West line of said Survey No. 5613; thence with the said line, N. 8° 55' W. 84.36 poles to the beginning.

containing 56 and 1/10 acres, more or less.

This defendant further says that the said mortgage deed contained the following conditions in substance: - That is the said Jolud E. Cantner and Laura C. Cantner shall pay or cause to be paid to this defendant or his assigns the said promissory note and the interest thereon as it becomes due, then the said mortgage deed shall be void, otherwise to be and remain in full force and effect.

That on the said first day of March, 1920, at 10:40 a. m. said mortgage deed was delivered to the recorder of Union County, Ohio, for record, and was by him duly recorded on the 8 day of March 1920 in vol. no. 66 records of mortgages Page 227.

Ans. that by reason thereof said mortgage deed is now a valid, subsisting and first and best lien on the premises herein ^{ans.} in the petition described.

Wherefore, the defendant, Ainsworth D. Rinehart, prays that the premises herein and in the plaintiffs petition be sold as prayed for in the said plaintiffs petition, ^{ans.} that his lien be declared to be the first ^{ans.} best lien on said premises, and that out of the proceeds received from the sale of said premises that his claim in the sum of \$3000- with interest thereon at the rate of 5 1/2% from the first day of March, 1920 be first paid, and for such other and further relief in the premises, as may be just and equitable.

Wm. L. Myers, Atty. for Ainsworth D. Rinehart.

State of Ohio, Union County, ss.

Carth

Ainsworth D. Rinehart, being first duly sworn, says that he is the above named defendant, ^{ans.} that the facts stated and the allegations made ^{ans.} contained in the foregoing answer ^{ans.} or cross-petition ^{ans.} true as he believes. Ainsworth D. Rinehart.

Sworn to before me ^{ans.} signed in my presence this 26 day of March, 1925

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Wm. L. Myers
Notary Public

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Private
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In The Probate Court, Union County, Ohio,
No. 10508,
Appraisement Dispensed with,
Private Sale - ordered.

This day this cause came on to be heard, on the petition, the answer, of the widow, Clara C. Cantner and answer and cross-petition of Ainsworth D. Reinhart, the evidence and testimony and the Court, being fully advised in the premises find: that all the defendants have been duly and legally served with summons and process or have voluntarily entered their appearance herein, and are now properly before the Court, and that the statements made, and allegations contained in said petition are true, and that the said real estate ought to be sold as prayed for, to pay the debts of the said deceased.

Further the Court find that the said defendant, Clara C. Cantner, the widow of the said deceased, has filed her answer herein and therein waived the assignment of her dower interest in the real estate described in the plaintiff's petition by dower and bonds, or rents, issues, or profits, consents to the sale and asks that her dower interest, if any, be paid to her in money out of the proceeds of said sale.

Further the Court find that an appraisement of the real estate described in the plaintiff's petition is contained in the Inventory.

It is therefore ordered, that another appraisement be, and is hereby dispensed with, and said appraisement is hereby approved, and confirmed, and it being made to appear to the Court upon satisfactory evidence that it would be more for the interest of the said estate, to sell said real estate described in the plaintiff's petition at private sale.

Therefore, it is ordered, and decreed, by the Court, that the said Clara C. Cantner, as executrix, of the estate of John E. Cantner, deceased, proceed to sell the undivided one-half interest of said real estate described in said plaintiff's petition free of dower, of the said Clara C. Cantner, at private sale, for not less than \$1500.00, the appraised value thereof, and the said plaintiff is further ordered to make return to this Court of her proceedings immediately after such sale is made. This cause is continued.
W. H. Husted
Probate Judge

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application to sell at Private Sale.

Probate Court, Union County, Ohio.

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sell at Private
Sale

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

First: it being an undivided one-half interest the same can be sold at once for cash, at the appraised value, \$1500- Second: to sell at private sale will save time and expense of advertising and offering at public sale, with chance of not selling, and she therefore asks for an order authorizing her to sell said real estate at private sale.

Clara C. Cantner, Ex. of Est. of John E. Cantner,

The State of Ohio, Union County.

oath

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

Clara C. Cantner

Knows to before me, ^{sw.} signed in my presence, this 31- day of March, A.D. 1925.

~~State~~ Mand Pyles, Notary Public

Affidavit of Disinterested Person.

affidant
of
Disinterested
Person

The State of Ohio, Union County.

J. H. Galloway, and Walter M. Otte, 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 shown for the interest of the said estate to sell said real estate at private sale, than at public sale - as they verily believe.

J. H. Galloway,

Walter M. Otte,

Knows to before me, and signed in my presence, this 31- day of March, 1925-~~State~~ Mand Pyles, Notary Public

Order of Sale - True from Donor.

Order of
Sale

The State of Ohio, Union County. Probate Court,

To Clara C. Cantner, 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 Plaintiff of the estate of John E. Cantner, deceased, are Plaintiff and Clara C. Cantner, 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 donor of Clara C. Cantner widow of John E. Cantner, deceased, the following described premises, to wit:

Situated in the County of Union, State of Ohio.

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and Township of Leestown, and a part of Survey # 5-613, and the undivided one-half interest of the following described real estate,

Beginning at a stone (two beeches gone) in the west line of Survey no. 5-613, and north-west corner to Lot # 8, of the subdivision of the said Survey; thence with the north line of said Lot N. 79° 20' E. 120 poles to a stone and two beeches, north-west corner to said Lot # 8; thence with the east line of said Lot S. 9° E. 32 1/2 poles to a stone and brick corner to T. F. Gault's land; thence with the line of said land, as follows, S. 79° 20' W. 29.20 poles to a stone; thence S. 9° E. 51 1/2 poles to a stone; thence S. 79° 20' W. 93 poles to a stone north-west corner to said T. F. Gault's land, in the west line of Survey no. 5-613; thence with the said line N. 8° 55' W. 84.32 poles to the beginning.

Containing 5.6 and 4/10 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 Mansfield, Ohio, this 1st day of April, A.D. 1925. W. H. Husted, Probate Judge.

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 31st day of March, 1925. Clara C. Cantner.

Report

Report of Sale

In obedience to the within order, I sold said premises, on the 31st day of March, 1925, to George F. Rausch, for the sum of Fifteen Hundred and no 100 Dollars, said sum being the appraised value of the same.

Dated the 31st day of March, 1925.

Clara C. Cantner.

The State of Ohio, Union County.

The above named Clara C. Cantner, 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.

Clara C. Cantner

Sworn to before me, and signed in my presence.

Ohio, for the real estate private interest to the private sale and selling, adjoining E. Cantner, says foregoing Ohio application they have referred interest late at my verily Justice, Notary Public Court, of the ty made as Genting and Plaintiff wants, dding to them belance sed, the State of Ohio.

10508
Confirmation

This 31-day of March, 1925 ^{sent} Mand. Pryor. Notary Public
In the Probate Court Union Co. Ohio.
Entry Confirming Sale.

This day this cause came on to be heard on the report of Helara E. Cantner executrix of the estate of John E. Cantner, deceased, of her proceedings and sale 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 & legally made.

It is therefore ordered and decreed by the court that the said proceedings be, and hereby is approved & confirmed. And it is further ordered, that the said plaintiff as such executrix execute a deed of all the right, title and interest of the said deceased, in said real estate free from doubt, to the purchaser, George F. Rausch, upon the said purchase, paying the purchase price thereof, in full.

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

10516
Filed
Mar. 4 - 1925
D. O. Reed
Atty
Columbus, O.

Petition to Sell Real Estate.
Probate Court, Union County, Ohio.
No. 10516.

James O. Mills, Executor
of the estate of
James Mills, deceased.
Plaintiff.

Defendants:
Leticia Reed, Leola McAdow,
Sophia Judy, John T. Mills
James O. Mills, Walter A. Mills
Chester H. Mills.
Herman E. Mills
Paul W. Mills, sole heir
at law of James Mills, deceased;
Minerva Mills, the
widow of said James Mills.

Petition.

The plaintiff represents that he was on the 10th day of April 1924, duly appointed and qualified executor of the estate of James Mills, late of Union County, Ohio, and is still acting as such executor; that the amount of debts due from the deceased, is \$1800⁰⁰ dollars, as near as they can be ascertained; that the charges of

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Petition

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administration of said estate will amount to about \$600.00 Dollars, and that the total value of the personal estate and effects of said deceased, is but \$170.00 being wholly insufficient, to pay the debts and costs aforesaid. The Plaintiff further represents that said James Mills died seized in fee simple of the following described real estate, to-wit: -

Situated in the County of Franklin, in the State of Ohio, and in the City of Columbus, and bounded and described as follows: -

"Being Lot number Seven (7) of Clara W. Kinne's Oakwood Addition, being a subdivision of part of the West part of John W. Champin's out-lot number nineteen (19) and lots numbers 19, 20, 35 and 37 inclusive, of James J. Beard's amended subdivision of John W. Champin's out-lot number 18, as the same appears of record in Plat Book No. 2, page 240, and as said lot number 7 is numbered and delineated upon the recorded plat thereof, of record in Plat Book No. 7, page 5, Recorder's office.

Petitioner

Franklin Co. Ohio."

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 free from any dower estate therein and that the amount of said appraisement is Six Thousand Dollars (\$6000.00). That Plaintiff has given bond as such executor in the sum of - - - - -

That said decedent died leaving the Defendant, Minerva Mills, who is 62 years of age, his widow, and who is not entitled to dower in said premises according to "Item six" of the Last Will and Testament of the decedent which reads as follows: -

"It is my wish and will, and I do hereby direct that my real estate, situated at #479 and #481 Oakwood ave., Columbus, Ohio, shall be sold by my executor hereinafter named, and the proceeds thereof equally divided among my said children, or their legal representatives, in equal shares, share and share alike to be theirs absolutely in fee simple."

That the Defendants, Letitia Reed, Leola McAdow, Sophia Judy, John T. Mills, James O. Mills, Walter A. Mills, Chester H. Mills, Herman E. Mills and Paul H. Mills, are the only children and heirs at law of said decedent, having the next estate of inheritance from said James Mills, deceased, in said premises.

Public Ohio, on the 10th of John under a motion made in conformity with the court's approval of said order of all deceased purchaser, saying to the Probate Judge, Ohio.

the 10th of Minerva executor: in the they of

105-16

Plaintiff therefor prays, that he may be authorized
to order to sell the private sale, said real estate
and, for all other proper orders to be made in the premises.
D. O. Reed, Attorney for Plff.

State of Ohio, Franklin Co., ss.

James O. Mills, executor of the estate of James Mills
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. James O. Mills.

Known to before me, and signed in my presence, this
3rd day of February, A. D. 1925. D. O. Reed, Notary Public, Franklin Co., Ohio.

In the Probate Court of Union County, Ohio,
March 4 - 1925:

Filing Petition

Journal entry: Filing Petition to Sell Real Estate.
This day came the Plaintiff James O. Mills,
Executor of the estate of James Mills, deceased, and
presented to this Court his petition, duly verified,
praying an order for the sale of real estate of the
said James 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
N. T. Husted, Probate Judge
answer of Widow.

Answer

of

Widow

Probate Court, Union County, Ohio,
And now comes Minerva Mills, 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 James Mills, deceased,
and, as such, is entitled to no dower in the
premises described in said petition according
to Item Six of the last Will and Testament of
decedent set out in said petition. That she
freely consents to said sale as prayed for, and
waives all right to dower in said premises.
Minerva Mills.

Each

State of Ohio, County of Union, ss.
Minerva Mills, being duly sworn, says, that
the statements in the foregoing answer are true
as she verily believes. Minerva Mills.

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Warrant

Order for
Private Sale

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Sworn to before me, and subscribed in my presence, this 28-day of Feb., 1925 ~~at~~, Miles L. Myers, Notary Public, Probate Court, Union County, Ohio,
 Haines.

Proceedings to Sell Real Estate.

We, the undersigned, parties-defendant to the petition in said cause, having issued 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 said petition.

Leticia Reed.	Leah McAdow.	Sophia Judy.
J. T. Mills	James O. Mills	Walter O. Mills.
Herman E. Mills	Paul W. Mills	L. H. Mills

Order for Private Sale

Probate Court, Union County, Ohio,

Journal entry: Order for Private Sale - etc.

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 decedent; and, also, upon the answer of Minerva Mills, widow of said deceased, the evidence and testimony, and the Court being fully advised finds that all the defendants have voluntarily entered their appearance, in writing; and that all have been notified of the pendency and prayer of the petition as prescribed by law and are now properly before the Court. And, the Court further finds that Minerva Mills, widow of the said James Mills deceased, as in her answer herein set forth has no claim in the estate to be sold according to the provisions of the last will and testament of the deceased; 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 \$6000 and, the Court also, finds that the bond heretofore given by the plaintiff as executor of the estate of James Mills in the amt. of \$14000⁰⁰ is sufficient.

It is therefore ordered, that further appraisement & additional bond be dispensed with. And, it further appearing to the Court, that it should be more, for the interest of said estate

105-16

to sell the real estate, described in the above petition at private sale, it is now ordered, that said J. O. Mills as such executor proceed to sell said real estate at private sale, at not less than the appraised value thereof in 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 Docket.

Order of

sale.

The State of Ohio, Union County, Probate Court.
To James O. Mills, Ex. of the estate of James Mills, 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 are Plaintiff and, Letitia Reed, Leah McAdow, Sophia Judy, John T. Mills et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for, not less than \$6000- the appraised value thereof, of the dower of Minerva Mills, widow, of James Mills, deceased; the following described premises, to-wit:

Situated in the County of Franklin, in the State of Ohio and in the City of Columbus, and bounded and described as follows:-

'Being Lot number 11 of Clara W. Kinnear's Oakwood annex addition, being a subdivision of a part of the west part of John N. Champion's out-lot no. 19, and lots no. 18, 19, and 20, 35, 36, and 37, inclusion of James J. Beard's amended subdivision of John N. Champion's out-lots no. 18, as the same appears of record in Plat Book 2, page 240, and, as said lot, no. 11, is numbered and delineated upon, the recorded plat thereof of record in Plat Book no. 7, page 5, Recorder's Office, Franklin Co. Ohio;

Said to be free the dower of Minerva Mills, widow as to be upon the following terms: Cash in hand on day of sale. (The deferred payments to be secured by mortgage on the 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 Marysville, Ohio, this 6-day of April A. D. 1925. W. H. Husted, Probate Judge -

Return

Return
To the Probate Court of Union County, Ohio.
In obedience to the foregoing order, I have

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Report of sale

Confirming sale

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caused the same to be duly executed, as will fully appear by the proceedings hereto attached,
Dated this 13-day of April, 1925.

J. O. Mills.

Report of Sale

Report

In obedience to the within order, I sold said premises on the 11-day of April, 1925, to
Nellie May Haunstein

for the sum of Seven thousand and eight ^{no}/₁₀₀ Dollars, said sum being above the appraised value of the same.

J. O. Mills.

Dated the 11-day of April, 1925.

The State of Ohio, Franklin County.

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

J. O. Mills.

Shown to before me, and signed in my presence this 11-day of April, 1925.

Deed D. D. Reed, Notary Public, Franklin Co. O.

Confirming Sale

Journal Entry Probate Court, Union County, Ohio.

James O. Mills, Executor No. 10516

of the estate of James Mills, deceased.

Plaintiff

vs.

Leticia Reed, Leah McAdow, Confirming Sale

Lophia Judy, John T. Mills,

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 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 said sale, has been duly and legally made in conformity to law, wherefore, it is ordered, that the same be and is hereby approved and confirmed. And it is further ordered,

that said J. O. Mills, as such Executor make to the purchaser

Nellie May Haunstein

a good and sufficient deed for the premises so sold, and, the said Nellie May Haunstein desiring to pay all of said purchase money in

cash. said Executor does hereby accept the same, and the said Minerva Mills, widow of the decedent, James Mills, having by her answer released all right of dower in said premises described in the Petition herein, and the Court finds that she freely consented to said sale, and that she has no dower, and the Court now consents to the distribution of the proceeds of said sale, amounting to Seven Thousand and Eight Dollars (\$7008.00), the said purchaser having elected to pay the same in cash, it is ordered that said Executor, out of the money in his hands to pay: - First - to the Treasurer of Franklin Co. Ohio taxes, penalties, and interest thereon against said property, to wit: - in the sum of \$43.75 - second: the costs and expenses incurred in the sale of said property, to wit: - in the sum of \$ - - - - - It is ordered, that the balance of said sum, to wit: - the sum of \$ - - - be distributed by said Executor as provided by law, according to the last Will & Testament of the decedent. W. H. Husted, Probate Judge

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April 11-1925
John W. Durland
attorney

Petition for Sale of Real Estate to Pay Debts.
Probate Court, Union County, Ohio,
No. 10543,
Civil action
C. C. Wright, Administrator
of the estate of
C. C. Wright, deceased.
Plaintiff
vs
Lulu B. Wright,
Inez Milligan
Harry Wright
Berlice Wright
Isidore Wright,
Merrill Wright
The Ohio Pennsylvania
Joint Stock Land Bank,
Defendants.

Petition to Sell Real Estate,
1.
Sell Real Estate,
Petition.

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of C. C. Wright late of Township of Leeburg, Union County, Ohio, deceased; that the amount of debts due from the deceased is Seventy two Hundred Dollars, as near as can be ascertained that the charges of administration of said estate will amount to about \$300-; and that the total value of the personal estate and effects of said deceased, is but \$2459.47 - being wholly insufficient to pay the debts and costs aforesaid.

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The plaintiff further represents, that said C. C. Wright died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit: Being lots numbers, 169-170-171-172 in the said addition of Magnetic Springs, Ohio. For a more definite description of said lots reference is hereby made to the plat of said addition recorded in the recorder's office at Marysville, Ohio.

Also, the following described property: Situate in the County of Union, State of Ohio, and Township of Lestary and described as follows: In Virginia Military Survey No. 6199, and being a parcel of land on the east side of the center of Will's John Grave road, Beginning at southwest corner of a 3 acre tract of land, belonging to P. N. and Adelia Pierce and, in the center of said road; thence easterly along south line of said tract 50 feet; thence northerly and parallel with the center of said road 566 feet to south line of north tract of land; thence westerly along said south line of Vick's land 50 feet to center of said road; thence southerly along center of said road 566 feet to the place of beginning containing 65/100 acres, except, in front of new sill is to be oney 48 feet wide.

3rd Tract: Being in Survey No. 6199 and beginning in the center of Will John's pike at the north west corner of a tract of land sold by Robert and Amanda leading to Samuel D. Woods; thence north 62 East 20 poles to a pole on tile; thence south 62 west 25.25 poles to the center of said gravel road from which a stone was west and file, thence north 62 East 32 links from corner, thence South 38 East along the center of said gravel road 7.12 poles to the southeast corner of lands sold by said grantors to John M^cComb's farm which a stone on post and tile on side of road bears South 82 West 37 links from corner, thence South 82 West along the line of said M^cComb's land 117.58 poles to a stone and post on tile on line of End^o Bell's land; thence South 10 1/2 west 35.28/100 poles to a stone in center of road; thence South 78 East along the center of said road 74 75/100 poles to a stake corner of Zilda Cornells land; thence north 72 east along the line of said Zilda Cornells land 68 1/3 poles to center of Richard's Grave pike to a stake, thence north 22 west 16.23 poles, to a place of beginning, containing 46 acres, and 90 poles, more or less.

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Also another tract of land, in Surry, no. 6199. known as the Jackson, Smith farm bounded as follows: Beginning at northeast corner of Vincent Harters Lot in center of Richmond pike: Thence north 22 west 7 poles to a stake in the center of said pike; thence south 72 west 68.5-0 poles to the center of the road to a stake: Thence south 78.75 East along center of road about 78.5-0 poles to corner of Vincent Harters; thence north 72 East 62.5-0 to place of beginning, containing 3 acrs. more or less.

Except a tract of land conveyed to Richmond ^{Geo.} Magnetic Springs Ry. Co. viz: being a strip of land 25 feet wide or 5-0 feet at center of road, except in front of crib where it is to be 23 feet wide off of a 5-acre tract of land on the east side of and adjoining the Mills John gravel road said strip of land beginning at north line of Nichols South tract of land and easterly 5-66 feet north to south line of Nichols South tract of land, being 1/2 acre, more or less.

The said decedent died leaving the defendant Lula B. Wright his widow, who is, entitled to dower in said premises: that the defendants Eury Milligan, aged 27, Richmond, Ohio; Harry Wright, aged 20,

Berrien Wright, aged 17, Bradell Wright, aged 14, Merrice Wright aged 10 and L. L. Wright aged 24, are the only heirs of said decedent, having the next estate of inheritance from said L. C. Wright, deceased, in said premises.

The Plaintiff therefore prays that the dower of said Lula B. Wright in said premises may be assigned and set off to her; 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 other proper orders and relief in the premises.

John W. Dailuy, Atty.

The State of Ohio, Union County, ss.

Sub

L. L. Wright, the within 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.

L. L. Wright.

Sworn to before me, and signed in my presence, this 11-day of April, 1921. John W. Dailuy Notary Public

Probate Court, Union County, Ohio.

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To the Judge, ^{Ex-officio} Clerk of said Court:

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Filing Petition

summons

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Issue Summons for said Harry Wright, Bernice Wright, Iradell Wright, Merrill Wright, and Lula B Wright, mother of said minors residing with said minors. Defendants, directed to the Sheriff of said County, returnable according to law.

John W. Dairer Plffs., atty.
In the Probate Court of Union Co., Ohio.
April, 11-1925

Filing
Petition

Journal Entry: Filing Petition To Sell Real Estate.
This day came the Plaintiff C. L. Wright, adm., of the estate of C. L. Wright, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said C. L. Wright 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,
To C. L. Wright, adm.,

Probate Court,

You are hereby commanded to notify Harry Wright, Bernice Wright, Iradell Wright, and Merrill Wright, Mrs. Lula Wright, the mother of Harry, Bernice, Iradell and Merrill Wright, who are minors, 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 minors or with whom they live; that on the 11-day of Apr. 1925, C. L. Wright adm., of the estate of C. L. Wright, 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 9-day of May, 1925, said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due return of this writ on the 20 day of April 1925.
witness my hand & the seal of said Court, this 11 day of Apr. 1925.

[Seal]

W. H. Husted Probate Judge

Sheriff's Return.

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Sheriff's
Return

The State of Ohio, Union County.

Received this writ, April 11 - 1925, at 3. P.M. and on the days and in the manner hereinafter named, I served the same on the within named defendants, April 11 - 1925.

Berico Wright, Harry Wright, Iradell Wright ^{and},
Merrill Wright and Lula Wright, the mother residing with said minors as aforesaid.

each

State of Ohio, Union County, ss.

L. L. Wright, being first duly sworn according to law, says that he personally handed a true copy of the within service of summons, to the said Harry Wright, Berico Wright, Iradell Wright, Merrill Wright minors and to Lula Wright mother residing with said minors aforesaid.

Sworn to before me and subscribed in my presence this 11th day of April, 1925. ^{not} John H. Dailey Notary Public

Writors ^{and} Consent to Sell.

Writors

The undersigned parties defendant, to the Petition in the above entitled action, hereby waive the issuing ^{and} service of Summons. ^{and} enter appearance,

Inez Milligan

Release

This is to certify that, The Ohio - Pennsylvania Joint Stock Land Bank of Cleveland, hereby releases, the personal estate of Charles C. Wright, deceased, on his note, dated June 1 - 1923, in the original amount of \$4600 - payable to the said Bank without honor, releasing, or otherwise invalidating the lien of the mortgage from Charles C. Wright and Lula Wright to said Bank, date June, 1 - 1923, upon a farm of 49 acrs, 90 poles more or less, filed for record June 25 - 1923, Vol. 90 of Mortgages at page 164 of Union County, Ohio, Records, securing said note.

The Ohio - Pennsylvania Joint Stock Land Bank of Cleveland, By Frank B. Copeland, Secretary
Cleveland, Ohio, May 1 - 1925.

Answer
of
Widow.

Answer of Widow

Probate Court, Union County, Ohio.
Ans. now comes Lula B. Wright, 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 C. C. Wright, deceased, and, as such, is entitled to dower in the premises described in said petition, that her age is fifty years and she

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freely consents to said sale as prayed for, and, waives the assignment of, dower in said premises by metes and bounds, or, in 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, by such sum of money as the Court deems the just and reasonable value of her dower interest in said real estate.

Joel W. Dailey, atty.

The State of Ohio, Union County

Court

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

Sworn to before me, and signed in my presence. This 13 day of April, A. D. 1925.

Chester Parrott, Justice of the Peace

application for appt. of Gdn. ad litem

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

May, 14-1925.

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

The undersigned L. L. Wright, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The defendants Harry Wright, aged 20 yrs.

Bernice Wright " 17 "

Iraddell Wright " 14 "

Merrill Wright " 10 "

My honor have duly served with summons, herein, have neglected for 20 days, after the return of the summons returned served upon them to apply for guardian. The undersigned suggests that W. F. Brodrick who is a suitable person be appointed as such Guardian ad litem

Respectfully, L. L. Wright.

appt. of Gdn. ad litem

Probate Court, Union County O., May, 16-1925-

Appointment of Guardian ad litem

This day L. L. Wright appeared, in open Court, and made application for the appointment of a Gdn. ad litem for the minor defendants in this case. and it appearing to the Court, that the defendants, Harry Wright; Bernice Wright; Iraddell Wright have been duly and legally served with Summons, herein, Merrill Wright of the age of 10 have neglected for 20 days, after the return of the summons served upon them to

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apply for a guardian ad litem, it is ordered that W. F. Brodrick be and he is appointed Guardian for the said minor defendants. And, now comes the said W. F. Brodrick and in open court accepts said appointment

Answer of Guardian ad litem

Answer of Guardian Ad litem

Probate Court, Union County, Ohio.

and now comes the said Harry Wright, Bessie Wright, Iradell Wright, and Merrill Wright, the minor defendants to the petition in said cause, by W. F. Brodrick, 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 16-day of May, 1925.

Harry Wright, Bessie Wright, Iradell Wright, Merrill Wright,

By W. F. Brodrick, Guardian ad litem.

Appl- to sale at

Application to Sell Real Estate at Private Sale

Probate Court, Union County, Ohio.

Private Sale.

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

1. That said offer of sale, is for the appraised value and is all that said real estate is reasonably worth.
2. That said sale can be consummated at once and save any further costs in administration.
3. That at this time of the year it is a hard matter to sell real estate at public sale.

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

C. L. Wright Adm. of the Est. of G. B. Wright,

The State of Ohio, Union County.

Sworn

C. L. Wright 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 16-day of May, 1925.

John H. Dacey, Notary Public

The State of Ohio, Union County.

H. R. Evans, Alvi Graham, & W. R. Bigutler being duly sworn, says that they know the facts set forth in the application & to which this

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Order for Private Sale

Order of Sale

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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 truly believe.

H. R. Evans, Albi Graham, W. P. Brigetler,

Sworn to before me, and signed in my presence,
this 16. day of May, 1925. W. H. Husted, Probate Judge
Probate Court, Union County, Ohio.

May 16th 1925.

Order
for
Private
sale

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 C. L. Wright
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 to
hereby is dispensed with, and the court
being satisfied that it is necessary to sell the real
estate of said C. L. Wright, 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 C. L. Wright,
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

Order of Sale -

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

To C. L. Wright, 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 are
Administrator of the estate of C. L. Wright are
Plaintiff, and, Lena B. Wright et al. are Defendants,
you are commanded to proceed, according to law,

105-43

To sell at private sale, for not less than the appraised value, shown without the dowry of Lulu B. Wright, widow of C. C. Wright, deceased, the following described premises to wit: Being Lots Nos. 169-170-171-172 in the David Addition of magnetic Springs, this. For a more definite description of said lots reference is hereby to the plat of said addition, recorded in the recorder's office at Maunpelle, this. (see further description in application of the Petition)

Said sale 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 Court, this 16-day of May, 1925. W. H. Husted Probate Judge.

Return

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

Dated the 16-day of May, 1925.
C. L. Wright.

Report of

Report of Sale. In obedience to the within order, I sold said premises on the 16-day of May, 1925, to Lulu B. Wright for the sum of Sixty-two hundred Dollars, said sum being the appraised value of the same.
C. L. Wright.

Dated the 16-day of May, 1925.

The State of this Union County, ss.

Oath

The above named C. L. Wright being duly sworn, says that the sale above reported was there 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. L. Wright, Adm'r of the est. of C. C. Wright, dec'd, sworn to before me and signed in my presence this 16th (116th) day of May, 1925.

John W. Dailay, Notary Public

Journal Entry: Orders Approving & Confirming Sale.
Probate Court, Union County, this, May 16- 1925.

Confirmation

C. L. Wright, adm'r. of Estate of C. C. Wright, dec'd.

Orders on - approving & Confirming Sale

Lulu B. Wright, et al. Plaintiffs Defendants.

105-43

This report dec... for more man... have find resp... sale... It is... a... sai... pur... exec... pres... of... It... to... tax... Entry... b. b... \$62... by a... in a... an... to a... of... read... statu... that... mor... \$45... Ban... the... and...

105-43

This day, this cause coming on to be heard, on the report of L. B. Wright, adw., of the estate of C. C. Wright 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 C. C. Wright in said real estate, to the purchaser, Lulu B. Wright, 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 \$28.⁰⁰. W. H. Husted Probate Judge

Ordering Distribution

Entry:
L. B. Wright, adw., of,
the estate of
C. C. Wright, deceased.
Plaintiff

Probate Court of Union County, Ohio.

Entry -
Ordering Distribution

Lulu B. Wright, et al.
Defendants

This day this cause came on for hearing upon the pleadings herein and upon the motion to distribute the proceeds of sale amounting to the sum of \$6200.⁰⁰ and, the said Lulu B. Wright, widow, having by 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 her dower be allowed and paid in cash out of the proceeds of said sale; the Court find that the just and reasonable value, of her dower interest in said real estate to be the sum of \$1318.25. The Court further finds that the said Lulu B. Wright has assumed a mortgage on said premises in the said sum of \$4529.⁰⁰ The Ohio - Pennsylvania Joint Stock Land Bank of Cleveland, Ohio, and that said sum is the last and valid lien on said premises and the said Ohio - Pennsylvania Joint Stock Land

Bank, having filed a written release against the personal estate of L. L. Wright, it is further ordered that the said Lula B. Wright hold the sum of \$40.29⁰⁰ to take care of said mortgage as aforesaid.

It is further ordered, that the said L. L. Wright out of the money in his hands pay: First: To the County Treasurer of Union County, Ohio, the sum of \$82.⁵⁰ being the taxes against said property. Second: The costs and expenses incurred in the sale of said property, including an attorney fee of \$55.⁰⁰ Third: To L. L. Wright, the sum of \$ -- being the per centum allowed herein for Administration. Fourth, To Lula B. Wright the sum of \$1318.25 which the Court finds to be the value of her dower interest. Fifth: To Lula B. Wright the sum of \$40.29⁰⁰ being the amount of the mortgage on said premises assumed by the said Lula B. Wright. Sixth: To the Probate Court of Union County Ohio, the sum of \$29.⁰⁰ being the costs taxed herein. It is further ordered that the balance of said proceeds amounting to the sum of \$ -- be accounted for by the said L. L. Wright according to law.

It is further ordered that this proceeding be recorded. W. H. Husted Probate Judge -

10403
Jan 7
1925

Petition To Sell Real Estate

Probate Court, Union County, Ohio

Nellie M. Smith, Adm., with will annexed
of the Estate of
Chauncey F. Smith, deceased.

No. 10463

Civil action

Plaintiff

Nellie M. Smith, ^{and}
The Citizens Home ^{and} Savings Company
Defendants.

Petition To Sell Real Estate

Petition

Petition

The Plaintiff represents, that she is the duly appointed and qualified Adm., with the will annexed, of the estate of Chauncey F. Smith, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is Twenty-two Hundred Dollars, as near as can be ascertained consisting in part of funeral expenses for \$360.⁰⁰ and \$1800.⁰⁰ of a mortgage due The Citizens Home ^{and} Savings Co. of Mansfield, Ohio; that the charges of administration of said estate will amount to about \$300 - and that the total value of the personal estate and effects of said deceased is but One Hundred Dollars, being wholly insufficient to pay the debts and costs aforesaid.

10463

Petition

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The plaintiff further represents that said Chauncey F. Smith died seized in fee simple of the following described real estate, situate in the County of Union, and State of Ohio, and in the Village of Marysville, and bounded as follows:

Beginning at the north-west corner of Du-lop # 214, in the Mathiot addition to said Village running thence east to the north-east corner thereof; thence with the alley 75 ft. to the corner of L. E. Bellus lot; thence west with his line to Main Street; thence with Main Street 75 feet, to the place of beginning, and being part of said Lot Number 214.

The said decedent died leaving no widow surviving him, that the defendant Nellie M. Smith, is the only heir at law, and next of kin of said decedent, having the next estate of inheritance from said Chauncey F. Smith, deceased, in said premises; that the defendant, The Citizens Home and Savings Company, of Marysville, Ohio, claims to have a mortgage lien on said premises, and the court is asked to order it to set up the same, or to be forever barred.

Petition

The Plaintiff therefore prays, that the rights, interests and liens of said Nellie M. Smith, and of the said The Citizens Home and Savings Company, may be fully determined, adjudicated and protected according to equity, and that your petitioner may be authorized and ordered to sell said real estate free of down, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

Nellie M. Smith,

The State of Ohio Union County,

Nellie M. Smith 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.

Nellie M. Smith, adx etc,

Sworn to before me, and signed in my presence, this 13- day of, December, 1924.

Edward W. Potter, Notary Public

Journal entry: In the Probate Court of Union Co. Ohio, January, 7-1925.

Filing

Filing Petition to sell Real estate This day came the Plaintiff Nellie M. Smith adx with the Will annexed, of the estate of Chauncey F. Smith decd, and presented to this Court her petition, duly verified, praying an order for the sale of real

10463

estate of the said Chauncey F. Smith, 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.
Wains

Wains

Probate Court, Union County, Ohio.
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, ^{we} 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 7 - 1925. Willie M. Smith

Wains

We, the undersigned party Defendant to the Petition in the above entitled action hereby waive the issuing ^{we} service of summons, ^{we} 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.

The Citizens Home and Savings Co.,
per C. W. Hoopes, atty.

In the Probate Court, Union County, Ohio
Cross Petition

Cross-Petition
Citizens Home
Savings Co.

Now comes the Citizens Home and Savings Co. of Mansfield, Ohio, and for its cross-petition says that it is a corporation duly organized under the laws of the State of Ohio, with its principal place of business at Mansfield, Ohio.

That on the 16-day of August, 1920, Chauncey F. Smith executed and delivered to this defendant his promissory note for the sum of \$1500.00 with interest at 6% from date, and that there is now due upon said note the sum of \$1846.50, with interest from January 13 - 1925.

That from said date, in order to secure the payment of said note, the said Chauncey F. Smith executed and delivered to this defendant his mortgage deed, thereby conveying the

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premises described, in the petition; that said mortgage deed was conditioned in substance, that if said note be paid when due, then said mortgage be void otherwise remain in full force and effect. That said morty age was duly filed for record with the Recorder of Union County, Ohio, on the 18-day of August, 1925, at 9, A.M. 10 o'clock, and was duly recorded in book 84 page 326 of Mortgage Records of Union County, and is the first and best lien on said premises. Therefore, this defendant prays, that upon the sale of said premises, said claim be first paid out of the proceeds thereof.

B. A. Hoopes.

Atty. for The Citizens Home, and Savings Co-

State of Ohio, Union County ss.

Oath

B. A. Hoopes, being first duly sworn, says, he is the attorney for The Citizens Home, and Savings Company, the defendant herein; that the facts stated and allegations made in the foregoing cross-petition are true, as he truly believes.

B. A. Hoopes.

Sworn to before me, and subscribed in my presence this 15-day of January, 1925:

Jessie V. Southwick, Notary Public.

Motion to withdraw Petition to sell Real Estate

In the Probate Court of Union County, Ohio, Motion to withdraw Petition to sell Real Estate,

now comes, the plaintiff herein and moves the Court to permit her to withdraw her petition to sell real estate for the payment of debts, filed herein, for the reason, that said sale of said real estate is not now necessary.

Helen M. Smith

Adv., etc. &

Entry.

In the Probate Court, Union Co. Ohio, Entry accounting withdrawal of Petition to sell Real Estate.

Comes now the plaintiff herein upon her motion for permission to withdraw her petition to sell real estate, and represents to the Court that it is not now necessary to sell said real estate, all of the debts of said estate having been paid or an arrangement for the payment, or adjustment of same having been made, and, it appearing to the Court, that all of the

parties to this cause are agreeable to the withdrawal of said petition, leave is hereby granted said plaintiff to withdraw her said petition to sell real estate, and the same is withdrawn.

W. H. Husted, Probate Judge

Consent to Withdrawal of Petition to Sell Real Estate now comes. The undersigned, defendants herein, represent to the Court, that they consent to the withdrawal of the petition to sell real estate, filed herein.

The Citizens Home Sav. Savings Co. per C. A. Hoopes, atty.

Petition to sell Real Estate.

In the Probate Court, Union Co. Ohio
no. 10485-

10485-

July 5-

1925-

Mrs. L. Myers
attorney

Ott Collier, Guardian
of
Willard D. Fox, Insane.
Plaintiff

His Ward, Willard D. Fox,
E. H. Fox,
Allie Fox,
Chester Fox,
Sarah Taylor,
Doshia Pennell,
Leda Koenig,
Eva Navin,
Irvin Brock,
Ernest Collier,
Maurice Cole,
Frank Collier.

Defendants

The plaintiff, Ott Collier, says that he is the duly appointed, qualified and acting guardian of the property of Willard D. Fox an insane person, and that he was appointed as such by the probate Court of Union County, Ohio, and qualified therein.

Further, the plaintiff says that his said ward, Willard D. Fox, is the owner of the following described real estate situated in the Township of Jerome, County of Union, and the State of Ohio, and

Beginning at a stake and stone in the center of the Osterlander and Frank York and Dublin Pike N. W. corner to land owned by Liza South; thence North 8 rods to a stone in the center

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of, said pike: Thence east 20 rods to a stone; Thence south 8 rods to a stone N.E. corner to said Liza South's land; Thence west with her north line 20 rods to the place of beginning.

Containing one acre, more or less, and a part of Survey no. 2365.

Further, the said plaintiff represents that the said plaintiff represents that the said property rents for \$4- per month, which sum is wholly insufficient to pay the taxes and assessments on said property and keep the same in a reasonable state of repair.

That the said property is now in a bad state of condition and repair, and in such a condition that it is difficult to obtain a good renter to rent said property or to live therein, and that to put the same in good repair would entail an expense of \$200- or more, and that the plaintiff has no money or means at his command or in his hand, belonging to said estate out of which to pay the expenses incident to repairing the same.

Further, the plaintiff represents that he believes it would be for the best interest of the estate of his ward, to sell the said real estate and place the money received from the proceeds from the sale thereof in government bonds, or other investment as may be ordered by the Court.

Further, the plaintiff represents that his ward is unmarried, and that the following named defendants are his only next of kin, who would have the next estate of inheritance in said property upon his death, namely-

E. K. Fox a brother,

Allie Fox a sister

Chester Fox a nephew, who was a son of Chester Fox, deceased, who was a brother of the said Willard D. Fox.

Sarah Taylor, and Dasha Pennell, nieces, who are daughters of Lucretia Taylor, deceased, who was a sister of the said Willard D. Fox.

Lida Romig, a niece;

Elva Harvis " "

Irwin Brock " nephew.

who are children of Blorinda Brock, deceased, who was a sister of the said Willard D. Fox.

Quinn Cole, a niece,

Ernest Collier a nephew,

and Frank Collier a nephew

who are children of Amaretta Collier, deceased,

Petition

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who was a sister of the said Williard D. Fox.
 Wherefore the plaintiff, Ott Gallier, as guardian of
 the said Williard D. Fox, prays, for an order of the
 Court, directing that he as such Guardian be
 authorized and directed to sell said real estate
 and that it be further ordered, by the Court, that
 from the proceeds derived from said sale, that
 he be authorized and directed to invest the same
 as the Court may direct, and for such other and
 further relief, in the premises, as may be just and
 equitable.

Ott Gallier, Guardian of Williard D. Fox.
 By Mrs. L. Myers, his attorney.

State of Ohio,
 Union Co. ss.

Oath

Ott Gallier, being first duly sworn, says that
 the facts stated and the allegations made and
 contained in the foregoing petition are true, as he
 believes.

Sworn to before me, and signed in my presence, this
 5th day of February, 1925 ^{at} Grand Pyles, Notary Public
 John A. Entby: In the Probate Court of Union County, Ohio
 February 5th 1925.

Filing
Petition

Filing Petition to Sell Real Estate

This day came the Plaintiff Ott Gallier as guardian
 of Williard D. Fox, and presented to this Court his
 petition, duly verified, praying an order for the
 sale of real estate of the said Williard D. Fox

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, &c. This
 cause is continued.

M. H. Husted, Probate Judge

Receipt

Receipt

To the Court:

In the Probate Court, Union County, Ohio,
 Issued summons, in the above entitled cause
 directed to the Sheriff of Union County, Ohio, for the
 defendants, Williard D. Fox (place of residence, Jerome)
 E. K. Fox, near Jerome; and Ivan Borbeck, Richmond,
 Also, Allie Fox, New California, Ohio, Indorse "Ed's
 Petition to sell real estate to re-invest funds"
 and make returnable according to law.

Mrs. L. Myers,
 Atty. for Plaintiff

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In the Probate Court, Union County, Ohio,
We, the undersigned, and, defendants named in the
above entitled cause do hereby wainor the issuing
and service of summons, and process, in the above
entitled cause, and do hereby enter our appearance
herein, and, consent to the sale of said real estate

Leda Koning, Elva Navut.

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In the Probate Court, Union County, Ohio,
We, the undersigned, and defendants named in the
above entitled cause do hereby wainor the issuing
and service of summons and process in the above
entitled cause, and do hereby enter our appearance
herein, and consent to the sale of said Real Estate,

Frank Collins,

Leicester E. Fox

Doshia Perrell.

Ernest Collins & Minnie Cole.

Summons.

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 Willard D. Fox
E. K. Fox, Allie Fox, and Ivan Borbeck, that on
the 5th day of Feb. 1925. Ott Collins guardian of
Willard D. Fox, 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 placing the property in a better
condition to bring in an income from same,
and, that unless they answer by the 28th day of
March, 1925. said petition will be taken as true, and
an order granted accordingly.

You will make due return of this writ on the 7th
day of March, A.D. 1925.

Witness my hand and the Seal of said Court,
this 7th day of February A.D. 1925.

Ott Collins, Probate Judge.

Sheriff
Return

Sheriff's Return.

Sheriff's Office, Union County, Ohio,
February, 28, 1925.

Received this writ February, 17th 1925, at 9 o'clock, a.m.
in pursuance to its command I served this writ
by delivering a copy thereof to the following
named persons, to wit: E. K. Fox, Allie Fox, and
Ivan Borbeck. And I served Willard D. Fox, by leaving
a copy of this writ at his residence.

F. S. Hayer, Sheriff, L. A. St.

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waiver

Waiver

The undersigned defendant in the above entitled cause, hereby waives issuing and service of summons and orders and consent to the sale of said real estate

Sarah R. Taylor

orders on

hearing

appraisement

Journal Entry: Orders on hearing of appraisement.
Probate Court, Union County, Ohio.

July, 13th 1920.

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 Willard D. Fox, described in the petition to preserve the estate, and that a better investment of the proceeds received from the sale thereof can be had of said.

It is ordered, that Frank Mader, George Trapp, and John L. Sellers, 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, for said estate.

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 15th day of July, 1920. ^{and} this cause is continued,

W. H. Husted, Probate Judge

orders

appr- appr-

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

July, 13th 1920.

This day came the said Plaintiff, by his attorney and produced to the court the report of an appraisement herein made by Frank Mader, George Trapp, and John L. Sellers, 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 Ott Collier as such Guardian execute within five days, to the State of Ohio, a bond with sufficient freehold

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10485- sureties, to be approved by the Court, in the sum of \$900-
 conditioned according to law, and, this cause is continued,
 W.H. Husted, Probate Judge
 Probate Court, Union County, Ohio,
 July, 14th 1925.

Confirming
 app^r-
 ordering
 Private Sale

This day this cause came on further to be heard, and it
 appearing to the Court, that the appraisement heretofore
 ordered has been duly made, the same is hereby
 confirmed: said appraisement being for the sum
 of \$450⁰⁰ free from doubt,
 and, the plaintiff above named having given bond
 dated July, 1925: in the sum of \$900-
 with Frank Collier, and, Ada Collier, 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, that said plaintiff proceed
 to sell said real estate, at private sale at not
 less than the appraised value thereof, and, upon the
 following terms, to wit: Cash in full in hand on date of sale.
 W.H. Husted, Probate Judge
 Guardian's Bond.

Know all men, by these Presents, that we, Oth Collier
 and, Ada M. Collier are held and firmly bound
 unto the State of Ohio, in the sum of \$900-
 for the payment of, which we hereby jointly, and
 severally bind ourselves our heirs, executors, admors,
 Signed by us, and, dated at Mansfield, Ohio, this 14th
 day of July, 1925:
 The condition of the above obligation is such, that
 whereas, the above bound Oth Collier was heretofore
 duly appointed and qualified by the Probate Court
 of Union County, Ohio, Guardian of William D. Fox
 an insane person,
 And, whereas, the said Oth Collier, 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 \$450-
 And, whereas, said Court on, the 13th day of July
 1925, made an order, requiring said Guardian
 to execute a bond according to the Statute in such
 cases made and provided,
 Now, if the said Oth Collier, as, Guardian, aforesaid
 shall faithfully discharge his duties as such

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Guardian, and faithfully pay over and account for all money arising from the sale of said Real Estate according to law then this obligation to be void, otherwise to remain in full force.

Ott Ballier, Frank Ballier, Ada M. Ballier,

executed in presence of

Wm. L. Myers,
Maud. Myers.

This bond approved in open court this 14th day of July 1925. ~~Seal~~ W. H. Husted, Probate Judge.

Order of appraisement

The State of Ohio, Union County. Probate Court.
To Ott Ballier, 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 as Guardian of the estate of Willard D. Fox, are Plaintiff and Willard D. Fox et al are Defendants, you are commanded that by the oaths of Frank Mader, George Trapp, and John L. Siller, judicious disinterested men of the vicinity, not of kin to the petitioners, who are freeholders of the County in which said real estate is situated, and upon actual view you cause a just valuation and appraisement to be made according to law of the following described premises free from doubt,

Situated in the Township of Jerome County of Union and State of Ohio, and a part of Survey No. 2365.

Beginning at a stake and stone in the center of the Ostrander and Frankfort and Dublin Pike, northmost corner to lands owned by Liza South; Thence 8 rods to a stone in the center of said Pike; Thence east 20 rods to a stone; Thence South 8 rods to a stone north east corner to said Liza South's land; Thence north with her north line 20 rods to the place of beginning, containing One 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 13th day of July, 1925,

~~Seal~~ W. H. Husted, Probate Judge.

Return

To the Probate Court of Union County, Ohio.

Oath

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 13th day of July,

Ott Ballier

Guardian

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Oath of appraisers

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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.

appr
Return

Frank Mader, George Trapp, John L. Sellers & appraisers.
Sworn to before me, and, signed in my presence, this 13-day of July, 1925. sent Maud Pycers, 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. \$450.00 free from any down estate.

appl- to
all
at
Private Sale.

Given under our hands, this 13-day of July, 1925.
Frank Mader, George Trapp, John L. Sellers & appraisers.
Fees of appraisers each \$2.00 - total \$6.00

Private Sale.

Application to Sell Real Estate at Private Sale -
Probate Court, Union County, Ohio.
The said Plaintiff represents that it would be for the best interest of the said estate and his said Ward to sell the real estate described in the petition in this case at private sale, for the following reasons:
First; that the said real estate can be sold forthwith for the sum of \$450- being the appraised value, and for cash in full.
Second, that the sum of \$450- is all that said real estate is reasonably worth.
Third; to sell at private sale will save the costs and, expenses, of offering said real estate at public sale.

Oath

and, he therefore asks for an order authorizing him to sell said real estate at private sale -
Oth Baller, Esq. of Milton D. Fox

aff- of
Disinterested
Persons,

The State of Ohio, Union County.
Oth Baller being duly sworn, says, that the various matters set forth in the foregoing application are true as, he, truly believes. Oth Baller
Sworn to before me, and signed in my presence, this 14 day of July, 1925.
sent Maud Pycers, Notary Public.
Affidavit of Disinterested Persons.
The State of Ohio, Union County.
E. F. Sawyer, and J. L. Perry, being duly sworn, says, that they know, the facts set forth, in the

10485-

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 said Willard D. Fox, to sell said real estate at private sale, than at public sale, as they verily believe.

E. F. Sawyer, F. L. Gorry,

Known to before me, and signed in my presence, this 14 day of July, 1925. Mand. Pyles, Notary Public.

Order of Sale here of. Dorr.

Order of Sale.

The State of Ohio, Union County,

Probate Court.

To Ott Gallier, 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 Willard D. Fox, an insane person, are plaintiff and your ward, Willard D. Fox et al, are defendants, you are commanded to protect according to law, to sell at private sale, for not less than \$450- the appraised value thereof, the following described premises, to wit:

Being situated in the Township of Jerome; County of Union and State of Ohio, and a part of Survey No. 2356;

Beginning at a stake and stone in the center of the Ostrander and Frankfort, av. Dublin Pike, north west corner to lands owned by Liza South; thence 8 rods to a stone in the center of said pike; thence East 20 rods to a stone; thence South 8 rods to a stone north-east corner to said Liza South's land; thence West with her north line 20 rods to the place of beginning.

Containing one acre, 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 14th day of July, 1925;

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 preceding hereto attached.

Dated July, 14 - 1925.

Ott Gallier, Esq. aforesaid Report of Sale - Private.

Report of sale.

In obedience to the within order, I sold said premises, on the 14th day of July, 1925, to R. P. Byland, for the sum of \$450-

10485-

said sum Date

Cont

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Order on Distribution

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said sum being more than appraised value of the same.

Dated the 14. day of July, 1925.

Ott Gallier, Guardian.

The State of Ohio, Union County

Truth

The above named Ott Gallier 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.

Ott Gallier,

Sworn to before me, and signed in my presence, this 14. day of July, 1925.

Wm. P. Piers, Notary Public,

Confirming

Journal Entry: Order approving the Confirming Sale - Probate Court, Union County, Ohio, July, 14 - 1925.

This day, this cause coming on to be heard on the report of Ott Gallier, as guardian of Millard D. Fox, and insane person, of his proceedings in sale, under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in Ordinance 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 Millard D. Fox, in said real estate to the purchaser, paying the purchase money, in full.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs.

W. H. Husted, Probate Judge

Journal Entry:

Order on Distribution

In the Probate Court, Union County, Ohio. No. 10485-

Order on Distribution

On this 27th day of July, 1925, this cause came to be heard on motion of the plaintiff to distribute the proceeds of the sale, amounting to the sum of \$45.00 and it being made to appear to the Court, and the Court finds that the purchaser has agreed to

the taxes, assessments due and payable on said premises on July 20-1920 and thereafter.

Therefore, he and it is hereby ordered that the said Ott Kallier, as such guardian, out of the money in his hands, pay:

First, to this court, the costs of this action in the sum of \$25.07.

Second, to the postmaster of Mansville, Ohio, for revenue stamps for deed the sum of .50

Third, to Milo L. Myers, for attorney fees for services rendered in this action the sum of \$50.00

Fourth, that the said guardian account for the balance received from the sale of said premises, as such guardian in his administration of said estate, the sum of \$374.⁴⁸

It is further ordered that this case be recorded.
W. H. Husted, Probate Judge

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

10513

Filed

Mar. 9-1920.

Milo L. Myers,

attorney.

J. Walter Orr, Executor
of the estate of
Joseph Orr, deceased.
Plaintiff

v.

J. Orr
Charles W. Orr, and
J. Walter Orr
Defendants.

Civil Action.

Petition

To

Sell Real Estate. Petition

Petition

The Plaintiff represents that he is the duly appointed and qualified executor of the estate of Joseph Orr, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is \$700- as near as can be ascertained, that the charges of administration of said estate will amount to about \$200- and that the total value of the personal estate and effects of said deceased is but \$50- being wholly insufficient to pay the debts and costs aforesaid. The plaintiff further represents that said Joseph Orr, died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit:

Being Lot No. 482 of Sunny Side Park Addition to the village of Mansville, Union County, Ohio, which includes the William Robinson Addition to said Village. For a more definite description of said lot reference is hereby made to the recorded plat of said addition as found in the Recorder's office

Petition

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Entry

on

Filing

of said county.

Also, bring all of In lot 25- situated on, the south-east corner of East 4th st., and South Plum street in the village of Marysville, Union County, Ohio, excepting therefrom six feet off of the east end thereof, and 36 feet 8 1/2 inches off of the west end thereof.

The said decedent died leaving no widow entitled to dower in said premises; that the defendants Lee Orr, Charles W. Orr and J. Wilbur Orr, are the only children of said decedent, having the next estate of inheritance from said Joseph Orr, deceased, in said premises; that the Defendants, ---

The Plaintiff therefore prays, that, the rights, interests and liens of the said defendants, 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.

Petitioner

The State of Ohio, Union County ss.

J. Wilbur Orr 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.

J. Wilbur Orr.

Sworn to before me, and signed in my presence, this 7th day of March, 1925, ~~at~~ Maud Pyles, Notary Public.

Probate Court, Union County, Ohio.

Scraps

10513

To the Probate Judge:

Scraps

Issue the summons for said Lee Orr, who resides at 352 St Clair av. Columbus, O - Defendants, directed to the Sheriff, of Franklin Co. returnable according to law.

Miles L. Myers, Plf's attorney.

On this 7 day of March, 1925. I the under signed do hereby train the issuing and service of summons in the above entitled cause and enter my appearance herein.

J. Wilbur Orr.

Journal Entry:

10513

entry

on

Filing

On the Probate Court of Union County, Ohio,

March 7 - 1925.

Case no. 10513

Filing Petition to Sell Real Estate.

This day came, The Plaintiff J. Wilbur Orr, ss.

10573

executor of the estate of Joseph Orr, deceased, and, presented to this Court, his petition, duly verified, praying an order for the sale of real estate of the said Joseph Orr, 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 to Obtain Service by Publication.

Probate Court, Union County, Ohio.

10573

affidavit to obtain service by publication

The State of Ohio, Union County, ss.

J. Wilcox Orr, the said Plaintiff, being sworn, says, that the Defendant Charles W. Orr is a non-resident of Ohio, and that service of summons on him cannot be made in this State, that the residence of said Charles W. Orr is 5050 Belvidere av., Detroit, Michigan and that the case is one of those mentioned in Section 11292 of the Revised Statutes of Ohio.

J. Wilcox Orr,

sworn to before me, and signed in my presence, this 29-day May, 1925 ~~year~~ Mand. Pyers, Notary Public.

Journal Entry: Order, Service by Publication.

Probate Court, Union County, Ohio.

May, 29-1925.

Entry, 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, Charles W. Orr, a non-resident of Ohio, that service of summons on him cannot be made in this State; that the residence of said Charles W. Orr, is 5050 Belvidere av., Detroit, Michigan, that the heirs of Joseph Orr, deceased - defendants, are necessary parties, and their names and residences are unknown to the Plaintiff, that the residence of such defendant is unknown to the plaintiff cannot with reasonable diligence be ascertained, and that service of summons on such defendant cannot be made; it is ordered, that proceedings against said unknown heirs be had without warning them. It is ordered that the publication be made for 6 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

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filed an order first to the with to each of the resi there

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Legal notice non-resident

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filed, and, notify the persons thus to be served when
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
of said defendants, whose residence is known, to their
residence named therein, and, make an entry
thereof on the proper docket.

W. Husted, Probate Judge
Legal Notice.

10573

Non-resident Defendant.

Legal notice
non-resident

Charles W. Orr, now heir at law, and devisee of Joseph
Orr, deceased, whose place of residence is 5055 Belmont
Ave., Detroit, Michigan will take notice that on the 9-
day of March, 1925, J. Wilber Orr, as executor of the
estate of Joseph Orr, deceased, filed his petition in
the probate court of Union County, Ohio, case no. 10573;
alleging that the personal estate of the said decedent
is insufficient to pay his debts and the charges of
administering his estate, that he died seized in fee-
simple of the following described real estate:

Being Lot, No. 482, of Sunny Side Park addition
to the village of Marysville, Union Co., Ohio.

Also, being all of In-lots no. 25 situated on the
south-east corner of E. 4th St., and South Plum street in
the village of Marysville, Union County, Ohio, excepting
therefrom 6 ft. off of the east end thereof and 136 ft.
8 1/2 in. off of the west end thereof.

Plaintiff in his petition prays for an order to sell
said real estate.

Said defendant is required to answer on or before the
11-day of July, 1925, or judgment will be taken accordingly.

Mrs. L. Myers Atty for Plaintiff

10573

Oath

State of Ohio, Union County, ss

Personally appeared before me, W. H. Garrison, and,
made solemn oath, that the notice, a copy of which is
hereto attached was published for 6 consecutive weeks on
the next after May 29, 1925, in the Union County
Journal, a newspaper of general circulation in
County aforesaid.

W. H. Garrison

Sworn to before me, and, signed in my presence
this 7 day of July, 1925.

W. H. Garrison

Printed Per \$ 14.39

10513

Legal notice

non-resident Defendant.

Legal notice

non-resident

Charles W. Orr, an heir at law, and devisee of Joseph Orr, deceased, whose place of residence is 5055 Belvidere Ave., Detroit, Mich. will take notice that on the 9-day of March, 1925, J. Wilbur Orr, as executor of the estate of Joseph Orr deceased, filed his petition in the probate court of Union County, Ohio, case no. 10513, alleging that the personal estates of the said decedent, is insufficient to pay his debts, and the charges of administering his estate, that he died seized in fee simple of the following described real estate:

Being lot no. 48 of Sunny Side Park addition to the village of Marysville, Union County, Ohio.

Also being all of lot no. 25, situated on the southeast corner of East 4th, and South Plum Street in the village of Marysville Union Co. O. excepting therefrom 6 ft. off of the east end thereof and 36 ft. 8 1/2 inches off of the west end thereof.

Plaintiff in his petition prays for an order to sell said real estate

said defendant is required to answer on or before the 11-day of July, 1925, or judgment will be taken accordingly
 Wm. L. Myers, atty. for Plf.

10513

State of Ohio, Union County, ss.

Personally appeared before me, R. Hartshorn and made solemn oath, that the notice, a copy of which is hereto attached was published for 5 consecutive weeks on and next after May 29-1925, in the Union County Journal, a newspaper of general circulation in county aforesaid.

R. Hartshorn

known to before me, and signed in my presence, this 20th day of July, 1925. ~~Wm. L. Myers~~ W. B. Garner, Fees 14³⁹

Probate Court, Union Co. Ohio,

July, 13-1925;

no.

Journal entry.

Order for appraisement.

10513

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

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Joseph Orr, deceased, it is therefore ordered and adjudged by the court that the said premises be appraised free of duty by the oaths of C.C. Jarvis, James Kay and Chas. Schlegel, 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 -

10513

Order of appraisement.

The State of Ohio, Union County, Probate Court.

To J. Wilbur Orr, Executor:

Order of appraisement

In obedience to law 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 Orr, deceased, an Plaintiff and Lrr Orr, et al. are Defendants, you are commanded that by the oaths of C.C. Jarvis, James Kay, Chas. Schlegel, 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 Marysville, County of Union, W. State of Ohio, to wit:

Being Lot no 482 of Sunny Side Park Addition to the Village of Marysville, which includes the Williams Robinson addition to said village.

Also, ^{all 4} In lot # 25 situated on the southeast corner of East 4th St., and South Plum St., in the village of Marysville, excepting therefrom 6 ft. off of the east end thereof and 36 ft. 8 1/2 inches off of the west end thereof.

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 July, A. D. 1925. W. H. Husted, Probate Judge.

10513

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 aforesaid, fully appear by the proceedings hereto attached.

Dated the 20th day of July, 1925;

J. Wilbur Orr, Executor.

Oath of appraisers.

The State of Ohio, Union County.

We, the undersigned Appraisers, do make

10513

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. B. Jarvis, James Kay, Chas. Schlegel appraisers.

Sworn to before me and signed in my presence this 20-day of July, 1925. Miss L. Myers, Notary Public

10513

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 first tract at \$650.00 and the second tract at \$400.00

Given under our hands this 20-day of July, 1925.

L. B. Jarvis, James Kay, Chas. Schlegel appraisers.
Fees of appraisers \$2.00 per day each, Total \$6.00

10513

Application
of
Sale at
Private

application to sell Real Estate at Private Sale,
Probate Court, Union County, Ohio.
no. 10513.

application

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

First: Both tracts can be sold for their appraised value thereof, and which value is all said real estate is reasonably worth.

Second:

To sell at private sale, will save expenses of advertising and offering said real estate at public sale.

Third:

Said real estate can be sold for cash. And he therefore asks for an order authorizing him to sell said real estate at private sale.

J. Wilbur Orr, Executor of Jos Orr, decd.

10513

oath

The State of Ohio, Union County.

J. Wilbur Orr, being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.

J. Wilbur Orr.

Sworn to before me and signed in my presence this 22-day of July, 1925.

W. and Pyles, Notary Public

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Affidavit of Disinterested Person,
 The State of Ohio, Union County,
 Eber N. Dillon and W.P. O'Brien, being duly sworn,
 say, that he 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 truly believe.

Eber N. Dillon. W.P. O'Brien.

Sworn to before me - and signed in my presence:
 This 22 - day of July - 1925 -

Maud Pycro - Notary Public -

105-13
 approving
 appraisement

Journal Entry; orders, approving appraisement, for
 Private Sale.

Probate Court, Union County, Ohio.
 July 22 - 1925 -

This day came the said Plaintiff, by his attorney,^{Mr.}
 produced to the court the report of an appraisement
 herein made by L. C. Jarvis, James Sney, W. Chas. Schlegel
 in pursuance of a former order 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, the Court
 further finds that by the provisions of the last
 will and testament of the said deceased that
 bond is dispensed with, and, therefore hereby dispenses
 therein.

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, 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 J. Miller
 Or, as such Executor, proceed to sell said real
 estate at private sale for not less than
 \$650 - and \$400 - respectively, 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,
 Mr. this cause is continued.

W. F. Husted,
 Probate Judge -

10573

Order of Sale - From from Down.

The State of Ohio, Union County,

Probate Court.

To J. Wilbur Orr, Executor;

Order of sale

In obedience to an order, and decree of the Probate Court within and for said County, made this day, in a certain cause, wherein you, as Executor of the estate of Joseph Orr, deceased, are Plaintiff and Lee Orr, et al. are Defendants you are commanded to proceed, according to law, to sell at private sale, for not less than \$650 and \$400 - the appraised value thereof respectively, the following described premises, to-wit:

First tract: Being lot No. 482 Sunny Side Park addition to the village of Marysville, Union County, Ohio, which includes the William Robinson addition to said village.

Second tract:

Being all of In-lot #20, situated on the South east corner of East 4th St., and South Plum St., in the village of Marysville, Union County, Ohio, but excepting therefrom six (6) feet off of the east end thereof, and 36 feet 8 1/2 inches off of the West end thereof.

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 22-day of July, A.D. 1920. 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 July, 1920.

J. Wilbur Orr, Executor aforesaid.
Report of Sale.

Report of Sale

In obedience to the within order, I sold, said premises on the 22-day of July, 1920:

First tract: to Paul E. Wolford - Mrs. Ethel Wolford for the sum of \$650 - the Second tract, to John L. Longbray for the sum four hundred dollars, said sum, being the appraised value of the same.

J. Wilbur Orr, Executor aforesaid.

Dated the 22-day of July, 1920.

The State of Ohio, Union County.

The above named, J. Wilbur Orr, 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.

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John

Confirmation

J. Wilbur Orr, Executor of the estate of Joseph Orr

Lee Orr

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J. Wilson Orr,

Sworn to before me, and signed in my presence, this 22 day of July, 1925 ~~before~~ Mand Page, Notary Public.

105-13

Journal Entry: Orders approving ^{and} confirming Sale, Probate Court, Union County, Ohio, July, 22-1925-

Confirmation

J. Wilson Orr, executor of the estate of Joseph Orr, deceased. Plaintiff

P-

Lee Orr, et al. Defendants

Orders approving ^{and} confirming Sale

This day, this cause coming on to be heard on the report of J. Wilson Orr, executor, of the estate of Joseph Orr, 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 Joseph Orr, in said real estate, to wit: the First Tract, to Paul L. Wolford ^{and} Ethel Wolford and the Second Tract, to the purchaser, John L. Longhry, upon the said purchaser, upon the said purchaser, paying the purchase price therefor in full, in cash.

It is further ordered, that this proceeding be recorded.

W. H. Husted, Probate Judge.

105-47
April 18-25
attorney,
Walter L. Hoffelt.

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

Nora Kerns, Administrator
of the estate of
Thomas B. Kerns, et al.
Plaintiff

No. 105-47.
Civil action

Rachel Thompson.
Mable Weiringer
Glyde Kerns.
Earl Kerns.
Ralph Kerns.
Marjorie Kerns.
H. O. Orshood
Nora Kerns.

Petition to
Sell Real Estate

Petition.

Defendants.

The Plaintiff represents that she is the duly appointed and qualified Administrator of the estate of Thomas B. Kerns, late of Union County, Ohio, deceased, that the amount of debts due from the deceased is Fifteen Hundred ^{no} ^{us} ¹⁰⁰ Dollars, as near as can be ascertained that the charges of administration of said estate will amount to about \$75-- and that the total value of the personal estate and effects of said deceased, is but \$200- being wholly insufficient to pay the debts ^{and} costs aforesaid.

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

Being the undivided 1/2 of the following described real estate to-wit:

Situated in the Township of York, and County of Union.

Beginning at a stone and broken tile in the center of the Powder Lick Run Road, and N. W. corner to a 12 acre tract owned by O. H. and Ellen Stahl; thence with the center of said road N. 77 3/4 W. 40.50 poles to a stone in the J. D. Benson's east line; thence with the E. line of said Benson land N. 10° 45' E. 107. 48 poles to a stone and brick N. E. corner to said Benson land; thence S. 77° 44' S. 62.04 poles to a stone and brick N. W. corner to a tract owned by C. S. Hamilton; thence with said Hamilton's N. line to the center of Powder Lick Run Road, thence with the center of the said road about 21.44 poles to the place of beginning, containing 40 acres more or less.

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Also the following tract beginning at a stone and
brick S. E. corner to John Henson's E. line; thence with
Henson's E. line N. 11° 45' E. 94 poles to the center of the
Ponder Dick Run road; thence with the center of the
said road, S. 77° 31' E. 40.5-6 poles to a stone and
broken tile; thence S. 11° 35' W. 94.20. poles to an iron
stake in the S. line of said survey, no. 3238; thence
N. 77° 35' W. 41.12 poles to the beginning.

Containing 24 acrs. more or less.

Containing in all 64 acrs more or less.

The said decedent died leaving the defendant
Nora Kerns his widow, who is entitled to dower in
said premises; that the defendants, Rachel Thompson,
Mabel Heininger, Clyde Kerns, Carl Kerns, Ralph
Kerns and Maxine Kerns, are the only heirs of said
decedent, having the next estate of inheritance from said
Thomas B. Kerns, deceased, in said premises; that
the defendants, Rachel Thompson, Mabel Heininger,
Clyde Kerns, Carl Kerns, Ralph Kerns, & Maxine Kerns,

Petition

The Plaintiff therefore prays that the dower of
said Nora Kerns in said premises, may be assigned
to her; that the rights, interests and liens of the
said Rachel Thompson, Mabel Heininger, Clyde Kerns,
Carl Kerns, Ralph Kerns, Maxine Kerns, and H. D. Crabrod,
may be fully determined, adjusted & protected according
to equity and that your petitioner may be authorized
& ordered to sell said real estate free of said
dower, according to the statute in such cases
made and provided, and for all other proper orders
and relief in the premises.

Nora Kerns,

The State of Ohio, Union County, ss.

Nora Kerns the widow 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 & belief.

Nora Kerns,

Sworn to before me, and signed in my presence, this
18-day of April, 1925. *[Signature]* Probate Judge

10547

In the Probate Court, Union Co. Ohio
April 18-1925

Journal entry: Filing Petition

This day came the Plaintiff Nora Kerns, presented
to this Court her petition, duly verified, praying
an order for the sale of real estate of the said
Thomas B. Kerns deceased, to pay the debts, and
the costs of administering the estate, of the

10547

decendant. whereupon, it is considered and ordered by this Court that the said petition be filed, and that due and legal notice 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. Husted, Probate Judge.

Summons

Summons

The State of Ohio, Union County, Probate Court, To the adur., of the Estate of Thomas B. Kerns, Deceased, you are commanded to notify Clyde Kerns, Carl Kerns, Ralph Kerns, and Maxine Kerns, minors and Nora Kerns, mother of said minors, with whom they reside, that on the 18 day of April A. D. 1925, Nora Kerns, administrator of the estate of Thomas B. Kerns, 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 decendant, in said petition described, for the purpose of paying debts and that unless they answer by the 16 day of May, 1925, said petition will be taken as true, and an order granted accordingly.

Said administrator will make due return of this writ on the 27 day of April, 1925;

Witness my hand, and the seal of said Court, this 18 day of April 1925.

W. H. Husted, Probate Judge.

Oath

The State of Ohio, Union County

I, Nora Kerns, being duly sworn, says that on the 18 day of April 1925, I, sends this writ by delivering a copy thereof personally to the following named persons, to wit:

Clyde Kerns, Carl Kerns, Ralph Kerns, Maxine Kerns and Nora Kerns, mother of said minors.

Nora Kerns

Sworn to before me, and signed in my presence, this 18 day of April, 1925 W. H. Husted, Probate Judge

W. H. Husted

W. H. Husted

Probate Court, Union County, Ohio

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.

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105-47

Rachel Thompson, Mabel Heiningel,
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Probate Court, Union County, Ohio.

In 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, and ask the Court, to protect my interest in same.

May, 16-1925.

H. O. Orabrod,

R. D. Orabrod,

per H.

Heeders of mortgage jointly,

Application to Sell Real Estate at Private Sale

Probate Court, Union County, Ohio,

No. 105-93.

app-

to sell at

Private Sale

The said Plaintiff, represents that it would be for the best interest of the said estate to sell the real estate described in the petition in this case at private sale, for the following reasons: there being no personal property to pay debts, and she therefore asks for an order authorizing her to sell said real estate at private sale.

Nora E. Kerns, adx. of

Thomas B. Kerns, deceased

The State of Ohio, Union County.

Nora Kerns, 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 16-day of May, A.D. 1925.

W. H. Husted, Probate Judge.

Affidavit

of

Disinterested

Person.

Affidavit of Disinterested Person

The State of Ohio, Union County.

F. S. Hayer, Samuel P. Sherman, Eber N. Dillan 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 Nora Kerns, and heirs, to sell said real estate at private sale, than at public sale, as they verily believe.

Sworn to before me, and signed in my presence, this 16-day of May, 1925.

W. H. Husted, Probate Judge.

105-47
App. for
apt. of
Guardian
ad litem

Application for appointment
of Guardian ad litem
Probate Court, Union County, Ohio.
May, 16- 1925:

105-47
Answer
of
widow.

To the Hon. W. B. Husted, Judge of said Court:
The undersigned Nora Kerns, mother, makes application
for the appointment of a Guardian ad litem for the minor
defendants in the above entitled case.

The defendant Clyde Kerns, Carl Kerns, Ralph
Kerns, and Maxine Kerns. Clyde Kerns over 14 yrs. of age,
Carl Kerns, Ralph Kerns, and Maxine Kerns, under 14 yrs.
and, have been duly served with summons, herein.

The undersigned suggests that Glen L. Bline who is
a suitable person to be appointed as such Guardian ad litem

Respectfully, Nora E. Kerns.

Journal Entry: on appointment of Guardian ad litem,
Probate Court, Union County, O.
May, 16- 1925:

This day Nora Kerns 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
Clyde Kerns, over 14 yrs. of age, and, Carl Kerns, Ralph
Kerns, and Maxine Kerns under the age of 14 yrs.
and, have been duly and legally served with
summons, herein. Carl Kerns, Clyde Kerns,
Ralph Kerns, and Maxine Kerns, it is ordered
that Glen L. Bline be, and, hereby is appointed
Guardian for the Suit, for said minor defendants,
and, now comes the said Glen L. Bline
in open Court accepts said appointment.

W. B. Husted, Probate Judge
Answer of Guardian Ad litem,
Probate Court, Union County, Ohio.
No. 105-47.

Answer of
Guardian ad litem

And now comes the said Clyde Kerns, Carl Kerns,
Ralph Kerns, and Maxine Kerns, the minor defendants
to the petition in said cause, by Glen L. Bline 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 16-day of May, A. D. 1925.

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Order
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Glyde Kerns, Carl Kerns, Ralph Kerns, Maxine Kerns,
By Glen L. Blinn, Esq., ad. litem,
Answer of Widow.

answer
of
widow.

Probate Court, Union County, Ohio,
and now comes Nora Kerns, 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 B. Kerns, deceased, and, as such is entitled
to her dower in the premises described in said
petition, that her age is 42 years, and, she freely
consents to said sale as prayed for, and assigns
the assignment of dower in said premises, by metes &c.
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, by such sum
of money as the Court deems just and reasonable,
value of her dower interest in said real estate.

Nora E. Kerns.

Orath

The State of Ohio, Union County,

Nora Kerns, being duly sworn, says, that the
statements in the foregoing answer are true, as she
truly believes.

Nora E. Kerns.

Sworn to before me and signed in my presence,
this 16th day of May, 1925.

W. H. Busted, Probate Judge -
Probate Court, Union County, Ohio.
May 16th 1925.

Order

for
Private Sale.

Order for Private Sale -

This day this cause came on to be heard, upon
the petition, evidence and testimony of L. P. Sherman,
J. S. Bager and, Eber N. Dixon, and, the Court,
being fully advised in the premises said 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 Thomas B.
Kerns, deceased, did leave an 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
made, and, the Court
being satisfied that it is necessary to sell the
real estate of said Thomas B. Kerns described in the

10547

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 Nora Kerns, as such Adm. proceed, to sell 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, Free of Dower.

Order

of

sale

The State of Ohio, Union County ss. Probate Court, To Nora Kerns, Adm. of the estate of Thomas B. Kerns, 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. of the estate of Thomas B. Kerns, was Plaintiff vs. Rachel Thompson, et al. are Defendants, you are commanded, to proceed, according to law, to sell at private sale, for not less than \$250- cash, the appraised value, thereof free of the dower of Nora Kerns, widow of Thomas B. Kerns, deceased, the following described premises, to wit:

Being the undivided one-half of the following described real estate, to wit:

Beginning at a stone and copper tile in the center of the Powder Lick Run Road, and N. W. Corner to a 1/2 acre tract, owned by, C. H. and Ellen Stahl; thence with the center of said road, N. 77 1/4 N. 450 poles, to a stone in the J. D. Benson's east line; thence with the east line of said Benson's land N. 10° 45' E. 102. 48 poles, to a stone and brick N. E. corner to said Benson land; thence S. 77° 44' S. 52.54 poles to a stone and brick N. W. corner to a tract owned by C. S. Hamilton; thence with the said Hamilton west line to the center of Powder Lick Run road; thence with the center of said road about 21.44 poles to the place of beginning.

Containing 40 acres, more or less.

Also, the following tract beginning at a stone and brick S. E. Corner to John Benson's east line; thence with Benson's east line N. 11° 45' E. 94 poles to the center of the Powder Lick Run Road; thence with the center of said road

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B. 77³/₄ E. 40.56 poles, to a stone and broken tile; thence S. 11° 35' W. 94.20. poles, to an iron stake in the southline of said Survey No. 3258; Thence N. 77. 30' W. 41. 12 poles to the place of beginning containing 24 acrs. more or less.

Containing in all 64 acrs. more or less.

Said sale to be free of the debt of said Nora Kerns, and to be upon the following terms: Cash-

You will make return of your proceedings to this Court, for writ upon execution of this order.

Witness my signature and the Seal of said Court this 16 day of May, 1925.

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 16 day of May, 1925.

Nora Kerns, adx., of 1st of 2nd Kerns.

Report

Report of Sale

In obedience to the within order, I sold said premises on the 16 day of May, 1925, to D. B. Inskeep, for the sum of \$1250- Said sum being at the appraised value of the same. Nora Kerns, adx.,

Dated the 16 day of May, 1925.

oath

The State of Ohio, Union County, ss.

The above named Nora Kerns, 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.

Nora E. Kerns, adx.,

Sworn to before me - and signed in my presence, this 16 day of May, 1925 - W. H. Husted, Probate Judge

approving

Journal Entry: Orders, approving and confirming Sale - Probate Court, Union County, Ohio May, 16 - 1925.

confirming sale.

This day, this cause coming on to be heard on the report of Nora Kerns, adx., of the estate of Thomas, B. Kerns 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 Thomas B. Kerns, in said estate to the purchaser, D. S. Snook, upon the said purchaser, paying the sum of twelve hundred fifty dollars, this being the amount for which said real estate was sold.

It is further ordered, that this proceeding be recorded, and that said petitioner pay the costs \$13.00.

W. F. Husted Probate Judge

10563

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

Filer
May 14 - 1925
Richard Frazer
attorney

Jay Styer, administrator
of the estate of
Robert Wood, deceased
Plaintiff

No. 10563

Civil Action

- Joseph Wood.
- R. H. Wood.
- Bertrude A. Taylor.
- Annie Wood.
- Ernest Wood
- Frank Wood.
- Walter Wood.
- Bertrude Pedersen.
- Myrtle Mofford.
- Vina McFadden.
- Victor Wood.
- Della Wood
- Floyd R. Bosh
- Lloyd Bosh.
- Minnie Wilson
- Pella Morken.
- Ella Stultz.
- Catherine McEwen.
- Agnes Thompson.
- Margaret Thompson.
- Lena Wood
- Glenna Wood
- Donovan C. Laird
- Merle Laird
- Lubelle L. Laird
- Ruth Laird
- Jay Styer, admin. of the
estate of Robert Wood, Defendants.

Petition to sell Real estate,

Petition.

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The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Robert E. Wood late of Leesburg Twp. Union County, Ohio, deceased; that the amount of debts due from the deceased is about \$700 - as near as they can be ascertained, that the charges of administration of said estate will amount to about \$250⁰⁰ and that the total value of the personal estate and effects of said deceased is but ---, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Robert E. Wood died seized in fee simple of the following described real estate, situated in the County of Union, State of Ohio, ⁱⁿ in the Township of Leesburg, to-wit: Being a part of Survey No. 3692.

Commencing at the point of intersection of the Sandusky Canal Road, with the center current of Bokes Creek in said Survey, thence with the center of said Road N. 15° 30' E. 79.5⁴/₁₀₀ poles to a point of intersection with the Harman - Patrick Canal Road; thence with the center of the last named Road, N. 71° 31' N. 49⁵/₁₀₀ poles to a stone at the north-east corner of a 42 a. tract; thence with the East line of said tract, S. 15° 30' N. 10 poles to the center of current of Bokes Creek; thence down said stream with the center current thereof S. 40° 15' E. 3 poles to the West end of an island; thence crossing said island N. 74° 30' E. 19 poles; thence N. 62° E. 10 poles and thence N. 86° E. 20 poles to the place of beginning, containing 28 acres more or less.

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also the following tract of land. Beginning at a stone in the North line of the Harman - Patrick Canal Road, and in the East line of the Mary E. Candall lands; thence with two consecutive lines of said land, N. 11° 20' E. 76⁴/₁₀₀ poles to a stone and N. 82° 20' N. 19⁴/₁₀₀ poles to a stake at the southeast corner of James Easterday's land; thence with the East line of said land, N. 11° 40' E. 18 poles to a stone at the south west corner of lands allotted to Fella Matrine Moore ⁱⁿ et al; thence with the South line of said land S. 71° 20' E. 55⁶/₁₀₀ poles to a stone in the West line of lands allotted to Perry Wood; thence with said line, S. 16° 15' W. 91⁴/₁₀₀ poles to a stone in the North line of said Canal Road; thence with said Road N. 71° 20' N. 3¹/₂ poles to the beginning, containing 22 acres more or less; there being 17 acres in Survey No. 3692, and 5 acres in Survey No. 1139.

105-63

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 \$2200⁰⁰

The said decedent died leaving the defendants P.W. Wood, Joseph Wood, Gertrude Taylor, Archie Wood, Emmett Wood, Frank Wood, Walter Wood, Gertrude Redman, Myrtle Wood, Vera Mc Ladden, Victor Wood, Dilla Wood, Floy Bask, Lloyd Bask, Minnie Wilson, Della Wood, Ella Skullo, Catherine Mc Elroy, Agnes Thompson, William Thompson, Lena Wood, Emma Wood, Donovan Laird, Merle Laird, Ruth Laird, Lutella Laird (Catherine Mc Elroy, Agnes Thompson, William Thompson, Lena Wood, Gladna Wood, Merle Laird, Ruth Laird and Lutella Laird being minors) as the only heirs at law of said decedent having the next estate of inheritance from said Robert E. Wood, deceased, in said premises that the defendant, Fay Styer, administrator of the estate of Isabelle Wood, deceased, holds and claims a mortgage and promissory note signed and executed in his favor as such, adur, against said real estate just described for the sum of \$3500 and interest.

The Plaintiff therefore prays that the rights, interests and claims of the said heirs at law, and the said mortgage holder, Fay Styer, adur, may be fully determined, adjusted and protected according to equity, and that your petitioner may be sanctioned and ordered to sell said real estate free from said claim, according to the statute in such case made and provided, and for all other proper orders and relief in the premises. Fay Styer, adur, as aforesaid

Carte

The State of Ohio, Union County, Fay Styer, administrator of Robert 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.

Fay Styer, adur, as aforesaid, sworn to before me and signed in my presence, this 13th day of May, A.D. 1925. Richard C. Thrall, Notary Public, Union Co. Ohio

Filing Petition

Journal entry: In the Probate Court of Union Co. Ohio May 14 - 1925. vs. 105-63. Journal entry - Plaintiff Joseph Wood, et. al. Defendants Filing Petition to Sell Real Estate.

105-63

This estate this for a Wood adur m Court due. pray which same this

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Mr. i in here volun Real actio me Cur 7 a J

Summons.

The To tra yn may Ser This gra can pers who Fay I filed Court pray for. Rec

10563

This day came the Plaintiff Fay Styer, admr. of the estate of Robert E. Wood, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Robert 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, and this cause is continued.

Witness my hand and the seal of the Court at Dayton, Ohio, this 14th day of May, 1925.

Wm. H. Wainwright

Probate Court, Union County, Ohio.

Wainwright

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 prayer of the same.

Merle L. Laird

Luther Luttrell Laird

Ruth Arvanelle Laird

Bellevue K. Laird Guardian

Ellen L. Morkin

Minnie Wilcox

Lloyd L. Bosh

Ellen Stults

Joseph Wood

Victor Wood

Ernest Wood

Frank Wood

Halter A. Wood

Summons

Summons on Petition to Sell Real Estate

The State of Ohio, Union County.

To Fay Styer, admr. of the estate of Robert E. Wood.

You are hereby commanded to notify the following named who are minors, to wit:

Lena Wood, and Glenn Wood, 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 14th day of May, 1925, Fay Styer, Admr. of the estate of Robert E. Wood, decd., filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object 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

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purpose of pay debts. and that ^{unless} they answer by the 13-
day of June, 1925, said petition will be taken as true and an
order granted accordingly.

The serv. will make due return of this writ on the
25th day of May, 1925.

This writ to be served on each of said defendants
by copy personally.

Witness my hand, and the seal of said court,
this 15th day of May, 1925: ~~Day~~

W. H. Husted, Probate Judge
Return of Service.

Return of
Service

Received this writ on the 15th day of May, 1925,
at 9 A.M. and on the days and numbers hereinafter
named I served the within named defendants viz: May 19th
1925: on Lena ^{and} Stella Wood, and as to the within
named defendants who are minors, on May 19th 1925
served on Elizabeth Wood, the mother of the said Lena
Wood and Stella Wood, the person having the care of
and with whom lives the said Lena and Stella Wood,
the father being deceased.

The above named Fay Styer also has signed the same,
being duly sworn, says the foregoing Return of Service,
is true, as he really believes.

Done to inform me, and signed in my presence, this
20th day of May, 1925: ~~at~~ Richard C. Wall,
Public
Clerk of Union County, Ohio.

Wainor,
Probate Court, Union County, Ohio.

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.

Archie J. Wood, Gertrude A. Taylor,
Fay Styer admr. Perry W. Wood

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Wainor,
Probate Court, Union County, Ohio.

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.

Gertrude Redmon, Mrs. Catherine Thompson McElroy
Miss Aynes Thompson, Mrs. William Thompson

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Final Record, Union County Probate Court.

10 563 A. H. Thompson, Esq.
 Wainwright
 Probate Court, Union County, Ohio.
 The undersigned party defendant to the Petition in the above entitled action hereby waives issuing and service of summons, and voluntarily enters appearance as such Defendant. ^{my} consent to sale -
 Myrtle M. Morford.

Wainwright
 Probate Court, Union County, Ohio.
 The undersigned party defendant to the Petition in the above entitled action, of us hereby waives the issuing ^{of} service of summons, ^{and} voluntarily appearance, ^{and} consent to sale of real estate.
 Vera E. McFadden

Wainwright
 Probate Court, Union County, Ohio.
 The undersigned party defendant to the Petition in the above entitled action hereby waives the issuing ^{of} service of summons, and voluntarily enters appearance as such defendant, and, consents to sale of Real estate described in petition
 Floyd Fosh.

Wainwright
 Probate Court, Union County, Ohio.
 The undersigned party defendant in the Petition in above entitled case - hereby waives issuing ^{of} service of summons, and, voluntarily enters appearance, and consent to sale of Real estate described in petition.
 Mrs Della Wood.

Wainwright
 In the Probate Court of Union County, Ohio.
 The undersigned party defendant in the above entitled cause for the sale of Real estate, hereby waives service ^{of} ~~the~~ consent to sale of real estate in said Petition mentioned.
 Donovan B. Laird.

appl. for
 apt. of
 Guardian
 ad Litem

Application for appointment of Guardian ad Litem.
 Probate Court, Union County, Ohio.
 June, 24. A.D. 1925.
 To the Hon. W. H. Fustled, Judge of said Court:
 The undersigned Fay Storer, Admin. of the estate of Robert E. Wood, deceased, makes application for the appointment of a Guardian ad Litem for the minor defendants in the above entitled case.
 The defendants, Agnes Thompson, William Thompson, Catherine McElroy, Ruth Arnold Laird, Wade B. Laird, ^{and} Mr. Luther L. Laird are above the age of 14 yrs, ^{and} have been duly served, with summons, herein, and have for twenty days, after said service of summons

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failed to make application for such appointment of an
Guardian ad litem.

The undersigned suggests that Miss L. Myers, who is a
suitable person be appointed as such Guardian ad litem.

Respectfully

Fray Styer

Probate Court, Union County, O. June 25th, 1925.

This day Fray Styer Adm. of the estate of Robert E. Wood
deceased, appeared in open court, and made application
for the app. of a Guardian ad litem for the minor
defendants in this case.

and it appearing to the Court that the defendants
Agnes Thompson, William Thompson, Catherine McElroy, Ruth
Arnold Laird, Mabel Laird and Lurette L. Laird are
above the age of 14 yrs. and have been duly and legally
served with summons herein, and have neglected for 20 days
after the return of the summons, served upon them
to appear for a Gdn. ad litem.

It is ordered, that Miss L. Myers, be and she
hereby is appointed Guardian for the suit, for said
minor defendants, and now comes the said
Miss L. Myers in open Court, accepts said appointment,
Instituted Probate Judge

Answer

of
Gdn. ad litem

Answer of Guardian ad litem

Probate Court, Union County, Ohio

And now comes the said Agnes Thompson, William
Thompson, Catherine McElroy, Lurette Laird, Mabel
Laird and Ruth Arnold Laird the minor defendants
to the petition in said cause by Miss L. Myers their
Gdn. 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, for such relief as
may be just.

Dated this 24th day of June, 1925.

Agnes Thompson.
Catherine McElroy.

William Thompson

(By Miss L. Myers, Gdn. ad litem)

Answer

Cross-Petition

of
Fray Styer, adm.

Answer ^{ans.} Cross-Petition of

Fray Styer, administrator of the
Estate of Isabelle Wood, Deceased.

In the Probate Court of Union County, Ohio
Case no. 10563.

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This defendant says, that on the 9-day of September 1925, the said Robert E. Wood, executed and delivered to him his certain promissory note of that date as follows:

\$350 - September 9 - 1924.

June 1 - 1925, after date for value received I promise to pay to the order of, Fay Styer, administrator \$350 - with interest at the rate of 6% per centum per annum - (followed, by the usual warrant and power of attorney to confess judgment)

(signed) Robert E. Wood.

That no part of said note, or interest has been paid and that the same is now due and owing to this defendant.

Second Cause of Action:

This defendant adopts as part of this his second cause of action the whole of the first cause of action as the written herein.

and further says that on the 9-day of September 1924 said Robert E. Wood to secure payment of said note executed and delivered to this defendant.

Answer, his certain mortgage deed on the following described premises:

Situated in the County of Union, State of Ohio, and Township of Leeburg and being part of Survey No. 3692.

Commencing at the point of intersection of the Sandusky Grant Road, with the center current of Bokes Creek, in said Survey; Thence with the center of said Road N. 15° 30' E. 79.40/100 poles, to a point of intersection with the Harman - Patrick Grant Road, Thence, with the center of the last named Road, N. 71° 31' W. 49.50/100 poles, to a stone at the North east corner of a 42 acre tract; Thence with the east line of said tract S. 15° 30' W. 10 poles to the center current of Bokes Creek, Thence, down said stream with the center current thereof S. 40° 15' E. 3 poles to the West end of an island; Thence crossing said island N. 74° 30' E. 19 poles; Thence N. 62° E. 10 poles and Thence N. 80° E. 20 poles to the place of beginning, containing 28 acrs. more or less.

That said mortgage deed contained a provision that if said Robert E. Wood should pay said promissory note when due then said mortgage should be void but otherwise to be of full force and effect. That said note is due, and unpaid and that said condition is broken.

That said mortgage was duly presented

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is the Recorder of Union Co. Ohio, for record and by him recorded in vol - - - Page - - - of Mortgage Records of Union County on the - - - day of September, 1924.

That said mortgage is a valid subsisting and the first and best lien on the real estate above described. Wherefore, defendant prays that said land be ordered sold, and his mortgage claim be first paid from the proceeds thereof and the balance distributed by law.

Richard C. Thrall.

att'y for said defendant.

State of Ohio, Union County, ss.

Carth

Fray Styer, admr. of the estate of Isabelle Wood, dec'd, being first duly sworn says that the allegations of the above answer are true as he verily believes.

Fray Styer

Sworn to before me, in subscribed in my presence, this 22 days of June, 1925. ~~not~~ Richard C. Thrall, Notary Public, Probate Court, Union County, Ohio.

June 24 - 1925:

Order for Private Sale, etc.

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 Robert E. Wood 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 Robert 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 Fray Styer, admr. of the estate of Robert E. Wood, deceased, 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: One half cash in hand on day of sale - deferred payments to be secured by mortgage on the premises sold to bear interest from the day of sale, payable annually.

And said petitioner is ordered to make

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Private Sale

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return to this Court, immediately after such sale is made, and this cause is continued.

W.H. Husted, Probate Judge

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

Appl-
to

The said Plaintiff represents that it is deemed to 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:

Private Sale

1. Because the expense of public sale can be avoided.
2. Because the said real estate can and must be sold for the appraised value, while at public sale it can sell for 75% of that amount.
3. Because a purchaser has been secured who will give the appraised value.

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

Fay Styer, adm., of the estate of Robt. E. Wood, Dec'd.

Oath

The State of Ohio, Union County.

Fay Styer as Adm., as aforesaid, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.

Fay Styer.

Sworn to before me - and signed in my presence, this 22-day of June, 1925 ~~at~~ Richard C. Small, Notary Public, Union Co., Ohio.

Affidavit of Disinterested Person

Affidavit of Disinterested Person.

The State of Ohio, Union County.

Person -

G. M. Haines, M. Newlove, and F. L. Calloway, being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate to sell said real estate at private sale than at public sale, for the reasons given above, as they verily believe.

G. M. Haines, M. Newlove, F. L. Calloway.

Sworn to before me, and signed in my presence, this 24-day of June, 1925.

~~at~~ Richard C. Small, Notary Public, Union Co., Ohio.

Order

Order of Sale Free from Deeds.

The State of Ohio, Union County, Probate Court

To Fay Styer, adm., of the estate of Robt. E. Wood, 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 administrator and Plaintiff and Joseph Wood, et. al, are defendants

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you are commanded to proceed according to law, to sell at private sale, for not less than the appraised value thereof from down, the following described premises, to wit: Situated in the County of Union, State of Ohio, and the Township of Leesburg and being a part of Survey No. 3692, and bounded and described as follows:

Commencing at the point of intersection of the Sandusky Grant Road, with the center current of Pokes Creek in said Survey thence with the center of said Road, N. 15° 30' E. 79 ⁴/₁₀₀ poles to a point of intersection with the Hornum - Patrick Grant Road; thence with the center of the center of the last named Road, N. 71° 31' 49 ⁵³/₁₀₀ poles to a stone at the north-east corner of a 42-acre tract; thence with the east line of said tract S. 15° 30' W. 10 poles, to the center current of Pokes Creek; thence down said stream with the center current thereof S. 40° 15' E. 3 poles to the west end of an island; thence crossing said island N. 74° 20' E. 19 poles; thence N. 62° E. 10 poles and thence N. 86° E. 20 poles to the place of beginning.

Containing 25 acres, more or less.

Also, the following tract of land, being in said County, State and Township.

Beginning at a stone in the north line of the Hornum - Patrick Grant Road, and in the east line of the Mary E. Randal lands; thence with two consecutive lines of said land, N. 11° 20' E. 76 ⁴/₁₀₀ poles to a stone and N. 82° 20' W. 19 ⁴/₁₀₀ poles to a stake at the south-east corner of James Easterday's land; thence with the east line of said land N. 11° 40' E. 18 poles to a stone at the south-west corner of lands allotted to Drew Melvaine Morbin, and others; thence with the south line of said land, S. 71° 20' E. 5-8 ⁶/₁₀₀ poles to a stone in the west line of lands allotted to Perry Wood, thence with said line S. 15° 15' W. 91 ⁴/₁₀₀ poles to a stone in the north line of said Grant Road; thence with said Road, N. 71° 20' W. 3 and ²/₁₀₀ poles to the beginning.

Containing 22 acres, more or less; there being 17 acres in Survey # 3692, and 5 acres in Survey No. 1129.

Said sale to be from down and to be upon the following terms: One-half cash to be paid at day of sale the balance secured by mortgage due in one or two years, according to law.

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

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Report

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To this Court, forthwith upon execution of this order, witness my signature and the seal of said Probate Court at Marysville, Ohio, this 24th day of June, 1925:
W. H. Hustid, Probate Judge.

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 24th day of June, 1925;

Fray Styer, Adm., as aforesaid

Report

Report of Sale

In obedience to the within order, I sold said premises on the --- day of June, 1925, to Perry Wood for the sum of \$2300.00 said sum being the appraised value of the same.

Fray Styer, Adm., of Est., of Robt. E. Wood, Decd.

Dated June 29 - 1925.

Conte

The State of Ohio, Union County,
The above named Fray Styer, adm., as aforesaid 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.

Fray Styer, adm., as aforesaid

Sworn to before me, and signed in my presence, the 29th day of June, 1925.

Richard C. Thrall, Notary Public, Union Co., Ohio.

Confirmation

Journal entry: Probate Court, Union County, Ohio,
June, 29 - 1925

Order of Confirmation, Distribution

This day this cause came on to be heard, on the report of Fray Styer, adm., of the estate of Robert E. Wood, deceased, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; and the Court, having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made; it is ordered, that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Robert E. Wood, in said real estate, to the purchaser, Perry Wood, upon the said purchaser executing to said estate 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 \$2300-

The Court finds that there is due the said estate of Isabelle Wood upon the note set forth in his answer and cross-petition from the estate of said Robert E. Wood the sum of \$366.⁷² with interest thereon from the date of this entry; that the said Robert E. Wood 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 Adm. 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 \$43.04, being the taxes, penalty and interest thereon against said property.

Second: the costs and expenses incurred in the sale of said property, including an attorney fee of \$50- to Richard C. Shreeve, and \$140.⁵⁷ the percentage of said herein amounting to the sum of \$204.⁷⁷

Fourth: to the estate of Isabelle Wood on the note and mortgage set forth and described in his answer and cross-petition herein the sum of \$366.⁷² which the Court finds to be the amount due him.

Fifth: To Lloyd Winter, undertaker for services at funeral \$341.⁰⁰

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 \$19.³⁰ out of the proceeds of said sale.

W. H. Husted
Probate Judge

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May 23-1920

Richard Allen, attorney.

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May 23-1915

Fidelity Allen,
attorney.

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

Jessie M. Fisher, executrix,
of the estate of
George O. Fisher, deceased.

vs.
Heirs at Law.

Plaintiff

v

Jessie M. Fisher,

Charles F. Fisher

Leroy B. Fisher

Mrs. Hazel N. King.

Defendants.

Petition

The Plaintiff represents that she is, the duly appointed and qualified executrix of the estate of George O. Fisher, late of Richmond, Union County, Ohio, deceased; that the amount of debts due from the deceased is Twenty six hundred and twenty-five and 7/100 dollars, as near as they can be ascertained, as follows, to wit:

1. Lloyd Miller \$200-
2. years allowance for widow's support. \$200-
3. Property set off to widow Gen. Code Sec. 10654 \$300-

Petition

That the charges of administration of said estate will amount to about One Hundred ²⁵ ^{the us/100} Dollars; and, that the total value of the personal estate and effects of said deceased, is - nothing - being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said George O. Fisher 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 lot 203 of the John Woods Plat Book No. 1, page 100, in the Recorder's Office, at Mansfield, Union County, Ohio, and, located on the west side of North Clinton Street in the village of Richmond, Union County, Ohio.

Deed dated January 23-1917, and, recorded in Union County, Record of Deeds, Vol. 117, Page 59.

Also the following real estate situated in the County of Union and State of Ohio, and, in the village of Richmond, to wit:

Being part of lot No. 214 in Poppleton's addition to the said village being off the west end of said lot, and, being the balance of said lot after conveying to M. L. Clark, 132 feet deep off of the east end and, the amount hereby conveyed being all of said lot excepting 132 feet. The

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whole width of said lot extending West from Franklin Street. See Recorded Plat of said addition duly of record in the Recorder's Office of said county and all the estate in title and interest of said grantor either in law or in equity of in and to said premises. Said deed recorded in Union County Record of Deeds, Vol. 57, page 373.

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 \$2500-

The said decedent died leaving the defendant Jessie M. Fisher his widow, who is entitled to dower in said premises; that the defendants

Charles F. Fisher, Leroy B. Fisher, Mrs. Hazel N. King are the only next of kin of said decedent, having the next estate of inheritance from said George O. Fisher, deceased, in said premises, that said estate is clear and free from all incumbrances whatsoever.

The Plaintiff therefore prays, that the dower of said Jessie M. Fisher in said premises, may be assigned and set off to her; that the rights, interests and claims of the said Charles F. Fisher, Leroy B. Fisher, Mrs. Hazel N. King, 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 statutes in such case made and provided, and for all other proper orders, and relief in the premises.

F. LeRoy Allen, Atty. for Plaintiff.

The State of Ohio, Union County.

Oath

Jessie M. Fisher, ex^{tr}, the within named Plaintiff being duly sworn, says that the various matters herein set forth in said petition are true to the best of her knowledge and belief.

Jessie M. Fisher, ex^{tr}.

Sworn to before me, and signed in my presence, this 22-day of May, A. D. 1925.

F. LeRoy Allen, Notary Public, Union Co., O.

In the Probate Court of Union Co. Ohio May, 22-1925; No. 10568.

Filing Petition

Filing Petition to Sell Real Estate, This day came the Plaintiff Jessie M. Fisher, executrix, presented to this Court her petition, duly verified praying an order for the sale of real estate of the said George O. Fisher, deceased, to pay the debts, and the costs of administering the estate

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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

Answer of Widow.

Probate Court, Union County, Ohio.

Answer of widow.

And now comes Jessie M. Fisher, 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 George O. Fisher, deceased, and as such is entitled to her dower in the premises described in said petition, that her age is 59 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, by such sum of money as the Court deems the just and reasonable value of her dower interest in said real estate. Jessie M. Fisher.

The State of Ohio, Union County.

Jessie M. Fisher, being duly sworn, says, that the statements in the foregoing answer are true, as she verily believes. Jessie M. Fisher.

Done to before me, and signed in my presence, this 22-day of May, A. D. 1925

Frank F. Lempelen, Notary Public Union Co. O.

Waiver

Probate Court, Union County, Ohio.

The undersigned defendant, waives summons, and consents to sale of the Real estate described in the petition in said action.

May 22-1925.

Chas. F. Fisher

Waiver

Probate Court, Union County, Ohio.

The undersigned party defendant, waives summons and consents to the sale of Real estate described in the petition in said action, according to prayer.

May 22-1925.

Charles F. Fisher

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Main

Probate Court, Union County, Ohio

Main

The undersigned party Defendant, waives service of summons, and consents to sale of Real estate described in the petition.

May 22 - 1920.

Mrs Hazel M. King

105-68.

This petition purpose served the estate the party have have an and George Little approval in an to bring estate petition appear it is to be

application to sell

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

at

Private Sale

The said Plaintiff represents that it would be for the best interest of the said estate of George O. Fisher (deceased) to sell the real estate described in the petition in this case at private sale, for the following reasons:

The estate is small and thereby the expense of advertising and conducting a public sale can be eliminated.

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

Jessie M. Fisher Executrix

oath

The State of Ohio Union County, Jessie M. Fisher being duly sworn, says that the various matters set forth in the foregoing application are true, as she verily believes. Jessie M. Fisher.

Sworn to before me, and signed in my presence, this 19-day of June, A. D. 1920. F. LeRoy Allen, Notary Public.

affidavit

of Disinterested Person

Affidavit of Disinterested Person.

The State of Ohio, Union County.

Arthur Fletcher, Esq., Geo. W. Lee, 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 Geo. O. Fisher deceased, to sell said real estate at private sale, than at public sale, because the estate is small and thereby the expense of a public sale can be avoided without any loss, as they verily believe.

Arthur Fletcher. Geo. W. Lee.

Sworn to before me, and signed in my presence, this 19-day of June, 1920.

F. LeRoy Allen, Notary Public, Union Co. Ohio

Order of sale.

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was for Private sale

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

105-68.

June 19th 1925.

This day this cause came on to be heard upon the petition, evidence and testimony 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 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 George O. Fisher 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 George O. Fisher, 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 Jessie M. Fisher as such executrix 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.

Order of Sale - Free from dower -

The State of Ohio, Union County, ss. Probate Court,
 To Jessie M. Fisher, Executrix, of the estate of
 George O. Fisher, 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 estate of George O. Fisher (deceased) are Plaintiff and Charles F. Fisher 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 Jessie M. Fisher widow of George O. Fisher, deceased, the following described premises, to wit:
 Situated in the Village of Richmond, in the County of Union and in the State of Ohio. Being part of

105-68

lot numbered two hundred fourteen (214) in Poppleton's addition to village, being off the west end of said lot, and being the balance of said lot left after conveying to H. L. Clark, 132 feet deep off of the east end.

The amount hereby conveyed being all of said lot, excepting 132 feet the whole width of said lot extending west from Franklin Street. See recorded plat of said Addition duly of record in the recorder's office of said County.

Also, the following Real Estate, situated in the Co. of Union in the State of Ohio, and in the village of Richmond and bounded, ^{as} described as follows:

Being all of lot 203, of the John Woods addition to the village of Richmond, Ohio, as shown in Plat Book No. 1 page 100 in the Recorder's office at Mansville Union Co. O. ^{and} located on the west side of North Clinton Street in the village of Richmond, Union County, Ohio.

Said sale to be at the village of Richmond ^{and} take upon the following terms: Cash in hand upon 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 Court this 19th day of June, 1925. ^{at} H. C. Busted, Probate Judge

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, and will fully appear by the proceedings hereto attached.

Dated the 20th day of June, 1925.

Jessie M. Fisher, Executive,
Report of Sale

Report of Sale

In obedience to the within order, I sold said premises on the 20th day of June, 1925, to Joseph S. Rambo, for the sum of Two thousand five hundred ^{and} no/100 Dollars, said sum being the appraised value of the same.

Jessie M. Fisher.

Dated the 20th day of June, 1925.

Oath

The State of Ohio, Union County, ss.

The above named, Jessie M. Fisher, executive, 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.

Jessie M. Fisher, Executive.

Sworn to before me, and signed in my presence, this 20th day of June, 1925.

~~not~~ F. LeRoy Allen, Notary Public, Union Co., Ohio

105-68

Journal

Confirmation

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105-85-

June, 27-
1925.

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105-68
Confirmation

Journal Entry: Orders approving and confirming Sale.
Probate Court, Union County, Ohio.
June, 20th 1920.
Orders approving and confirming Sale -
This day this cause coming on to be heard in the report of Jessie M. Fisher, Executor of George O. Fisher 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 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 O. Fisher in said real estate to the purchaser, Joseph S. Rambo, 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 \$ ---.

W. H. Husted Probate Judge

105-85-
June, 27-
1920.

Petition for Sale of Real Estate to Pay Debts.
Probate Court, Union County, Ohio.
No. 105-85-
Civil action
Frank M. Roseberry,
Administrator of the
estate of
Lenton M. Roseberry, deceased.
Plaintiff

vs.
Mary P. Wolfe,
Russell L. Wolfe,
Frank M. Roseberry,
Jessie M. Roseberry,
The Citizens Home
Saving Company of
Mansfield, Ohio.
Defendants.
Petition to Sell Real Estate
Petition.

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of Lenton M. Roseberry, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Twelve Hundred Dollars (\$1200) as near as can be ascertained. That the charges of administration of

105-85-

estate will amount to about \$100.00 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 Fenton M. Rosebroy died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit: and in the Village of Mansville:

Being all of the original lot no. 315, in the Robinson Addition to the Village of Mansville. Said lot has been re-numbered 332.

For further particulars reference is hereby made to the recorded plat of said village and addition at the Office of the Recorder of said County.

Being the same premises conveyed by Chas. A. Lippert to the wife of Fenton M. Rosebroy by deed, dated Feb. 25-1921 recorded in Vol. of Deeds no. 125 page 134. Union Co. Records

Petition

The said decedent died leaving - no. widow; that the defendants, Mary R. Wolfe, and Frank M. Rosebroy are the only children and heirs at law of the said Fenton M. Rosebroy, deceased, and that the defendant Russell L. Wolfe is the husband of Mary R. Wolfe, and the defendant Jessie K. Rosebroy is the wife of said Frank M. Rosebroy, having the next estate of inheritance from said Fenton M. Rosebroy deceased, in said premises; that the defendants The Citizens Home and Savings Company of Mansville, Ohio, has a lien by way of mortgage on said premises which they are asked to set forth herein in order that the exact amount of the same may be ascertained.

The Plaintiff therefore prays that the rights, interests and claims of the said Mary R. Wolfe, Russell L. Wolfe, Frank M. Rosebroy, Jessie K. Rosebroy, and The Citizens Home and Savings Co. of Mansville, Ohio, 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 for all other proper orders in the premises.

Richard L. Cameron, Attorney for Plaintiff,
The State of Ohio, Union County, ss.

Frank M. Rosebroy, 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.

Frank M. Rosebroy
Subscribed and sworn to before me, signed in my presence, this 5th day of June, 1925.
Richard L. Cameron, Notary Public.

105-85 -
Filing Petition

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Cross Petition
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105-85 -
Filing Petition

In the Probate Court of Union County, Ohio,
June, 27th 1925,
Case no. 105-85.

Journal entry:
Filing Petition to Sell Real Estate.

This day came the Plaintiff Frank M. Roseberry as administrator of the estate of Fenton M. Roseberry, deceased, and presented to this Court his petition, duly verified praying an order for the sale of real estate of the said Fenton M. Roseberry, 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. Busted, Probate Judge.

Witnes:

Probate Court, Union County, Ohio.

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 5th 1925.

Mary R. Wolfe -

Frank M. Roseberry

Russell L. Wolfe

Jessie H. Roseberry -

Cross Petition
The Citizens
Home Sav.
Savings Co.

In the Probate Court, Union County, Ohio,
Cross Petition of
The Citizens' Home Sav. Savings Co. of Mansfield, O.

Frank M. Roseberry, adm.
of the estate of
Fenton M. Roseberry, dec'd.
Plaintiff

Mary R. Wolfe.
Russell L. Wolfe.
Frank M. Roseberry, adm.
Jessie H. Roseberry.
The Citizens' Home Sav.
Savings Co. of Mansfield, Ohio.
Defendants.

105-85-

now comes the defendant, The Citizens' Home and Savings Company of Marysville, Ohio, and says, it is a corporation duly organized under the laws of the State of Ohio, with its principal place of business at Marysville, Ohio.

That on the 18 day of April 1924 Fenton M. Roseberry and Nettie Roseberry executed and delivered to this defendant their promissory note, a copy of which is hereto attached, marked "Exhibit A" and made a part hereof.

That on said date in order to secure the payment of said note, the said Fenton M. Roseberry and Nettie Roseberry executed and delivered to this defendant their mortgage deed, thereby conveying the premises described in the petition.

That said mortgage was conditioned in substance that, if said note be paid when due, then said mortgage be void otherwise to remain in full force.

That said mortgage was duly filed for record with the Recorder of Union County, on the 19 day of April 1924, at 1:20 o'clock P.M. and was by him duly recorded in Book 90 page 497 Mortgage Records of Union County, Ohio, and is the first and last lien upon said premises. That there remains due, and unpaid upon said note the sum of \$988.58 with interest at 7% from June 7-1925.

wherefore, this defendant prays, that upon the sale of said property its claim be first paid out of the proceeds thereof.

L. A. Hoopes, Atty. for Citizens Home & Savings Co. of Marysville, Ohio.

State of Ohio, Union County ss.

Order

L. A. Hoopes, being first duly sworn, says, that he is the attorney for The Citizens Home and Savings Co. of Marysville Ohio, a corporation, one of the defendants herein; that the facts stated and allegations made in the foregoing cross-petition are true as he verily believes.

L. A. Hoopes.

Known to inform me, and subscribed in my presence, this 9 day of June, 1925. Jasie V. Sackmick, Notary Public

Exhibit A.

Exhibit A.

\$1000-

Marysville, Ohio April 18th 1924

Received as loan from The Citizens Home and Savings Co. of Marysville, Ohio, the sum of \$1000 being loan # 4851 which sum I agree to repay with 7% interest thereon; payable as follows: I agree to pay to said company monthly on said loan not less than \$25.00 and I hereby authorize and direct the pay. of said Company on the last day of March, and the last day of Sept. of each

105-85-

year, 1st on, et 2nd, rate for hereby 3rd of said said court fully out, payne then forth lease call loan, and

application 2^d bill at Private sale

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years, to apply said payments as follows:
1st To the payment of interest due on said loan,
on the 1 day of April and the 1-day of Oct, of each year.
2nd. To the payment of sums with interest at same
rate as principal debt, advanced by said company
for Insurance, Taxes and assessments, which it is
hereby authorized to so advance.
3rd. The balance to be credited on the principal
of said loan.
Said weekly payments of \$2⁵⁰ shall be continued
until said loan with interest thereon has been
fully paid
on failure of the signer hereby to make weekly
payments for the periods of 8 weeks the whole amount
then remaining due, and unpaid on said loan shall
forthwith become due and payable at the option of said
company, notice of such option being hereby expressly waived.
And it is hereby agreed that, if the signer should
sell and convey the premises mortgaged to secure this
loan, the whole of said mortgage shall become due
and payable, at the option of said company.
Fenton M. Roseberry.
Nellie Roseberry

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application
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sell at
Private sale

Application To Sell Real Estate at Private Sale,
Probate Court, Union County, Ohio.
The said Plaintiff represents that it would be for the
best interest of the said estate of Fenton M. Roseberry
deceased, to sell the real estate described in the petition
in this case at private sale, for the following reasons:
It is difficult to find a purchaser for this kind
of property and if ordered at public auction, the
property would not bring the price at which it is
appraised and, the costs would be greatly increased
by advertising the - while if sold at private sale,
it can be sold at the full amount of the
appraisal without increased costs.
and, he therefore asks for an order authorizing
him to sell said real estate at private sale -
Frank M. Roseberry, adm. of the
Estate of Fenton M. Roseberry, deceased.

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The State of Ohio, Union County,
Frank M. Roseberry being duly sworn, says that
the various matters set forth in the foregoing application
are true, as he truly believes. Frank M. Roseberry,
Sworn to before me, and signed in my presence, this
22 day of Aug. 1925. ~~1924~~. W. H. H. Probate Judge

105-85
Affidavit
of
Disinterested
Person.

Affidavit of Disinterested Persons

The State of Ohio, Union County.
Frank W. Galloway, Adelaide R. Kennedy, ^{4th} Jessie V. Southwick
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 Fenton M. Roseberry
deceased, to sell said real estate at private sale than
at public sale, as they truly believe.

Frank W. Galloway, Adelaide R. Kennedy, Jessie V. Southwick
sworn to before me, and signed in my presence, this 22
day of August, 1920. Richard L. Cameron, Notary Public,

Probate Court, Union County, Ohio,
August 22 - 1920.

Order for Private Sale, etc.

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
said Fenton M. Roseberry, deceased, did not leave a widow
entitled to dower in the estate to be sold, and an
appraisalment of such estate is contained in the inventory.

It is ordered that another appraisalment be and
lawfully is dispensed with, and, the Court being
satisfied that it is necessary to sell the real estate
of said Fenton M. Roseberry, 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 Frank
M. Roseberry, 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 - without Dower

Order of Sale.

The State of Ohio, Union County,
To Frank M. Roseberry, adm. of the estate of
Fenton M. Roseberry, deceased. Greeting:

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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 are administrator of the estate of Tenton M. Roseberry, deceased, are Plaintiff and Mary R. Wolfe, 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 and State of Ohio, and in the village of Marysville.

Being all of original lot, No. 315 in the Robinson Addition to the village of Marysville. Said lot has been re-numbered, No. 332.

For further particulars reference is hereby made to the recorded plat of said village and addition at the office of the recorder of said County.

Being the same premises conveyed by Chas. A. Lyttle and wife to Tenton M. Roseberry by deed dated Feb. 25-1921, and recorded in Vol. of Deeds No. 125- page 134 Union County records-

Said sale to be upon the following terms: cash in hand at time of the 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 22-day of August, A.D. 1920. ~~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 August, 1920;

Frank M. Roseberry,

Report

Report of Sale - Private.

In obedience to the within order, I sold said premises on the 22 day of August, 1920; to Russell L. Wolfe, for the sum of \$2500 - , said sum being the appraised value of the same.

Dated the 22-day of Aug - 1920;

Frank M. Roseberry,

Check

The State of Ohio, Union County.

The above named Frank M. Roseberry 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 M. Roseberry.

10585-

Know to before me, and signed in my presence, this 22 day of August, 1925:
W. H. Huated, Probate Judge

Confirmation

Journal entry: Orders approving ^{and} confirming Sale - Probate Court, Union County, Ohio August 22 - 1925:

This day, this cause coming on to be heard on the report of Frank M. Rosebury, adu., of the estate of Fenton M. Rosebury, 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 Fenton M. Rosebury in said real estate, to the purchaser, Russell Wolfe, upon the said purchaser paying the purchase price in full.

It is further ordered, that this proceeding be recorded, and that said petitioner pay the costs

\$13- W. H. Huated, Probate Judge

10571 Filed

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

May 29 - 1925. Mary Pyers, Executrix, of the Estate of Martin E. Pyers, dec'd. Plaintiff.

Mary Pyers, adu. C. E. Pyers. Defendants.

The Plaintiff represents that she is the duly appointed and qualified executrix of the estate of Martin E. (M. E.) Pyers, late of Union County, Ohio, deceased, that the amount of debts due from the deceased, is Two thousand ^{and} ^{no}/₁₀₀ Dollars, as near as can be ascertained, which includes \$500- allowed the widow in lieu of personal property, and \$1,000⁰⁰ allowed the widow Mary Pyers, by the appraisers for her years support, that the charges of administration of said estate will amount to about \$200- ^{by} Prob

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The total value of the personal estate and effects of said deceased, is but \$775.00 being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Martin E. Piers, 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 lot no. 63 in David Bayer addition to the village of Unionville in Darby Township in said Union County, Ohio.

The above described premises was conveyed to the said Martin E. Piers, under the name of M. E. Piers, as found in deed record no. 61, page 483 of Union County, O.

The said decedent died leaving the defendant, Mary Piers, his widow, who is entitled to dower in said premises; that the defendant, B. E. Piers, is the only child of said decedent, having the next estate of inheritance from said Martin E. Piers, decd, in said premises;

The Plaintiff therefore prays, that the dower of said Mary Piers in said premises may be assigned and set off to her; that the rights, interests and claims of the said B. E. Piers, may be fully adjusted, determined and protected according to equity and, your petitioner may be authorized and ordered to sell said real estate free from her said dower, according to the statute in such cases made and provided, and for all other proper orders, and relief in the premises.

Mary Piers-

The State of Ohio Union County ss.

Quarto,

Mary Piers, the within named Plaintiff, being duly sworn, says, that the various matters and allegations set forth in said petition are true, to the best of his knowledge and belief.

Mary Piers.

Shown to before me, and signed in my presence, this 29-day of May, 1925. ~~John~~ Maud Piers, Notary Public, Probate Court, Union County, Ohio.

To the Judge ^{the} ex-officio Clerk of said Court:

Issue Summons for said B. E. Piers, endorse "Application to sell real estate to pay debts," directed to the Sheriff of said Co. returnable by law.

Mrs L. Myers, attorney.

In the Probate Court of Union Co. Ohio, May, 29th 1925.

Filing Petition to Sell Real Estate

This day came the Plaintiff, Mary Piers- vs.

executing of the estate of Martin E. Pyers, deceased, and presented to this court her petition, duly verified, praying an order for the sale of real estate of the said Martin E. Pyers, 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, ss.

Summons

To the Sheriff of said County:

You are commanded to notify G. E. Pyers, that on the 29-day of May, A. D. 1920; Mary Pyers, Executrix, of the estate of Martin E. Pyers, deceased, filed her petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real estate belonging to said decedent, in said petition described, for the purpose of paying debts and that unless they answer by the 18-day of July 1920; said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 29-day of June, A. D. 1920;

Witness my hand and the Seal of said Court this 16th day of June, 1920;

W. H. Husted, Probate Judge

Sheriff's Return

Sheriff's office, Union County, Ohio,

June, 17th 1920;

Received this writ, June, 17th 1920; at 10 o'clock a.m., pursuant to its commands, notified G. E. Pyers, personally, F. S. Hayer, Sheriff.

Fees, service on sub. 75- mileage 18. at 8- 1.44 Total \$2.22

Oath

The State of Ohio, Union County, ss.

I, F. S. Hayer, Sheriff, being duly sworn say that on the 17-day of June, 1920; I served this writ by delivering a copy thereof personally to the following named persons, to-wit:

G. E. Pyers.

Answer of Widow

Probate Court, Union County, Ohio.

Answer comes, Mary Pyers, one of the defendants

affidavit of Disinterested

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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 Martin E. Pyers, deceased, and, as, such is entitled to dower in the premises described in said petition that her age is sixty-five 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 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, by such sum of money as the Court deems just and reasonable value of her dower estate in said real estate.

Mary Pyers.

The State of Ohio, Union County.

Oath

Mary Pyers, being duly sworn, says, that the statements in the foregoing answer are true, as she verily believes.

Mary Pyers.

Sworn to before me, and, signed in my presence, this 29th day of May, 1925;

Wm. M. Pipers, Notary Public.

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

appl.

to sell

at

Private Sale.

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

1st, that to sell at private sale, will save time and expense of advertising, offering at public sale.

2nd, that the said real estate can be sold privately for the appraised value and for cash.

3rd, that the appraised value is all that said real estate is reasonably worth.

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

Mary Pyers - Executrix.

The State of Ohio, Union County.

Oath.

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

Mary Pipers.

Sworn to before me, and, signed in my presence, this 31st day of July, 1925;

Wm. M. Pipers, Notary Public.

Affidavit of Disinterested Persons

The State of Ohio, Union County.

Glen L. Blair and W. W. Jarvis being

affidavit

of

Disinterested.

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 of the said estate to sell said real estate at private sale, than at public sale, as they truly believe.

Glen L. Elmer. C. C. Jarvis.

Sworn to before me, and signed in my presence, this 31 day of July, 1920. ~~1920~~ Mand. Pyles, Notary Public, Probate Court, Union County, Ohio.

July, 31-1920.

Order for Private Sale.

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 their appearance herein and are now properly before the Court. That the statements and allegations in said petition are true.

That said Martin E. Pyles, 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 bond be dispensed with under the provisions of the Will.

And the Court being satisfied that it is necessary to sell the real estate of said Martin E. Pyles, 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 Mary Pyles, as such executrix 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, 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. This cause is continued. W. H. Husted, Probate Judge.

Order of Sale. Free of Dower.

Order of Sale.

The State of Ohio, Union County.

Probate Court.

To Mary Pyles. 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 estate of Martin E. Pyles, deceased, are Plaintiff and Mary Pyles, et al, are defendants, you

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you are commanded to proceed, according to law, to sell at private sale, for not less than \$800- the appraised value thereof free from the dower of Mary Pyers, widow of Martin E. Pyers, deceased; the following described premises to wit:

Situated in the County of Union, State of Ohio, and in the village of Unionville Centre, and

Being in lot # 63 in David Sayer addition to the village of Unionville, in Derby Township in said Union County, Ohio.

The above described premises was conveyed to the said Martin E. Pyers, under the name of M. E. Pyers as found in deed record no. 61 page 483 of Union County, O.

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 Unionville, Ohio, this 31 day of July, A.D. 1925. ~~W. H. Husted~~ W. H. Husted, Probate Judge -

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 31 day of July, 1925:

Mary Pyers.

Report

Report of Sale. Private

In obedience to the within order, I sold said premises on the 31 day of July, 1925; to Etta White for the sum of \$800- said sum being appraised value of the same.

Dated the 31 day of July, 1925:

Mary Pyers.

Cash

The State of Ohio, Union County.

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

Mary Pyers.
Shown to before me, and signed in my presence, this 31 day of July, 1925:

W. H. Husted, Notary Public

Notary Public

Journal Entry: Order Approving ^{and confirming} Sale-
Probate Court, Union Co. Ohio.

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July 31-1926:

This day, this cause coming on to be heard on, the report of Mary Pyles, as executrix of the estate of Martin E. Pyles, 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

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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 Martin E. Pyles, and Mary Pyles, in said real estate to the purchaser Etta White, upon the said purchaser paying the purchase price therefor, in cash.

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

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W.S. Stuedel, Probate Judge

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July 28-1926

Guardian's Petition to Sell Real Estate

Guardian's Petition to Sell Real Estate

Petition

Probate Court, Union County, Ohio.

No. 10603

P.L. Cannon
Atty.

Georgia M^c Clellan, Guardian
of the estate of
George H. M^c Clellan, a minor.
Plaintiff

Petition to Sell Real Estate

v.

Her said ward,
George H. M^c Clellan, and,
Georgia M^c Clellan.

Petition.

Defendant.

The Plaintiff represents that she is the duly appointed and qualified Guardian of George H. M^c Clellan, of the age of 17 years, on the 20-day of July, 1926, and residing with Georgia M^c Clellan, at # 15-09 North High St., Columbus, Ohio.

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That she was appointed as such guardian by the Probate Court of said 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 Mansfield, to-wit:

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Being subdivisions No- 3 and 4 as shown by Law Record, vol. 22, page 54, off of the South park.

Filing
Petition

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of In lot No. 69 fronting Main Street in the village of Marysville, Ohio, and the north line running with the South line of the brick building owned by Rosa B. Cross, and the premises being the same premises conveyed by Beattie Cross Wheelock to John T. Cartmell and Ora Cartmell in March 1905.

That George M^cClellan widow of N. B. M^cClellan has a dower estate in said lands-

That said George M^cClellan widow, and mother of said George N. M^cClellan is the only person entitled to the next estate of inheritance in such real estate.

Said real estate is worth annually \$300⁰⁰

That said Plaintiff has received rents from the real estate of her ward, about \$300⁰⁰ per year, all of which has been expended, for taxes insurance, repairs etc on said property.

That the sale of said real estate is necessary because the buildings on said property require so much for repairs and the costs and expenses connected with said property are so great that it is impossible to secure any balance of income for the use of said ward, and it would be greatly to his advantage to sell said property and reinvest said funds in United States Government bonds.

Petition

The Plaintiff therefore prays, that the said George N. M^cClellan, ^{as} George M^cClellan, 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.

George M^cClellan, Guardian.

The State of Ohio, Union County, ss-

George M^cClellan, being duly sworn, says that he is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as he verily believes.

George M^cClellan.

Sworn to before me, and signed in my presence, this 28th day of July, 1925. ^{at} N. B. Hunt, Probate Judge
Journal entry: Orders Fixing Time of Hearing ^{and} for Notice.

Filing
Petition

Probate Court, Union County, Ohio,
July, 28- 1925.

This day George M^cClellan, Guardian of George N. M^cClellan, appeared in open court, and filed her petition duly verified, asking for the sale of real estate therein described, belonging to her said ward.

It is ordered, that the time of hearing said

10603

petition to and hereby is fixed for the 25-day of Aug, 1925, 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 H. Mc Clellan, her Ward, and to George Mc Clellan, mother of said ward 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, 15-days before said day of hearing, and this cause is continued.

W.H. Husted, Probate Judge.

Answer of Widow

Probate Court, Union County, Ohio

No. 10603.

Answer of

widow

And now comes, George Mc Clellan, 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 G. H. Mc Clellan, deceased, and as such is 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 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, by such sum of money as the Court deems the just and reasonable value of her dower interest in said real estate.

George Mc Clellan.

The State of Ohio, Union County.

Each

George Mc Clellan, being duly sworn, says, that the statements in the foregoing answer are true as she verily believes.

George Mc Clellan.

Sworn to before me, ^{Wm.} signed in my presence, this 15th day of August A.D. 1925.

W.H. Husted, Probate Judge.

Summons on Petition to Sell Real Estate,

10603.

The State of Ohio, Union County.

To George Mc Clellan,

You are hereby commanded to notify George Mc Clellan ^{or} the following named minor George H. Mc Clellan making service of this summons, upon said minor, ^{and} also upon the guardian, or factor, or if neither guardian, or factor, can be found, then upon the mother, or the person, having care of said minor, or with whom

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he lives; that on, the 28. day of July, 1925; Georga McClellan Guardian of the estate of George H. McClellan a minor, 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 Ward, in said petition described, for the purpose of re-investing said funds in U. S. Government Bonds in order that she may derive an income therefrom for said Ward. This petition will be taken as true, and an order granted accordingly.

The court will make due return of this writ on the 15. day of August, 1925.

This writ to be served on each of said defendants, by copy personally,

Witness my hand and the seal of, said Court, this 28. day of July, 1925. W. H. Husted, Probate Judge.
Return of Service.

Return

of Service

Received this writ on, the 28. day of July, 1925
on, on the day, and in the manner hereinafter named, I served the same on the within named defendants July 31- 1925; on Georga McClellan^W, George H. McClellan, and as to the within named defendants, July 31- 1925, on Georga McClellan the guardian of the said George H. McClellan, minor, July 31- 1925, on Georga McClellan the mother of said George H. McClellan, the person having care of, the with whom lives, the said George H. McClellan.

Georga McClellan.

Oath

The above named Georga McClellan 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 15. day of August, 1925;

W. H. Husted, Probate Judge
Order to Appraise Real Estate
Probate Court, Union County, Ohio.
No. 10603. Entry.

Order

to

Appraise

This day this matter came on to be heard upon the petition of Georga McClellan, guardian of the estate of George H. McClellan, a minor, for an order of this Court, authorizing said Guardian to sell the premises in her petition described; and, the same was submitted to the Court, upon, the evidence and, the pleadings in the case. Whereupon, after due consideration, the Court

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finds that all the parties defendant, have been served with notice as required by law, and the former order of this court; that said Guardian received her appointment in the Probate Court of this County; that it is necessary to sell the premises in the petition described as alleged in said petition; that the allegations of said petition are true; and that said George Mc-Clellan, widow of R. H. Mc-Clellan, deceased, who has a dower estate therein; has failed her answer herein whereby she waives the assignment of her dower in said premises by metes and bounds or in the rents and profits and asks the Court that said premises be sold free of her dower estate therein, and that the value of such dower estate be allowed and paid to her out of the proceeds of the sale.

It is therefore ordered, that J. H. Kennedy, Robt. Henderson, and Charles Liggitt three judicious freeholders, of the County in which said real estate is situate, who are not of kin to the guardian, appraise said real estate at its fair cash value, and return the same to the Court for Confirmation.

W. H. Huelid, Probate Judge
Order of appraisement.

Order of appraisement

The State of Ohio, Union County, Probate Court.
To George Mc-Clellan, 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 Guardian of the estate of George H. Mc-Clellan, a minor, are Plaintiff and your Ward, et al. are Defendants, you are commanded by the oaths of ^{admiral R.} Kennedy, Robt. Henderson, and Charles Liggitt 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 George Mc-Clellan, therein to wit:

Situate in the County of Union and State of Ohio, in the village of Mansfield, and described as follows:

Being subdivisions no. 3 & 4, as shown by Law Record, vol. 22, pg. 54 off of the South part of Twp. 69 fronting main Street in the village of Mansfield, Ohio, the North line running with the South line of the building owned by Rosa B. Cross, and the premises being the same premises conveyed by Battie Cross Shellock, to John T. Bestmull and Bestmull March, 1905

You will make return of your proceedings to this

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10603 Court forthwith upon execution of this order.
 Witness my signature, and the seal of said Probate Court at Marysville, Ohio, this 15th day August, 1925.
 W. H. Husted, Probate Judge.
 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 15th day of August, 1925.
 George M. Clellan, 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 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.
 Adelaide R. Kennedy, Lehas. A. Liggitt, R. M. Henderson & Apprs.,
 sworn to before me, and signed in my presence, this 15th day of August, 1925.
 Richard L. Cameron, Notary Public.
 Appraisers Return

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 \$2000—
 five of said dollar estate of George M. Clellan therein.
 Given under our hands, this 15th day of August, 1925.
 Adelaide R. Kennedy, Lehas. A. Liggitt, R. M. Henderson & Apprs.

Confirming appraisement and ordering Bond.
 Journal entry:
 Confirming appraisement and ordering additional Bond.
 This day came George M. Clellan, guardian of the estate of George H. M. Clellan, a minor, and filed herein a report of the appraisement of the property in the petition described, and the same was submitted to the Court, whereupon, the Court finds that the said appraisement is regular and correct, and made in accordance with law and the former order of this Court, and the same is hereby confirmed.
 It is further ordered, ^{by the court} that the said George M. Clellan as such Guardian give an additional bond in the sum of \$3000— conditioned and surties thereon as provided by law.
 W. H. Husted, Probate Judge

Guardian's Bond.
 Know all men by these Presents: That we George M. Clellan, of the United States Fidelity & Guaranty Co.

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was held, ⁱⁿ firmly bound into the State of Ohio, in the sum of \$3000 - 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 15th day of August A. D. 1925.

The condition of the above obligation is such, that whereas, the above bound Georga W. Clellan, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of the estate of George B. McClellan, a minor.

and, whereas, the said Georga W. Clellan, 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 \$2000 -

and, whereas, said Court, on the 15th day of August 1925, made an order requiring said Guardian to execute a bond according to the statute, in such cases made and provided.

Now, if the said Georga W. Clellan, 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.

Georga W. Clellan. United States Fidelity & Guaranty Co. T. W. Gilchrist, agt.

This Bond, approved, in open Court, this 15th day of August 1925. ^{sent} W. H. Husted, Probate Judge.

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

Application to sell at Private Sale

Private Sale

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

A purchaser for said property is difficult to find and, if offered for sale at public auction said real estate would bring less, than at private sale and, at the same time said land, can be sold much more cheaply at private than at public sale owing to the cost of advertising land for sale at public sale.

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

Georga W. Clellan, Guardian of George B. McClellan a. minor

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The State of Ohio, Union County,
Georgia Mc Clellan, being duly sworn, says that the various matters set forth in the foregoing application are true, as she truly believes.

Georgia Mc Clellan,

Sworn to before me, and signed in my presence. This 15th day of August, A.D. 1925.

W. H. Husted, Probate Judge -

Affidavit of Disinterested Persons.

Affidavit of Disinterested Persons.

The State of Ohio Union County,

J. W. Kennedy, Chas. A. Liggitt, R. M. Henderson, 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 Georgia H. Mc Clellan, to sell said real estate at private sale than at public sale, as they believe.

J. W. Kennedy, Chas. A. Liggitt, R. M. Henderson, Sworn to before me, and signed in my presence. This 15th day of August 1925.

Richard L. Cameron, Notary Public.

Probate Court, Union County, Ohio.

August, 15 - 1925.

No. 10600

Entry.

Approving additional Bond.

Ordering Sale, at Private Sale.

Approving additional Bond
Ordering Sale.

This day came Georgia Mc Clellan, guardian of the estate of Georgia H. Mc Clellan, a minor, and filed her additional bond herein in the sum of \$3000.00 with United States Fidelity & Guaranty Co. as sureties thereon; and it appearing to the Court that said bond is sufficient in law and in conformity to the former orders of this Court, the same is hereby approved & confirmed.

It is therefore ordered that the petitioner sell the lands in the petition described, and it being made to appear to the Court, that it will be more to the interest of the Ward to sell such property at private sale it is ordered that the same be sold, at private sale, for not less than the appraised value thereof, said sale to be made for cash.

W. H. Husted Probate Judge -

Order of Sale - Turn of Down

Order of Sale.

The State of Ohio Union County,

To Georgia Mc Clellan, Guardian of the estate of Georgia H. Mc Clellan, minor. In obedience to an order and decree of the Probate Court.

Probate Court

Meeting:

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Court within and for said County, made this day, in a certain cause, wherein you, as guardian of the estate of George H. McClellan, a minor, are Plaintiff and, your Ward et al. are Defendants, you are commanded, to proceed according to law, to call at private sale, for not less than the appraised value thereof free of the dower of George McClellan widow of W. H. McClellan, deceased, the following described tract:

Situate in the County of Union and State of Ohio, and in the village of Marysville, and described as follows:

Being subdivisions no. 3, and 4, as shown by Law Record Vol. 22, page 54, off of the South part of In lot no. 69, fronting Main Street in the village of Marysville, Ohio, and the North line running with the South line of the building owned by Rosa Brooks, and the premises being the same, conveyed by Walter Cross Wheelock, to John T. Cartmell, and, said Cartmell, in March, 1905.

Said sale to be free of the dower estate of George McClellan, and, to be upon the following terms: cash in hand 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 15th day of August 1925.

W. H. Husted, Probate Judge.

Return

To the Probate Court of Union County, Ohio.

Cash

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 August, 1925.

George McClellan, Guardian.

Report of Sale

Report

of sale

In obedience to the within order, I sold said premises on the 15th day of August 1925, to Julia A. Fosberg, for the sum of \$2100- said sum being more than the appraised value of the same.

Dated August 15th, 1925. George McClellan, Guardian

Oath

The State of Ohio, Union County.
The above named George McClellan, Guardian 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.

George McClellan

Sworn to before me, and signed in my

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presence. This 15th day of August, 1925.

W. H. Husted, Probate Judge

Journal Entry: Orders approving and confirming Sale - Probate Court, Union County, Ohio, August 15th 1925.

Order approving

confirming sale

This day this cause coming on to be heard on the report of George W. McClaw, guardian of the estate of George H. W. McClaw, a 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 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 H. W. McClaw, a minor, in said real estate, to the purchaser Julia A. Tossy upon the said purchase, paying for the same in cash upon receipt of deed.

It is further ordered that this proceeding be recorded and that said petitioner pay the costs \$---.

W. H. Husted, Probate Judge

9698
May 12th
1925-

In the matter of the Estate of G. L. Curry, Deceased, In the Probate Court, Union County, Ohio, February, 19 - 1925.
no. 9698.

Application to sell Bond.

J. E. Curry, admin. of the estate of G. L. Curry hereby petitions the Court for an order to sell and second Liberty Bond, no. 100306 for the purpose of settling up said estate, and ask said Court to fix the value of said bond and an order to sell.

J. E. Curry, admin.

In the Probate Court, Union County, Ohio, February, 19 - 1925.

no. 9698.

Entry. Authorizing Sale of Bond.

This day J. E. Curry appeared in open Court and filed his application to sell one Liberty Bond, no. 100306, for the purpose of settling up said estate.

The Court therefore finds that said sale is necessary and orders and directs said administrator to sell said bond for not less than par value

Final Record, Union County Probate Court.

\$500-

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

To J. E. Curry, adur., 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
required to proceed according to law, to sell at private
sale for not less than \$500- the following personal
property, to-wit:

1 Liberty Bond # 100306. \$470³⁵⁻

Said sale to be upon the following terms:
it being not less than \$500- cash in hand at time of
sale.

Witness my hand and the seal of said Court,
this 12- day of May, 1925.

W. H. Husted, Probate Judge -
Return
Probate Court, Union County, Ohio.
Report of Sale

Report
of
Sale

The undersigned J. E. Curry, adur., of the estate of
C. L. Curry, deceased, says that in obedience to the
order of said Court hereto attached he sold said
personal property, closing on the 24 day of Feb. 1925
for the sum of Five hundred ^{no} nine ^{no} 23 cents
statement of said sale is herewith returned.

Dated this 11- day of May, 1925.

J. E. Curry, adur.,

Confirmation

Journal entry: Probate Court, Union County, O. May, 12-1925.
Sale of Personal Property Confirmed.

The adur., 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,
finds said proceedings in all respects regular ^{no} in
accordance with law. ^{no} Therefore approves ^{no} confirms
the same.

W. H. Husted, Probate Judge

105-01
May, 18-1925

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105-01
May, 18-1925

In the matter of the Estate of Feston M. Roseberry, Deceased,
Petition to Sell Personal Property at Private Sale.

To the Judge of said Court:

The undersigned Frank M. Roseberry, administrator of the estate of Feston M. Roseberry 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:

Said personal property is of small amount and is scattered a portion being in the village of Marysville and a portion in the country and, the expense of a public sale would be great and the amount obtained would not be as much as at private sale for the reason that there is not enough property to attract buyers to a public sale.

Dated March 10-1925. Frank M. Roseberry, Adm.

The State of Ohio, Union County

Frank M. Roseberry being duly sworn, says, that the various matters and things contained in the foregoing application, are, true, as he verily believes.

Frank M. Roseberry.

Known to before me, and, signed in my presence, this 10. day of March, 1925. W. H. Hustid, Probate Judge -
Schedule.

Description of articles appraised.

- 1 Singer Sewing Machine.
- 1 Cupboard.
- 1 Dresser
- 1 Brass bed.
- 1 Square stand 40.00
- 1 work Bench.
- 1 Porch Spring
- 1 wheel barrel.
- Lot Small Tools.
- 1 Gray mare 75.00
- 1 Row mare 125.
- 1 Jersey cow 65.
- 1 " " heifer w. calf - 55.
- 1 Red cow 30.
- 1 Jersey cow with one horn 30.
- 1 Ford Automobile 140.
- 1 Victoria 60.
- 2 Type a. Hay houses - 10.

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Final Record, Union County Probate Court.

Probate Court, Union County, O. March 10th 1925

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 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 Frank M. Roseberry, as adm. 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 adm. make return of his proceedings herein, within 90 days, from this date and forthwith after such sale is made. This cause is continued.

W. H. Husted, Probate Judge

Order of Private Sale, Personal Property.

Probate Court, Union County, Ohio.

Order

Private

sale. To Frank M. Roseberry.

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: see order to sell. See list Petition.

Said sale to be on the following terms:

Cash in hand at time of sale.

You will return this order, within two months from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court:

This 10th day of March, A. D. 1925;

W. H. Husted, Probate Judge.

Return.

Probate Court, Union County, Ohio.

Report of Sale of Personal Property.

The undersigned adm. of said estate, says that in obedience to the order of said Court, hereto attached he sold said personal property commencing on the 10th day of March, 1925, and closing on the 11th day of May 1925, for the sum of six hundred ^{thirty one} and twenty cents, said sum being not less than the appraised value of the same.

A detailed Bill of said Sale, is hereto attached.

Report

Bill of Sale.

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Final Record, Union County Probate Court.

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Frank M. Roseberry, adur -
Bill of Sales

Bill of Sale	Description	Price	Buyer	Amount
1	Sewing machine		Mrs Conley	\$ 15.00
1	Cupboard		Mr. Clark	1.50
1	Dresser		Mr. Davis	6.25
1	Brass bed		Carl Roseberry	15.
1	Square stand	40.00	Mr Huffam	1.10
1	work bench		Mr Glendenning	2.75
1	Porch swing		J. Elliott	1.75
1	wheelbarrow		H. Herd	2.50
	Lot small tools		various persons	4.35
1	Esray Man	75.00	Jessie Roseberry	76.00
1	Road " "	125.00	" "	125.00
1	Jersey cow.	65.00	" "	65.00
1	" Heifer ⁴ / ₂ calf.	55.00	Carl Roseberry	55.00
1	Red cow	30.00	Frank Bradley	30.00
1	Jersey cow with horn.	30.00	Frank Bradley	30.00
1	Ford Automobile	140.00	Russell L. Wolfe.	140.00
1	Victrola	60.00	" "	60.00
1	Type. a. hog house.	1.00	Geo Star	1.00
1	" " " "		not sold no buyers	
			Total.	631.20

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Cash. The State of Ohio, Union County.
Frank M. Roseberry, adur., of the estate of Fenton M. Roseberry, 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.
Frank M. Roseberry,
Known to before me, and signed in my presence,
this 18- day of May, 1925 [initials] W. H. Haslid, Probate Judge -

Sale Confirmed Journal Entry: Probate Court, Union County, O. May 18-1925.
Sale of Personal Property confirmed.
Frank M. Roseberry the adur. 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 the law, and therefore approves & confirms the same.
W. H. Haslid
Probate Judge -

10513 -
June 11-1925

In the matter of the Estate of Bettie M. Arnold, Deceased,
Petition to Sell Personal Property

No. 10513-
Petition

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified executor, of the estate of Bettie M. Arnold, 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 1 Essex Coupe Auto. 175.00
- 2 1 Willys Knight " 550.00
- 3 1/2 7. Hay 40.00
- 4 1 cow 10.00
- 5 Balance household goods and tools 10.00

Said authority is asked for the following reasons: For payment of debts.
C. C. Penhorwood.

The State of Ohio, Union County, ss.

Date

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

Sworn to before me, and signed in my presence, this 1st day of June, 1925. ~~W. H. Husted~~ Probate Judge.

Probate Court, Union County, O. June 11-1925:
Authorizing Private Sale

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 C. C. Penhorwood, 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:
Cash in hand at time of sale -

Order of Sale

Report

Bill of Sale

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Order of Sale

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It is further ordered, that said Executor make return of proceedings herein, within 10 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.

No. 10575-

Order of Sale - of Personal Property.

To, C.C. Peuhorwood, 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:

List in application -

Return

Probate Court, Union County, Ohio.

Report of Sale of Personal Property.

The undersigned Executor of said estate, says, that in obedience to the order of, said Court, hereto attached he sold said personal property, commencing on, the 1st day of June, 1925, and, closing on the 5th day of June, 1925 for the sum of \$1095.18 said sum being not less than the appraised value of, the same, &

a detailed Bill of, said Sale is hereto attached.

Dated this 11 - day of, June, 1925.

C.C. Peuhorwood, Executor.

Bill of, Sales -

Essex Coupe - 175.-	Sold to John Barker	275.-
Millip - Knight 5-50.	" " Lavelle Stone	700.-
Hay in Barn 40.	" " Dwight Lincoln	95.18
one Cow 10.	" " Fred Schenderer	15.-
Household goods, to 10.-	" " W.M. Bronson.	15.-

The State of, Ohio, Union County,

C.C. Peuhorwood, Executor, of Hester M. Arnold, 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.

C.C. Peuhorwood, Executor.

Sworn to before me, and, signed in my presence, this 11 - day of, June, 1925 -

W.H. Husted,

Probate Judge -

Journal Entry: Probate Court, Union County, O. June 11 - 1925 -

Order of Sale.

Report

Bill of Sale

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The Executor of the above 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 and in accordance with law, and therefore approve and confirm the same.

W. H. Husted, Probate Judge
Journal entry, no. 10448.

10448
Filed
June 11-1925

In the matter of
Estate of William T. Arnold, Deceased.
Sale of Personal Property.

The order of Private Sale issued to C. C. Penhorwood, Adm. of the estate of Wm. T. Arnold, deceased, under date of December 31st 1924, is hereby canceled and declared by the Court null and void for the reason that the said property petitioned to be sold has since said order been turned over to the estate of Bettie M. Arnold, deceased, and is being sold as of the estate of said Bettie M. Arnold, deceased, she being the only legatee in the Will of William T. Arnold, dec'd.
(See pp. 590)

W. H. Husted, Probate Judge.

10578
June 29-
1925

In the matter of the Estate of J. H. Bumgartner, Deceased.
Petition to sell Personal Property at Private Sale.

Probate Court, Union County, Ohio.
no.
Petition.

To the Judge of said Court:

The undersigned M. E. Bumgartner Adm. of the estate of J. H. Bumgartner late of said County, deceased, 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 advantage of said estate for the following reasons, that the appraisement is a good and fair one, that I have a chance to sell all of said property to one person, therefore eliminating the expense of a public sale.

Dated June 29th 1925.

M. E. Bumgartner, Adm.

The State of Ohio, Union County,

M. E. Bumgartner, being duly sworn,

says that the various matters and things contained in the foregoing application, are true

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Final Record, Union County Probate Court.

as the only heirs. M. E. Bungertner
 Duorn to before me, and, signed in my presence, this 27-day of
 June, 1925. ~~seal~~. W. H. Husted, Probate Judge.

Schedule -

	appraised value.
1 Grain Drill	40.00
2 Single ⁵⁻ Disk pump ²⁻ Bicycle post hole digger	8.00
3 1 Buggy ¹⁰⁰ mowers ²⁰⁻ Clover buncher ⁴⁻ & Buncher, Bay.	30.00
4 1 Corn binder ⁷⁰⁰ Steel harrow ³⁻	10.00
5 1 Grain Binder 1/2 int	22.50
6 1 Farm Wagon & Rack, copper Kettle ³⁻	23.
7 2 Collars, Step ladder, Raps & Farming mil	8-
8 900 ⁺ bu. midl. ⁶⁻ 5 bu. Timothy seed ^{6.5-0}	32.50
9 269 bu. wheat	349.70
10 45 Bu. oats, rough lumber ⁶⁻ Soil P ^{3.20}	29.25-
11 200 Bu. corn ^{250.00} 2 Day loader ^{5.00} 1 Day Rake ^{4.00}	259.00
12 oak lumber ^{6.00} 1 x 5 x 12 ft. 1 flat iron scale ^{1.50}	11.00
13 2 seed sows ¹⁰⁰ breaking plow ^{1.50}	2.00
14 1 work Bench ^{2.00} Gas engine junk ^{1.00}	3.00
15 1 sled ^{15.00} 2 hog troughs ^{2.00} 1 cur ^{15.00} 2 lambs	17.00
16 1 saw ^{1.50} 7 hog nests ^{10.00} 2 Kifer colm ³⁰⁻	64-
17 2 Iron anchor post ^{5.00} 2 iron kettles ^{6.00} S. H.	11-
18 10 ft. oak plank. 1 pitcher pump ^{8.00} pipe ^{3.00}	8-
19 1 Bucking cow-cutterator ^{2.00} Lumber ^{9.00} bath ^{5.00}	11-
20 2 set work harness ^{2.00} 1 set buggy harness	25-
21 27 Ton Timothy hay at 5.00 ^{5.00} 15.00	216.00
22 4-2 Fork and Shovel ^{2.00} Mower spreader	12.00
23 2 stock fountain ^{5.00}	20.00
24 1 red corn ^{5.00} white face cow	} 130.00
25 1 yearling steer ^{4.00}	
26 1 Holstein bufer ^{4.00}	40.00
27 1 driving horse	15.00
28 1 Brown Horse 6 yr. old Joe	150.00
29 9 Brood sow	200.00
30 1 male hog	25.00
31 9 Ewe	90.00
32 14 1/2 interest in lumber	40.00
33 12 " " 40 agreement	200.00
34 " " 35 " Corn	60.00
35 1 Corn cultivator	20.00
36 1 Brown Horse Jim	100.00
37 1 " mare golly	70.00
38 1 set work harness ^{1.00} one road hose ^{5.00}	15.00
39 1 old red cow ^{20.00} 1 Holstein cow ^{70.00}	100.00
40 1 red fallow cow ^{30.00} 1 Bull ^{5.00}	100.00
41 1 Jersey cow ^{5.00} 1/2 int calf ^{7.50}	57.50
42 1 Engine ^{40.00} saw ^{25.00} truck ^{1.00} 4 hog nest	41.
43 2 Sows ^{30.00} 1/2 int 20 pipe ^{30.00}	70.00
44 70 Rd. iron fence ^{40.00} 1 sled	41.50

Final Record, Union County Probate Court.

44	1. Dodge Touring Car	100.00	60 tooth Ream	7.00	107.00	
45	1 Tandem disk	10.00	1 hay tedder	4.00	14.00	
46	1 Corn planter	5.00	1/2 mlt in 50 pigs	100.00	105.00	
47	1 wagon rack	25.00	1 braking plow	35.00	60.00	
48	1 Corn sheller				5.00	
49	150 bu. oats				67.50	
50	200 bu. corn				25.00	
51	400 lbs. middl ^s				7.20	
52	1 Fast cooker				5.00	
53	1 3 H. P. Gas Engine				35.00	
54	1 grind stone				1.00	
55	1 Food grinder				4.00	
56	3 stand of bro.				10.00	
57	10 metal hog troughs				4.00	
					Total	\$ 3531.10

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Return

Probate Court, Union County, O. June 29 - 1920:

No. 10578

Authorizing Private Sale.

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 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 M. E. Bungartner as admr., of said J. N. Bungartner, as administrator of said J. N. Bungartner 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. This cause is continued.

W. H. Husted Probate Judge -
Order of Private Sale, Personal Property,
Probate Court, Union County, Ohio,
No. 10578.

J. M. C. Bungartner.

In obedience to an order and decree of the Probate Court, within the County of Union, Ohio, made this day, in the matter of said estate, you are hereby authorized, and required to proceed according

Sale Confirmed.

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to law, to sell, at Private sale, at not less than the appraised value thereof. The following goods and chattels belonging to said estate, to wit:

All of the personal property, named, in Schedule "D" of the inventory and appraisement of the estate of J. W. Bungartner and all of articles and property named in the petition of M. E. Bungartner, Adm'r.

Total \$ 3531.15.

Said Sale took on the following terms: cash in hand at time of sale.

You will return this order within one month's time 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 29th day of June, 1925. W. H. Husted, Probate Judge

Return

Return

Probate Court, Union County, Ohio.

Report of Sale of Personal Property.

The undersigned Adm'r. of said estate, says, that in obedience to the order of said Court, heretofore attached hereto sold to Blanche Bungartner said personal property on the 3rd day of July, 1925 for the sum of \$ 35 3/4¹⁵ said sum being not less than the appraised value of the same.

A detailed Bill of said Sales is hereto attached, dated this 3rd day of July, 1925.

M. E. Bungartner.

Bill of Sale.

Bill of Sale

all of said property sold to Blanche Bungartner at appraised value. (Petition for free list, also Schedule, Sub. Appraisement) Total \$ 3531.15

The State of Ohio, Union County, M. E. Bungartner, Adm'r. of the estate of J. W. Bungartner 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.

Subscribed to before me, and signed in my presence, this 3rd day of July, 1925. W. H. Husted Probate Judge

Sale Confirmed.

Journal Entry: Probate Court, Union Co. O., July, 3-1925; Sale of Personal Property Confirmed.

The Adm'r. of the above named decedent having filed his return of the order heretofore issued for private sale of the personal property of said decedent, the Court, having carefully examined the same,

find said proceedings in all respects regular and in accordance with law, and therefor approve. W. H. Husted, Probate Judge

9698
Filed
July 3-1925

In the matter of the estate of C. L. Curry, Deceased.
Petition to Sell Personal Property at Private Sale.
Probate Court, Union County, Ohio.

To the Judge of said Court:

The undersigned J. E. Curry, admin. of the estate of C. L. Curry, late of said County, deceased, respectfully makes application for authority to sell at private sale and at not less than its appraised value, the part of the 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 this Court.

And the Petitioner alleges that said sale would be for the advantage of said estate, for the following reasons:

In settlement with the heirs we need to make said sale to clean up said estate.

Dated July 13- 1925. J. E. Curry, admin.

The State of Ohio, Union County.

J. E. Curry being duly sworn, says that the various matters and things contained in the foregoing application, are true, as he truly believes.

J. E. Curry

Sworn to before me, and signed in my presence, this 13-day of February, 1925 W. H. Husted, Probate Judge

1 Bond (1600) Schedule-

924.20

2 " " (500-)

470.35-

Journal Entry: Journal 39, Pg. 114

Order of Private Sale, Personal Property
Probate Court, Union County, Ohio

To J. E. Curry.

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 have 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, wares, chattels, belonging to said estate, to-wit:

1 1000 bond 924.20

2 500 " 470.35-

Sale Cash in hand.

Witness my hand and Seal of said Court, this 13-day of Feb., 1925

W. H. Husted, Probate Judge.

10334
Sept. 4-1924

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Return

Probate Court, Union County, Ohio,

Report of Sale of Personal Property.

The undersigned J. E. Curry, admin. of said estate, says that in obedience to the order of said court, hereto attached, he sold said personal property commencing on the 2-day of February 1925, and closing on the 9-day of July, 1925, for the sum of 509²³ ⁹⁰/₁₀₀ 1031⁷⁰ ⁰⁰/₁₀₀ respectively, said sum being not less than the appraised value of the same.

A detailed Bill of said Sales is hereto attached, Dated this 7-day of August, 1925.

J. E. Curry

The State of Ohio, Union County

J. E. Curry, Admin. of the estate of C. L. Curry 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.

J. E. Curry.

Brought to before me, and signed in my presence, this 7 day of August, 1925.

W. H. Husted, Probate Judge

Journal Entry Journal 39, Pg. 330-

10334
Sept. 4-1924

In the matter of the estate of Bert A. Kays, Deceased,
Petition to Sell Personal Property at Private Sale,
Probate Court, Union County, Ohio.

No. 10334

Petition

To the Judge of said Court:

The undersigned admin. of the estate of Bert A. Kays late of said County, deceased, 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, which is also enumerated in the inventory of said estate filed in said court.

And, the petitioner alleges, that said sale must be for the advantage of said estate, for the following reasons:

That it will sell to a better advantage than to sell same at a public sale.

Dated Sept 4-1924

Emma Kitzick adx

The State of Ohio Union Co-

Final Record, Union County Probate Court.

I Mrs M. Patrick being duly sworn, says that the various matters and things contained in the foregoing application are true, as she verily believes.

Shown to before me, and signed in my presence, this 4-day of Sept. 1924 ^{seal} W.H. Husted, Probate Judge.

Wheat	210. ⁰⁰
7 Hogs-	50. ⁰⁰
1 calf-	8. ⁰⁰
1 Buggy	10. ⁰⁰
27 lambs-	93.33
8 Shovels	14.
2 Barfers	70.00
+ Horse	20.00

Hay not appraised.

Journal entry, vol. 38, Pg. 602

Order of Probate Sale, Personal Property
no. 10334

To Mrs M. Patrick

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:
see list in Petition

Said sale to be cash in hand time of sale

you will return this order 3 months from this date, witness my hand, and the seal of said Court, this

4-day of Sept. 1924 ^{seal} W.H. Husted Probate Judge

Return

Probate Court, Union County, Ohio.

Report of Sale of Personal Property

The undersigned Mrs M. Patrick Adm. of said estate, says that in obedience to the order of said Court, hereto attached, she sold said personal property commencing on the 15-day of August 1924, and closing on the 23-day of October 1924, for the sum of 1559.⁷⁵ said sum being not less than the appraised value of the same.

A detailed Bill of said sales is hereto attached.

Dated this 1-day of May, 1925

Mrs M. Patrick Adm.

Bill of Sale

wheat	210 -	Ostrander Farms Inc.,	298.29
7 Hogs,	50 -	Hm Shover	96.20
1 calf -	8 -	" "	16.80
2 Buggies	10 -	P. D. M. Patrick	10. ⁰⁰

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27 Lamps -	73.33	Wm Shover -	161.61
8 Shoats	14 -	Jennett	67.91
2 Hifers	70.5	Wm Shover	77.
26 fleeces wool	43.33	Ohio Wool Insur. Assn.	84.09
Timothy Hay	not appraised	C. W. Shover	130.62
Mixed Hay	" "	C. W. Pennyaker	117.46

The State of Ohio, Union County.

I, Mrs. M. C. Patrick, adm. of the estate of Bert A. Hays, 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.

I, Mrs. M. C. Patrick, adm. of the estate of Bert A. Hays, 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.

Journal entry: Journal 29, Pg. 232.

Probate
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state:

185-07
Mar. 6th 1925
J. B. Mann
attorney
(Mechanicsburg, O.)

Petition to Sell Real Estate
In the Court of Probate of Union Co., Ohio.
Catherine D. Miller, as
Administratrix
of the estate of
Frank C. Miller Sr. Deceased.
Plaintiff

No. 105-07

this date,
Court his
eye

Frank C. Miller Jr.
James Miller
Charles L. Miller
Agnes Miller
Wille R. Lower
Martha Pippitt
The Farmers Bank of
Mechanicsburg, Ohio

Petition

Petition

Plaintiff says that she is the duly appointed qualified and acting administratrix of the estate of Frank C. Miller Sr. deceased, late of Union County, Ohio.

That the personal property belonging to said estate is not sufficient to pay the valid claims against said estate and the costs of administration.

That said decedent died seized in fee simple of the following described real estate, to-wit:
Situated in the State of Ohio, Counties of Union and
Champaign, Townships of Union, ^{and} Koshus, surveys
6312, and, 4730 and, beginning at a small
iron pin in the center of the Mechanicsburg ^{and}

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L value
attached.

298.39
96.20
161.80
10.00

105-07

Iron Road and, also, in the line between Union and
 Champaign Counties, from which a stone marked
 "County Line" bears 2 1/2 rods; thence with said
 line north 2 1/2° East 160 rods to the line between J. C. Miller
 and William Howard lands; thence south 43° East with
 said Howard line and the line of lands formerly
 belonging to George Caldwell, 257 rods to a stone
 30 feet from the center of the C. C. C. and Sh. L.
 Railroad track; thence parallel with said railroad
 track South 33 1/4° West 200.96 rods to a stone; thence
 North 8° West 147.75 rods to a stone; thence North 46 1/2° East
 18.20 rods to a stone at the end of a hedge fence;
 thence with said hedge north 26 1/4° West 33 rods to a
 stone; thence North 36° West 23.80 rods to the center
 of the gravel road above mentioned; thence with said
 road South 53° West 55.40 rods to the place of the
 beginning. Said tract contains one hundred and
 sixty-four acres and seventy two rods of land ^{and}
 being the same real estate conveyed by James C. Miller
 and Emilina S. Miller his wife to Frank C. Miller on
 December 10th 1851, which said deed is recorded in Vol.
 49, Page 171 Record of Deeds, Recorder's office, Union Co., Ohio
 Tract No. 2.

Situated in the same State County of Union
 Township of Union and Virginia Military Survey
 20, 4730; it being part of said survey and bounded
 and described as follows:

Petition

Beginning at an iron pin in the center of
 the gravel road leading from Mechanicsburg to
 Milford Center, and northeasterly corner to land
 formerly belonging to John B. Miller, deceased;
 thence with his line South 30° East 59.20 poles
 to a stake at the corner of a hedge fence;
 thence with said hedge fence north 24 1/2° West
 33 poles to a stake; thence north 53° East 21.20 poles
 to a stake; thence north 34° West 25.50 poles to an iron
 pin in the center of said gravel road; thence
 with the center of said road South 60° West 23.12
 poles to the place of beginning. Said tract
 contains 4.10 acres of land, more or less,
 and being the same real estate conveyed by
 warranty deed, on September 4th 1890, by James C.
 Miller Jr. and Emilina S. Miller his wife to Frank C.
 Miller which said deed is recorded in Vol. 63
 at page 562 of the record of deed, Recorder's office
 Union County, Ohio.
 Tract No. 3.

Situated in the State of Ohio, County of Union

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Township of Union, Township of Union and being part of Virginia Military Survey No. 4735, and bounded, and described as follows: Commencing at a stake in the center of the Mechanicsburg and Irwin turnpike road, being South $59^{\circ}14'$ 1.18 chains from the intersection of the Irwin and Woodstock Pike, being also the northwest corner of Frank B. Miller's land, and the northeast corner of the John B. Miller land; thence with the center of the Mechanicsburg and Irwin Turnpike South $59^{\circ}14'$ West 3.51 chains to a stake; thence South 37° East 4.95 chains to a stake; thence North 87° East 3.43 chains to a stake; thence North 31° West 6.52 chains to the place of beginning. Said tract contains one and eighty three hundred acres (1.83) of land, more or less, and being the same real estate conveyed by deed to Frank B. Miller from John B. Miller and Anna B. Miller on January 11th 1902, which said deed is recorded in Vol. 83, at pages 474 and 476 Record of Deeds, Recorder's office, Union County, Ohio.

Tract No. 4.

Situated in the State of Ohio, Counties of Union and Champaign, Township of Union and Posket being part of Survey No. 4735 and bounded as described as follows:

Petition

Beginning at an iron pin in the center of the Milford ^{the} Irwin gravel road, and at the intersection of the Irwin and Woodstock gravel roads; thence with the center of the Irwin and Woodstock Gravel Roads, North 33° West 47.64 poles to a stake in the center of the said gravel road and the line between Union and Champaign Counties, witness a stone North 5° East 2.24 poles in said County line; thence with said County line North 5° East 99.80 poles to a stake in said County line and in the line of the William Howard land; thence with said line North $29^{\circ}12'$ West 4.20 poles to a stone in said line and in the center of the Irwin and Woodstock gravel road; thence with the center of said gravel road South 20° West 78 poles to a stake in the West line of said gravel road; thence with the east line of the lands of William and John Moxley North $27^{\circ}14'$ West 29.80 poles to a stone in said Moxley line and in the line between Surveys 4735 and 5503, and also southeast corner of said Moxley lands; thence with a line of said Moxley land, and said survey line South 68° West 62 poles to a stone east west

105-07

corner, to said Moxley land and, in the line of lands formerly owned by H. M. Seva now by John W. Evans and, in the line of Survey 4804. thence with said Seva line and, in said survey line South 41° 62 poles to a stone at an angle, in said line; thence South 40 1/2° East 63 poles to an iron pin in the center of said Iron and Miford Center road (grave); thence with the center of said grave road North 61° East 42.84 poles to the beginning.

Said tract contains 40.25 acres, more or less. 39.50 acres being in Champaign county, and 5.75 acres being in Union county, and being the same premises conveyed by warranty deed on August 2nd 1901, by James C. Miller (unmarked) to Frank C. Miller and which said deed is recorded in Vol. 84 pages 443-444 of the Record of Deeds in the Recorder's office, Union Co., Mo.

Plaintiff has given bond, as administrator in the sum of fifty-eight thousand dollars.

Petition

That said decedent died leaving the plaintiff who is seventy two years of age, his widow, who is entitled to dower in said premises and, plaintiff says, further that she and said decedent, Frank C. Miller Sr. resided upon said premises described in the petition, until the death of said decedent and used and occupied the same as a family homestead and, that she is still residing thereon and using and occupying the same as such and that she is entitled to a homestead, as such widow, in the lands of her said deceased husband, under the laws of Mo. in such cases.

Plaintiff says, further that all of the defendants, other than the Farmers Bank, are all and the only next of kin and heirs at law of Frank C. Miller Sr. deceased, and, that the defendant, the Farmers Bank, claims some interest in said premises by way of mortgage,

wherefore plaintiff prays, that it may be ordered that a homestead may be set off to her by metes and bounds out of the premises described in the petition and, that dower her dower may be assigned and set off to her by metes and bounds out of the premises described in the petition and, that the said premises as herein described may be ordered by the Court to be sold subject to her said dower and homestead and, that the priority of all liens on the premises may be determined and that all claims found to be valid and all the costs incident to this action, be ordered

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paid in the several amounts found to be, in the order of their priority as found by the Court and for such other and further relief to which the Court shall find her entitled.

Catherine D. Miller, adx. of the estate of Frank C. Miller, Sr. deceased,
By, T. B. Ware, Her. atty.

The State of Ohio Champaign Co. ss:

Catherine D. Miller being duly sworn, says, that she is the plaintiff in this action and that the facts and allegations of this her petition are true, as she truly believes.

Catherine D. Miller

Subscribed and sworn to before me, this 28 day of Feb. A. D. 1925
T. B. Ware, Notary Public

In the Clerk's Issue summons, directed to the Sheriff of Marion County, Ohio for service on the defendant Nelle K. Loun, who resides with her husband Albin Loun near La Rue, made returnable according to law.

(T. B. Ware, Plaintiff's attorney.)

105-07

Journal Entry: In the Probate Court, Union Co. Ohio,
March, 6 - 1925,

no. 105-07

Filing Petition to Sell Real Estate

Filing Petition

This day came the Plaintiff Catherine D. Miller, adx. of the estate of Frank C. Miller Sr. and presented to this Court her petition, duly verified praying an order for the sale of real estate of the said Frank C. 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, 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 The Farmers' Bank
In the Court of Probate of Union Co. Ohio.

105-07

Catherine D. Miller, as
Adm. of the estate of
Frank B. Miller, dec'd.
Plaintiff

no. 105-07

Frank B. Miller, Jr. et al.
Defendants

Answer.
The Farmers Bank

Answer

The Farmers Bank

The Farmers Bank, a defendant in this action, says, that it is incorporated company chartered by the State of Ohio and doing business under the laws thereof, with its office and banking house at Mechanicsburg, Ohio; that it admits that the plaintiff is the duly appointed, qualified and acting adm. of the estate of Frank B. Miller Sr., but that it knows nothing of the other matters and things set forth in plaintiff's petition and therefore denies the same.

Cross-Petition

For a cross petition this answering defendant says, for a first cause of action,

That the said Frank B. Miller Sr. was indebted to it on his certain promissory note held by it, a copy of which note is as follows, with all credits and indorsements thereon, to wit:

Mechanicsburg, Ohio, Apr. 7 - 1921

"No - mortgage note \$4000"

Five years after date for value received, the undersigned promises to pay to the order of The Farmers Bank of Mechanicsburg, Ohio, Four thousand Dollars, at The Farmers Bank of Mechanicsburg, Ohio, with interest from date at the rate of 6 1/2 per cent per annum payable semi-annually, until paid.

It is expressly agreed that if default be made in the payment of the semi-annual interest of this note or any part thereof, as it becomes due, or any taxes, assessments on the property mortgaged to secure the payment of this note, shall not be paid within thirty days after they shall become due and payable, then the whole principal sum represented by this note secured by this mortgage referred to, shall at the option of the legal holder, indorse or assignee thereof, immediately become due, and together with all arrears of interest thereon, may without demand or notice be collected.

Signed Frank B. Miller
Catherine D. Miller.

Said note has the following written thereon
Oct. 11 - 1921 Interest paid to Oct. 7 - 21 - \$130.00
May 4 - 1922 " " Apr. 7 - 22 130.

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Oct. 13 - 1922 Paid Interest to Oct. 7-'22.
 May 18 - 1923 " " " Apr. 7 - 23,
 Nov. 7 - 1923 " " " Oct 7 - 1923
 " 7 - 1923 " \$1000.00 on principal and interest
 on said \$1000- to date \$ 5.96.
 leaving \$3000.00 due on Oct. 7 - 1923
 Apr. 19 - 1924 Sub. pd. to Apr. 7 - 1924.
 Oct. 14 - 1924 " " Oct. 7 - " "

Without recourse, The Farmers Bank by F. M. Clemons, President,
 There is due and payable thereon the sum of Three
 thousand seventy nine dollars and sixty two cents
 (\$3079.62) with interest at the rate of 6 1/2 per centum
 per annum, from the fourth day of March 1920,
 until paid.

Second Cause of action

This answering defendant further says that to
 secure the payment of said indebtedness set out in
 its first cause of action said decedent, Frank
 B. Miller Sr. together with Catherine D. Miller, plaintiff,
 who thereby released her dower, executed and
 delivered to this defendant his certain mortgage
 deed of date of April 7 - 1921 conveying to it
 the premises described in the petition herein.

Answer

That on the 9 day of April 1921 at 2.15 o'clock
 P.M. said mortgage was deposited for record in
 the office of the Recorder of Union County, N.C.
 and was by him recorded in Vol. 84, Pg. 564, of
 the record of mortgages of said county.

That said mortgage was conditioned that if said
 note should be paid according to the tenor thereof
 then said mortgage should become void otherwise
 it should be and remain in full force and
 virtue in law forever.

Defendant says that said mortgage has become
 absolute and that no part of the sum
 mentioned in said mortgage has been paid except the
 sum of One thousand dollars and the interest to the
 seventh day of October 1924, and that there is now
 due, and owing to this defendant thereon the
 sum of Three thousand seventy nine dollars and
 sixty two cents (\$3079.62) with interest from the 4th
 day of March, 1920 at 6 1/2 per centum per annum.

Wherefore, answering defendant prays that its
 mortgage may be found to be the first and best
 lien upon the premises described in the petition,
 that said premises may be ordered sold as
 prayed in the petition and that its claim

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such interest and costs may be paid in full out of the proceeds of said sale, and for all other and proper relief in the premises.

The Farmers Bank,
By: J. B. Marx. Its atty.

105-07

The State of Ohio, Plaintiff vs. et al.
F. M. Clemans, being sworn, says that he is the president of the Farmers Bank of Mechanicsburg, Ohio, defendant in this action and that the allegations in this answer and cross-petition are true, as he verily believes.
F. M. Clemans.

Subscribed and sworn to before me, this 4-day of March, A. D. 1925. J. B. Marx, Notary Public

105-07

Summons

Summons, on Petition To Sell Real Estate
The State of Ohio, Union County, ss.
To the Sheriff of Marion County,
you are commanded to notify Nellie H. Loun, that on the 6-day of March, A. D. 1925, Catherine D. Miller, adx. of the estate of Frank C. Miller Sr., deceased, filed her petition in the Probate Court of said Union Co. Ohio, against them ^{and others}; the subject 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 Frank C. Miller Sr. and that unless they answer by the 4-day of April, 1925, said petition will be taken as true, and an order granted accordingly.

you will make due return of this writ on the 16-day of March - A. D. 1925;
~~and~~ Witness my hand, in the seal of said Court, this 7-day of March, 1925.
W. H. Husted, Probate Judge

105-07

Sheriff's Return

Sheriff's Return,
County,
Sheriff's office, Marion, Ohio.
March, 12-1925.
Received this writ, March, 17-1925, at 5:40, a. m., and pursuant to its command, on March, 11-1925, I served the within named Nellie H. Loun, by personally handing her, a true and duly certified copy of this writ with all the endorsements thereon.
James A. Drexel, Sheriff.
B. W. Dexter Hagen, Deputy Sheriff.
Sheriff's Exp. 75
Mileage 44 miles @ 3.52, Total \$154.28

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In the Court of Probate of Union County, Ohio,
 Catherine D. Miller, as admx., etc. | no.
 Plaintiff

vs.
 Frank C. Miller, et al. | waiver
 Defendants.

The undersigned, defendants in this action waive the issuing and service of summons, and voluntarily enter our appearance herein and waive all rule days for filing of pleadings and consent to the sale as prayed for in the petition.

Willa H. Loun, Clara L. Miller, Martha M. Pippitt,
 May Agnes Miller, James C. Miller, Frank C. Miller, Jr.

105-07

In the Court of Probate of Union County, Ohio,
 Catherine D. Miller, as admx. of | no. 105-07,
 the estate of Frank C. Miller, dec'd. |
 Plaintiff.

Frank C. Miller Jr. et al. | Entry Judgment, Order to
 Defendants. | appraise Dower^{or} Homestead.

Judgment
 order to
 appraise
 Dower
 or
 Homestead

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 debts and costs of administration, of the decedent, and upon the answer of the Farmer Bank, and upon the evidence. The Court being fully advised in the premises finds that all of the other defendants have voluntarily entered their appearance, to this action, waived the time for pleading and consented to the sale of the real estate as prayed in the petition.

The Court further finds that the allegations of the petition are true and that it is necessary to sell the real estate therein described to pay the her claims against the estate of the decedent and the costs of administration. The Court further finds that Catherine D. Miller, widow of said decedent, is entitled to dower, in said premises, and that the allegations in her petition as to her right to have her dower set off to her by metes and bounds are true and the Court further finds that the allegations of the plaintiff as the widow of said Frank C. Miller Sr. as set forth in her petition as to her right to have a homestead set apart to her by metes and bounds are true and that she is so entitled to have such homestead set apart to her to the value of one thousand dollars.

Final Record, Union County Probate Court.

105-07

Wherefore, it is considered and ordered by the court, that Charles Moran, John W. Evans, and Frank Gault, three judicious and disinterested men, freeholders, of the vicinity, after first being duly sworn, and upon actual view of said premises described, proceed to set apart to said Catherine D. Miller, her homestead in the premises described in the petition and further that they set off to her, also, by metes and bounds, her dower in said premises in such portion as will yield to her the one third of the rents and profits of the whole premises and that said appraisers proceed upon actual view to appraise the premises described in the petition at its cash value, subject to said homestead and dower.

It is further ordered, that if said appraisers shall find it necessary that they may call to their aid a surveyor to establish the metes and bounds of said homestead and of said dower and that the administrator return the costs thereof with this order and that due return be made to this court.

W. H. Husted, Probate Judge

105-07

In the Probate Court of Union County, this

Catherine D. Miller, as adm.
of the Estate of
Frank B. Miller, Sr. deceased.
Plaintiff

vs. 105-07

Confirmation
order
Homestead

Frank B. Miller, Jr. et al.

Defendants.

Confirmation order
Homestead and
Dower and appraisers

This day this cause came on further to be heard upon the return of the order to assign dower and homestead and to appraise heretofore issued in this cause, and the same was submitted to the court.

Whereupon, after careful examination of said return and the doings under said order the court finds that the same has been duly and properly executed in accordance with law and the orders of the court, and the same is hereby approved and confirmed.

It further appearing to the court that the plaintiff has heretofore entered into a bond as administratrix of said estate in the sum of \$45,000⁰⁰ the same is deemed sufficient and additional bond is dispensed with.

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, that said Catherine D. Miller, as, such

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Order of
assignment
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Homestead
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Dower
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appraisement

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105-07

Adm. proceed and sell said real estate at private sale, at not less than the appraised value, thereof, for cash in hand upon the delivery of a proper deed for said premises.

It is ordered that said adm. sell the whole of the real estate as described in the petition herein including the title to that part set apart, as a homestead and that part set apart as the dower, of said Catherine D. Miller, widow of the said Frank C. Miller Sr. that she sell the same subject to said homestead & dower as ordered.

It is further ordered that said adm. make return to the Court forthwith upon the completion of said sale.

W. H. Hustled, Probate Judge

105-07

Order of assignment of Homestead and Dower, and appraisement.

Order of assignment of Homestead and Dower and appraisement

The State of Ohio, Union County, ss. Probate Court. To Catherine D. Miller, adm. of the estate of Frank C. Miller Sr. 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 administratrix and Plaintiff and Frank C. Miller Jr. et al. are Defendants, you are commanded that by the oaths of Charles Moran, John W. Evans, and Grant Gault, 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 to be set off, and assigned to Catherine D. Miller composing part of the decedent's family at the time of his death, by metes and bounds, a homestead not exceeding one thousand dollars in value, and to be set off, and assigned to Catherine D. Miller, widow of said Frank C. Miller Sr. deceased, one full equal third part, as, and for her dower estate in the following described premises, to-wit:

Situated in the State of Ohio, Counties of Union and Champaign Township of Union and Gosport, surveys 6312, and 4735 and beginning at a small iron in the center of the Mechanistery and Iron Road and also in the line between Union and Champaign Counties, from which a stone marked "County Line" bears 2 1/2 West 29 feet; thence with said County line North 7 1/2 East 160 rods to the line between J. C. Miller and William Howard lands; thence South 43 East with said Howard line and the line and the line of lands formerly belonging to George Caldwell 25 1/2

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rods to a stone 30 feet from the center of C. C. C. & St. L. Railway track; thence parallel with said railway track South $33\frac{1}{4}^{\circ}$ West 200.96 rods to a stone; thence North 8° West 147.75 rods to a stone; thence North $46\frac{1}{2}^{\circ}$ East 18.20 rods to a stone at the end of a hedge fence; thence with said hedge fence; thence with said hedge fence North $26\frac{1}{4}^{\circ}$ West 33 rods to a stone; thence North 36° West 23.80 rods to the center of the gravel road above mentioned; thence with said road South 58° West 55.40 rods to the place of beginning. Said tract containing one hundred sixty one acres and seventy two rods of land and being the same real estate conveyed by James C. Miller and Emilina S. Miller his wife to Frank C. Miller on December 10th 1880 which said deed is recorded in Vol. 49, page 171 Record of deeds, Recorder's office Union Co. Ohio.

Tract 2.

Tract No. 2.

Situated in the same State, County of Union Township of Union and Virginia Military Survey No. 4735, it being part of said survey and bounded and described as follows:

Beginning at an iron pin in the center of the gravel road leading from Mechanistown to Milford Center and north easterly corner to land formerly belonging to John B. Miller, deceased. thence with his line South 30° East 59.20 poles to a stake at the corner of a hedge fence; thence with said hedge fence North $24\frac{1}{2}^{\circ}$ West 33 poles to a stake; thence North 53° East 21.20 poles to a stake thence North 34° West 25.80 poles to an iron pin in the center of said gravel road; thence with the center of said road South 60° West 23.12 poles to the place of beginning. Said tract containing 4110 acres of land, more or less and being the same real estate conveyed warranty deed on September 4th 1890 by James C. Miller Jr. and Emilina S. Miller his wife to Frank C. Miller which said deed is recorded in Vol. 63 at page 562 of the record of deeds, Recorder's office Union County, Ohio.

Tract 3.

Tract No. 3.

Situated in the State of Ohio, County of Union Township of Union and being a part of Virginia Military Survey, No. 4735, and bounded and described as follows. Commencing at a stake in the center of the Mechanistown and Iron Dumpike road. thence South $59\frac{3}{4}^{\circ}$ 1.10 chains from the intersection of the Iron and Woodstock pike, being also the north west corner of Frank C. Miller's land and the north east corner of the John B. Miller land; thence with

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Tract 4.

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the center of the Mechanicburg and Iron Run pike road South $59^{\circ}34'$ West 3.51 chains to a stake; thence south $37^{\circ}2'$ East 4.95 chains to a stake; thence north $87^{\circ}2'$ East 3.43 chains to a stake; thence north $31^{\circ}2'$ west 6.52 chains to the place of beginning. Said tract containing one and eighty three hundred acres (1.83) of land, more or less, and being the same real estate conveyed by deed to Frank B. Miller from John B. Miller, Jr., Anna B. Miller on January 11th 1902, which said deed is recorded in Vol. 83 at pages 474 and 475- record of Deeds, Recorder's office Union County, Ohio, Tract No. 4.

Tract 4,

Situated in the State of Ohio, Counties of Union and Champaign Townships of Union and Goshen, being part of Survey No. 4735 and bounded and described as follows: Beginning at an iron pin in the center of the Miford and Iron gravel road and at the intersection of the Iron and Woodstock gravel roads: thence with the center of the Iron ^{and} Woodstock gravel Road, North 33° West 49.64 poles to a stake in the center of the said gravel road and the line between Union and Champaign Counties, witness a stone North 5° East 2.24 poles in said county line; thence with said county line North 5° East 99.80 poles to a stake in said county line and in the line of the William Howard land; thence with said line North $39^{\circ}2'$ West 4.20 poles to a stone in said line and in the center of the Iron and Woodstock gravel road; thence with the center of said gravel road South 25° West 78 poles to a stake in the west line of said gravel road; thence with the east line of the lines of William and John Moxley North $27^{\circ}14'$ West 29.80 poles to a stone in said Moxley lower line and in the line between Surveys 4735 and 5863 and also South east corner of said Moxley lands; thence with a line of said Moxley land and said Survey line South 68° West 62 poles to a stone south west corner to said Moxley land and in the line of lands formerly owned by H. M. Seava now by John W. Evans, and in the line of Survey 4804; thence with said Seava line and in said Survey line South 41° 62 poles to a stone at an angle in said line; thence South $45^{\circ}2'$ East 63 poles to an iron pin in the center of said Iron and Miford center road (gravel) thence with the center of said gravel road North 61° East 42.84 poles to the beginning. Said

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Tract
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Said tract contains 42.84 acrs. more or less. 39.50 -acres being in Champaign County ^{Ill.} 3.34-acres being in Union County and being the same premises conveyed by warranty deed on August 2 - 1901 by James B. Miller (unmarried) to Frank C. Miller and which said deed is recorded in Vol. 84 pages 443 - 444 of the record of deeds in the recorder's office, Union County, Ohio.

And said appraisers having set off and assigned said homestead and dower as aforesaid, do upon their oaths and actual view, as aforesaid, make a just valuation and appraisement, according to law, of said real estate, subject to such homestead and dower so assigned.

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 19-day of March, A.D. 1925, ~~seal~~ W. H. Husted, Probate Judge

Return

105-07

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, 1925:

Catherine D. Miller, adult.

By T. B. Harv, her atty.

105-07

Oath

of appraisers

Oath of appraisers

The State of Ohio, Champaign Co. 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.

J. W. Evans, J. G. Gault, Chas. E. Moran & appraisers.

Sworn to before me, and signed in my presence, this 29-day of April, 1925. ~~seal~~

T. B. Harv, Notary Public

Appraisers Return

105-07

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 do set off and assign to Catherine D. Miller, widow, composing part of decedent's family at the time of his death, a homestead, not exceeding one thousand dollars in value, being so much of said premises as is contained within the following bounds, to wit:

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affidavit for Private Sale.

105-07

Beginning at a point in the center of the Pike leading from Mechanicsburg to Iron nearly midway between the mansion house and the large barn and on the north side of the drive into said premises; thence in an easterly direction at right angles to said pike to the east bank of the creek; thence with said east bank thereof 200 feet in a southerly direction; thence parallel with the first line to the center of said pike; thence with the center thereof in a northerly direction to the place of beginning, and we do set off and assign to Catherine D. Miller widow of said Frank B. Miller Sr., deceased, us and for her heirs estate in said premises so much thereof as is contained within the following bounds to wit:

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Beginning at a point in the center of the Mechanicsburg and Iron Pike, northeast corner of the lands of John Miller, deceased and a corner of the lands of Frank B. Miller Sr., deceased, a short distance west of the bridge over the creek; thence with the center of said pike to the north easterly line of the lands of Frank B. Miller, Sr. that lie upon the east side of said pike; thence with said line in an easterly direction to the line of a hedge fence on the east on the creek; thence with the line of said hedge fence to the line of the lands of John B. Miller first mentioned; thence with his line to the place of beginning.

And subject to and encumbered by said homestead and dower so assigned, we do estimate the value of said real estate at Twenty three thousand two hundred thirty two dollars and fifty seven cents, (\$23,232.⁵⁷)

Given under our hands this _____ day of April 1925;
 J. W. Evans, J. G. Gault, Chas. E. Moran (appraisers)
 Jrs of appraisers: \$1. per day each for 3 days each = \$9.⁰⁰ paid.

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affidavit for Private Sale.

Application to obtain
 Order Private Sale - affidavits -
 In the Probate Court Union Co. Ohio
 No. 105-07
 Catherine D. Miller, adx. of
 The Estate of Frank B. Miller, Dec'd.
 Plaintiff
 Frank C. Miller, Jr. et al.
 Defendants.
 Order Private Sale
 affidavits

105-07

Now comes the plaintiff and asks the court that an order of private sale may be issued in this cause for the property described in the petition and respectfully represents that it would be for the best interests of said estate and all parties interested therein that said property be sold at private sale for the reason that farm property is very slow sale and that a public sale would entail an extra expense without any extra benefit and cause an unnecessary delay in the settlement of said estate

Catherine D. Miller, admt.

By T.B. Mann. Her attorney

105-07

The State of Ohio, Champaign Co. ss.

The undersigned, being sworn, each for himself says that he has read the above application for an order of private sale and gives it as his opinion that it would be more for the interest of said estate to sell the property described in the petition at private sale on account of the less delay and the less expense than a public sale. He further represents to the court that at such times a buyer for farm property must be sought if a fair price is obtained and that this could only be done by a private sale.

Affiant further says that he is not related to any of the parties and is not interested in the sale of said real estate in any way.

J. B. Hunt, W. H. Hunt, O. E. Shaw

Subscribed and sworn to before me this 5 day of May, A.D. 1925-

T. B. Mann, Notary Public

105-07

In the Probate Court of Union County, Ohio.

Catherine D. Miller, ss.

no. 105-07.

Entry.

admt. of the Estate of Frank C. Miller Sr. deceased.

Entry.

Plaintiff

Frank C. Miller Jr. et al.

Defendants.

Now comes Catherine D. Miller and moves the court that she be made a party to this action for the reason that she is the widow of Frank C. Miller Sr. and desires to file an answer as such widow

Catherine D. Miller

By T.B. Mann. Her atty.

105-07

Entry.

105-07

Answer of Catherine D. Miller

Oath

105-07 Entry:
 In the Probate Court of Union County, Ohio,
 Catherine D. Miller, as Adm^r,
 of the estate of Frank B. Miller, Sr.
 Plaintiff.
 v.
 Frank B. Miller, Jr. et al.
 Defendants.

Upon motion and for good cause shown
 Catherine D. Miller is made a party to this
 action.
 W.H. Husted, Probate Judge

105-07 Answer of Catherine D. Miller.
 In the Probate Court of Union County, Ohio,
 Catherine D. Miller, as
 Adm^r of the estate
 of Frank B. Miller, deceased.
 Plaintiff
 v.
 Frank B. Miller Jr. et al.
 Defendants.

Now comes Catherine D. Miller and says, that she is
 the widow of Frank B. Miller Sr. and entitled to
 dower in his real estate and that she and said
 Frank B. Miller occupied the premises described
 in the petition as a homestead and that they
 were so occupying the same at the time of the
 death of her said husband, and that she
 is entitled to have a homestead set off to her.

Defendant says further that she waives her
 right to have said dower set off to her by
 metes and bounds, or in rents and profits and
 prays the Court that she may be allowed such
 sum of money out of the proceeds of the sale
 of the premises as the Court shall deem to
 be the value of her dower and she waives all
 homestead rights.

She says, that at the time of the
 death of her said husband, she was of the age
 of seventy two (72) years.

Catherine D. Miller By, T.B. Haws, Her atty.

Oath State of Ohio, Champaign County, ss.
 Catherine D. Miller being sworn says, that the
 allegations of her answer are true as she
 verily believes.

Subscribed for Verification
 May, 1925. T.B. Haws, Notary Public

Final Record, Union County Probate Court.

105-67

The State of Ohio, Champaign County ss.
Catherine D. Miller being duly sworn, says that she is a defendant in this action and that the facts and allegations of this her answer are true as she verily believes.

Catherine D. Miller

Subscribed and sworn to before me, this 14 day of May, 1925 ~~ss~~ T.B. Harv. Notary Public

105-07

Order of Sale from of Dower.

Order of Sale from of Dower

The State of Ohio, Union County, Probate Court.
To Catherine D. Miller, adm^r of the estate of Frank C. Miller, Sr.
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 Ad^r are Plaintiff and Frank C. 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 from of the dower of Catherine D. Miller widow of Frank C. Miller Sr. deceased, the following described premises to wit:

Situated in the State of Ohio, Counties of Union and Champaign townships of Union and Graham surveys 6312 and 4735 and beginning at a small iron pin in the center of the Mechanistown and Iron Road and also in the line between Union and Champaign Counties, from which a stone marked "County Line" bears 2 1/2 west 29 feet; thence with said County line north 2 1/2 east 160 rods at the line between J. B. Miller and William Howard lands; thence South 43° East with said Howard line and the line of lands formerly belonging to George Caldwell 257 rods to a stone 30 feet from the center of the C. C. & K. L. railway track; thence parallel with said railway track South 33 1/4 west 200.96 rods, to a stone; thence north 5° west 147.75 rods to a stone; thence north 46 1/2° East 18.20 rods to a stone at the end of a hedge fence, thence with said hedge north 26 1/4 west 33 rods to a stone; thence north 36° west 23.50 rods to the center of the gravel road above mentioned; thence with said road South 58° west 55.40 rods to the place of beginning. Said tract contains one hundred sixty one acres and seventy two rods of land and being the same real estate conveyed by James C. Miller and Emilina S. Miller, his wife, to Frank C. Miller on Dec. 10th 1850 which

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Tract 2.

Order of Sale

Tract 3.

Partial view of the right page containing text from the adjacent page, including "Tract 2.", "Tract 3.", and various other fragments of text.

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Said deed is recorded in Vol. 49, Pg. 171, Record of Deeds, Recorder's office, Union County, Ohio.

Tract 2.

Tract No. 2.

Situated in the same State, County of Union Township of Union and Virginia Military Survey No. 4735, it being part of said survey and bounded and described as follows:

Beginning at an iron pin in the center of the gravel road leading from Mechanicsburg to Milford Centre, and North easterly corner to land formerly belonging to John B. Miller, deceased; thence with this line South 35° East 59.20 poles to a stake at the corner of a hedge fence; thence with said hedge fence North 24½° West 33 poles to a stake; thence North 53° East 21.20 poles to a stake; thence North 34° West 25.50 poles to an iron pin in the center of said gravel road; thence with the center of said road South 60° West 23.12 poles to the place of beginning. Said tract contains 4.10 acres of land, more or less, and being the same real estate conveyed by Warranty Deed on September 4th 1890 by James B. Miller Jr. and Emiline B. Miller his wife to Frank B. Miller which said deed is recorded in Vol. 63 pg. 562 of the record of deed, Recorder's office, Union County, Ohio.

Order

of

Sale

Tract 3.

Tract No. 3.

Situated in the State of Ohio, County of Union, Township of Union and being part of Virginia Military Survey No. 4735 and bounded and described as follows: commencing at a stake in the center of the Mechanicsburg and Iron Turnpike road, being South 59¾° West 1.10 chains from the intersection of the Iron and Woodstock Pike, being also the north west corner of Frank B. Miller's land, and the north east corner of the John B. Miller's land; thence with the center of the Mechanicsburg and Iron Turnpike road South 59¾° West 3.51 chains to a stake; thence South 37½° East 4.95 chains to a stake; thence North 87½° East 3.43 chains to a stake; thence North 31½° West 6.52 chains to the place of beginning. Said tract contains one and eighty three hundredths acres (1.83) of land, more or less, and being the same real estate conveyed by deed to Frank B. Miller from John B. Miller and Anna B. Miller on January 11th 1902, which said deed is recorded in Vol. 83 at pages 474 and 475 - Record of Deeds, Recorder's office

Final Record, Union County Probate Court.

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Tract H.

Union County, Ohio.
Tract No. 4.

Situated in the State of Ohio, Counties of Union and Champaign, townships of Union and Washen, being part of Survey No. 7735 and bounded and described as follows:

Beginning at an iron pin in the center of the Milford and Iron Mine road, and at the intersection of the Iron and Woodstock gravel roads; thence with the center of the Iron and Woodstock gravel road south 33° west 49.64 poles to a stake in the center of the said gravel road and the line between Union and Champaign Counties, witness a stone north 5° east 2.24 poles in said county line; thence with said county line north 5° east 99.8° poles to a stake in said county line and in the line of the William Howard land; thence with said line north 39½° west 4.20 poles to a stone in said line and in the center of the Iron and Woodstock gravel road; thence with the center of said gravel road south 20° west 7.5 poles to a stake in the west line of said gravel road; thence with the east line of the lands of William and John Moxley north 27¾° west 29.8° poles to a stone in said Moxley lane line and in the line between surveys 4735 and 5563 and also south east corner of said Moxley lands; thence with a line of said Moxley land and said survey line south 65° west 62 poles to a stone southeast corner to said Moxley land, and in the line of lands formerly owned by H. M. Seva now by John W. Evans and in the line of survey 4504; thence with said Seva line and in said survey line south 41° 62 poles to a stone at an angle in said line; thence south 40½° east 63 poles to an iron pin in the center of said Iron and Milford Center road (gravel) thence with the center of said gravel road north 61° east 42.84 poles to the beginning. Said tract contains 42.84 acres, more or less, 39.50 acres being in Champaign County, and 5.75 acres being in Union County and being the same premises conveyed by warranty deed on August 2-1901, by James C. Miller (deceased) to Frank C. Miller and which said deed is recorded in Vol. 84 pgs. 443-444 of the Record of Deed in Recorder's office Union County, Ohio.

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

order of
Sale.

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Return

Report

Order

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Confirmation

Distribution

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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 15th day of May, 1925.
 W. H. Husted Probate Judge

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 October 1925
 Catherine D. Miller

Report

Report of Sale

In obedience to the within order, I sold said
 premises on the 28th day of October 1925, to Frank C. Miller
 Jr. for the sum of Twenty Three Thousand Three
 hundred thirty ⁰⁰/₁₀₀ Dollars, said sum being the
 appraised value of the same.
 Catherine D. Miller advx.

Dated the 28th day of October, 1925.

The State of Ohio, Champaign Co.

Oath

The above named Catherine D. Miller 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.

Catherine D. Miller, adx.

Sworn to before me, and signed in my presence,
 this 28th day of October, 1925.

J. B. Harro, Notary Public

105-07
 Confirmation

Journal entry: Confirmation
 In the Probate Court of Union County Ohio,
 No. 105-07.

Distribution

Catherine D. Miller, as
 Advx., of the estate
 of Frank C. Miller Sr.
 Plaintiff

P.

Frank C. Miller et al
 Defendants

Distribution

This day this cause came on to be heard upon the
 report of a private sale of the property described
 in the petition herein. There appearing to be
 no objection 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 said

Final Record, Union County Probate Court.

sale has been duly and legally made in conformity to law and the former orders of the court.

Whereupon, it is hereby ordered that the same be approved, and confirmed. and it is further

ordered that said Catherine D. Miller as such Administrator make to the purchaser Frank C. Miller a good and sufficient deed for the premises so sold.

And it is further ordered that upon satisfaction of the mortgage of the Farmers Bank of Mechanicsburg, Ohio, herein set forth in its cross-petition said mortgage be cancelled upon the record thereof. Record of Mortgages of Union County, Ohio, Vol. 84 page 564.

And the Court coming now to the distribution of the proceeds it is ordered that said Administrator pay First the Taxes against said property

Second, the Probate Court costs and

Third the sum of

being the amount the Court finds to be due the defendant the Farmers Bank, on its note and mortgage set forth in its cross-petition the sum of three thousand dollars (\$3000-) Fourth, the balance of said purchase money it is ordered be distributed according to law.

Witness my hand and the seal of the Court this 14th day of July 1925.

10595-
July 14-1925-

Richard Thrull
Atty.

Petition

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105-95-
July 14-1925-

Petition To Sell Real Estate

Probate Court, Union County, Ohio

Richard Thomall
Atty.

Richard C. Thrall, ad. etc.,
of the estate of
L. W. Pingard, deceased,
Plaintiff

no. 105-95-

Civil action

Ralph O. Pingard
Ebbie Powers. Defendants.

Petition

The Plaintiff represents that he is the duly appointed and qualified ad. de bonis non of the estate of L. W. Pingard late of Milford Center, Union County, Ohio deceased; that the amount of debts due from the deceased is \$750- as near as can be ascertained that the charges of administration of said estate will amount to about \$150- and that the total value of the personal estate & effects of said deceased is but none - being wholly insufficient to pay the debts and costs aforesaid

The Plaintiff further represents that said L. W. Pingard died seized in fee simple free from dower of the following described real estate, situate in the County of Union and State of Ohio, to wit: Situate in the village of Milford Center, Ohio and bounded and described as follows:

Petition

Beginning at the north west corner of outlet no 146 in the A. V. Kennedy addition to the village of Milford Center, Ohio, and being a part of outlet no. 9, thence, south parallel with the west line of said outlet no. 146, 247 1/2 feet to an iron pin; thence west 76 1/2 feet to an iron pin; thence north 248 feet to the south line of Center Street; thence east 73 feet to the place of beginning. Being the same property conveyed by warranty deed from Margaret J. Simpson and husband to the said Nellie Pingard under date of July 6-1906 and of record in vol. 93 Pg. 498, Union County, Ohio, Record of Deeds.

Also, the following described Real Estate situated in the village of Milford Center, County of Union & State of Ohio, described as follows:

Commencing at an iron pin at the north easterly corner to Lot 112 of the Kensington & Miller Addition to said Village; thence with the easterly line of said Lot # 112, southerly 255 feet to the South easterly corner to said Lot No. 112, and, in the southerly line of Lot No. 9, thence with the southerly line

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of Lot No. 9, easterly 29 1/2 feet to an iron pin; thence northerly 25-4 feet to the place of beginning.

Being a triangular piece of land, lying along the Easterly line of Lot # 112, being the same premises conveyed by warranty deed from M. J. Simpson and husband to the said Mattie Pingard under date the 28. Feb. 1911 and recorded in vol 106, Pg. 263 of the Union County Deed records and reconveyed by warranty deed from said Mattie Pingard to L. W. Pingard under date of March, 20-1920.

The said decedent died leaving no widow, and that the defendants Ralph C. Pingard is the son of L. W. Pingard and the only heir at law, and the only heir at law and next of kin of said decedent, having the next estate of inheritance from said L. W. Pingard, deceased, in said premises; that the defendants Effie Pomeroy claim to hold a lien against said real estate.

The Plaintiff therefore prays, that the rights, interests and liens of the said Ralph C. Pingard and Effie Pomeroy 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.

Richard C. Small

Oath

The State of Ohio, Union County, ss.

Richard C. Small, Adm., etc. 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. Small, adm.

Done to before me and signed in my presence this 14 day of July, 1925. ~~at~~ L. M. Haines, Notary Public, Union Co. Ohio
Filing Petition Journal 39, Pg 327

Answer to Cross-Petition

Answer to Cross-Petition

Probate Court, Union County, Ohio
For answer to the petition herein, the said defendant Effie Pomeroy, says, that the said L. W. Pingard on the 11-day of April, 1924, did make his certain promissory note, in writing, of that date, and did then deliver the same to this defendant, and thereby promise to pay to this defendant, or her order, the sum of \$400 - in three years after the date thereof, which period has elapsed, with interest at the rate of 8%

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Motion

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payable annually.

This defendant further says, that, to secure the payment of said promissory note and the money secured thereby the said L.W. Pinyard by his certain mortgage deed of even date with said promissory note, duly executed and delivered to this defendant, did convey to her the said Elfin Potts her heirs and assigns forever, all said real estate in the petition herein described, to wit - see Petition, description of land -

to have and to hold the same to her, the said Elfin Potts, her heirs and assigns forever; which said deed of conveyance had a condition therein written whereby it was provided that if the said L.W. Pinyard shall pay, or cause to be paid, unto the said Elfin Potts, or to her executors administrators and assigns his certain promissory note of even date herewith, for the sum of 400- payable to the order of said Elfin Potts in three years, 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 this defendant further says that she caused said mortgage to be deposited with Recorder of said County of Union at his office on the 23-day of April 1921 at 9.05 a.m. and that the same was recorded, and that as part of the money mentioned in the promissory note and mortgage has been paid but is, with interest thereon from the 11-day of April, 1923. still due and unpaid.

Said interest being at the rate of 5% per annum, wherefore this defendant asks that out of the proceeds of sale of real estate her said debt be paid. Elfin Potts -

Motion

Motion

In the Probate Court of Union County, this now comes the plaintiff herein and says, that he has filed his petition to sell lands of the deceased to pay his debts and that said petition and entry fixing date of hearing are the only papers filed by him to date, that Ralph Pinyard is the only heir at law; the other defendant Elfin Potts being a life holder, that said Ralph Pinyard has raised a sum of money sufficient to pay all debts of the estate &c. that there is no need to proceed with this case.

Final Record, Union County Probate Court.

This case.

Therefore, defendant moves the court that said proceedings be dismissed at plaintiff's costs.

Richard C. Thrall, adur—

Journal 39, Pg. 406.

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105-96

July 15-1923

Fackler & Fackler
attorneys

C. S. Cherry, Executor
of the Estate of
Mary F. Sworden, deceased.
Plaintiff

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio

no. 10596

Civil Action

Walter Flesher
Arthur Flesher
Wan Anderson.
Osir Wynn.
Bessie White
Dora Sworden.
Emma J. Schultz.
Ella Cabbage.
T. J. Johnson, Supt. Methodist
Chadwick Home of Ohio.
Trustees & Officials Board of
Finley Chapel Church.
Defendants.

Petition

to
Sell Real Estate

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Petition

The Plaintiff represents that he is the duly appointed and qualified executor of the Estate of Mary Sworden late of Union County, Ohio, deceased; that the amount of debts due from the deceased is \$5002.00 or near as can be ascertained, that the charges of administration of said estate will amount to about Two Hundred Dollars \$200.00 and that the total value of the personal estate and effects of said deceased is but Forty (\$40.00) Dollars, being wholly insufficient to pay the debts and costs aforesaid.

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

and same being in the village of Richmond, Ohio

Being a strip of land (55) fifty five feet, fronting on Bonford Street and forty four (44) feet wide on the alley in the rear thereof, and off the East side of Lot No. 273 in the H. T. Marriotts Addition to said Village of Richmond, Ohio.

For a more specific description reference is hereby made to the recorded Plat of said

10596

main

Mr.

Pl

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10596

addition duly recorded in the Recorder's office at
 Marysville, Ohio.
 that the defendants are the only heirs of said decedent,
 having the next estate of inheritance from said Mary F.
 Snowden, deceased, in said premises; (that the Defendants)
 The Plaintiff therefore prays that the rights, interests
 and liens of the said defendants 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.
 C. S. Cheney, Executor,
 Estate of Mary F. Snowden, Deceased.

10596

The State of Ohio, Union County, ss.
 C. S. Cheney, 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. S. Cheney, Executor
 Estate of Mary F. Snowden, Deceased.
 Sworn to before me and signed in my presence this
 16th day of July, 1925; ^{at} Jacob R. Tucker,
 Notary Public, Union Co., Ohio.

10596

Entry: In the Probate Court of Union County, Ohio,
 July 16-1925.

Filing
 Petition
 to
 sell
 Real estate

Filing Petition to Sell Real Estate
 This day came the Plaintiff C. S. Cheney, Executor
 of the Estate of Mary F. Snowden, deceased, and
 presented to this Court his petition, duly verified,
 praying an order for the sale of real estate
 of said Mary F. Snowden, 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, 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.
 Wainwright of Successors
 Probate Court, Union County, Ohio

10596

Wainwright

W. the undersigned parties Defendant to the
 Petition in the above entitled action, do each of
 us, hereby waive the issuing and service

Final Record, Union County Probate Court.

105-96
Wainor

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.
C. S. Allen; S. P. Banks; Emily D. Bank; Ruth B. Cheney;
William Strutz; Alona Davis; Alice Cheney; Lydia M. Cheney;
Preston Jolly; Ernest Allen; Etta Allen; Mary Hoopworth;
Henry Hoopworth; Cemer Fisher; R. T. Borgill.

105-96
Wainor

Wainor of Summons.
By the Methodist Children's Home Association
of Ohio.
By: F. J. Johnson, Secy.

105-96
Wainor

Wainor of Summons.
Walter Fletcher; Arthur Fletcher; Nan Anderson.
Elsie Wynn; Bessie White; Dena Snowden.

105-96
Wainor

Wainor of Summons.
Emma J. Shultz; Ella Cubbage.

Journal Entry:

In the Probate Court, Union County, Ohio.
Case no. 105-96.

appraisement Dispensed with, etc.

Filed July 30, 1922.

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 the administration of the deceased; and the court being fully advised in the premises finds that all the defendants herein named have been legally served with process or are properly before the court by reason of having waived the same, and that they have been notified of the pendency and prayer of the petition as prescribed by law; that the decedent left no husband entitled to dower in said premises; that the real estate described in the petition should be sold to pay the debts and costs of the administration and that the Executor is hereby authorized to proceed to sell the same according to law.

The Court further finds that the appraisers heretofore appointed to appraise the personal property of the estate of the deceased, appraised the real estate described in the petition and the court hereby confirms same, and dispenses with any further appraisement.

The court further orders that the terms of the sale be cash in hand on the day of the sale. W. B. Husted Probate Judge.

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10596. order for appraisement

Journal entry:

Probate Court, Union County, Ohio Nov. 6th 1925 - No. 10596.

Order for appraisement.

This day this cause came on to be heard upon the petition, proofs, and exhibits of C. S. Cheney, executor. 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 Mary F. Swarden, deceased.

It is therefore ordered and adjudged by the Court that the said premises be appraised free of duty, by the oaths of O. G. Bolenbaugh, Lloyd Winter, and Frank E. Riley, 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. Hasted, Probate Judge

Motion.

In the Probate Court Union County, Ohio, Case No. 10596.

Motion

10596 Motion

now comes the plaintiff and moves the Court grant an order of re-appraisement of the real estate of Mary F. Swarden, deceased, same being described as follows:

Situated in the County of Union and the State of Ohio and in the village of Richmond, Ohio.

Being a strip of land 55 feet fronting on Bonford St., and 44 feet wide on the alley in the rear thereof and off the East side of Lot No. 273, in the H. T. Marriott's addition to said village of Richmond, Ohio. For a more specific description reference is hereby made to the recorded Plat of said addition duly recorded in Recorder's Office at Marysville, Ohio.

Plaintiff further says that according to the original instrument said property was appraised at \$1550.00 but that due to the present condition of said property, same needing a great deal of repair, he has been unable to dispose of same at the original appraisement, and plaintiff therefore asks for an order of re-appraisement.

C. S. Cheney,

Executor, Estate of Mary F. Swarden, Deceased.

105-96

Journal entry:

Probate Court, Union County, Ohio.
November 6th 1920;

Report

This day came the said Plaintiff, by his attorney and produced to the court, the report of an order of appraisement herein made by C. G. Bolentaugh, Licensed Hunter Mr. Frank E. Riley 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. This cause is continued.

W. H. Husted, Probate Judge.

105-96

Order of appraisement page 503.

105-96

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio,

Private Sale.

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

(1) That it would be for the best interest of the estate

(2) That due to the present state of preservation of said Real Estate same had better be sold.

(3) Because said sale is for cash,

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

L. S. Cherry, executor, estate of,

Mary F. Snowden, Deceased.

105-96

The State of Ohio, Union County.

Oath

L. S. Cherry, being duly sworn, says, that the various matters set forth in the foregoing application are true as he verily believes.

L. S. Cherry, Ex.

Sworn to before me, and signed in my presence, this 6th day of November, 1920;

Jacob R. Fackler, Notary Public Union Co., O.

105-96

Affidavit of Disinterested Persons.

Affidavit disinterested Person.

The State of Ohio, Union County.

Joseph C. Gaston, and Harry E. Hall 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 6th day of November, - A. D. 1920;

Jacob R. Fackler, Notary Public, Union Co. Ohio

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

105-96

Journal entry

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Journal entry

Order for

Private Sale.

Journal entry

105-96

public sale, as they verily believe.
Joseph C. Gaston

Harry E. Hall.

Brought to before me, and signed in my presence, this
7-day of November, 1925.

Jacob F. Fackler, Notary Public, Union Co. Ohio.

105-96

Journal entry:

Journal entry.

Probate Court, Union County, Ohio
November 6th 1925.

This day this cause came on further to be heard,
and it appearing to the court that the said
C. S. Cheney was named executor to serve without
bond.

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
therefore further ordered that said C. S. Cheney as
such executor proceed to sell said real estate
free of down, at private sale, for not less than
all 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.
This cause is continued.

W. H. Husted, Probate Judge

105-96

Order for
Private Sale.

Journal entry:

Probate Court, Union County, Ohio,
November 6th 1925.

Order for Private Sale

This day this cause came on to be heard upon the
petition, evidence and testimony of said C. S. Cheney
Executor of the estate of Mary E. Sworden, 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 Mary E. Sworden deceased,
did not leave husband entitled to down in
the estate to be sold, and the Court being
satisfied that it is necessary to sell the real
estate of said Mary E. Sworden, 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

Final Record, Union County Probate Court.

105-96

of said Defendants to sell the real estate described in the petition at private sale. It is therefore further ordered that said G. S. Cheney as such executor proceed to sell said real estate, free of down, at private sale for not less than all the appraised value thereof, on the following terms, to wit: cash in hand on day of sale, and this cause is continued. Sale to be cash.

W. H. Husted, Probate Judge

105-96

Order of Sale, Free of Down.

The State of Ohio, Union County, Probate Court, To G. S. Cheney, Executor of the estate of Mary F. Swoorden, Dec'd. Greeting:

Order of

In obedience to an order and decree of the Probate Court, within and for said county, made this day, in a certain cause, wherein you as Executor of the estate of Mary F. Swoorden, Dec'd, are Plaintiff and Walter Fletcher and Arthur Fletcher, et al, are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than all the appraised value thereof free of down, to wit:

The following described premises, to wit: Situated in the County of Union and State of Ohio and in Village of Richmond, Ohio.

Being a strip of lands (55) Fifty-five feet fronting on Bondford Street and 47 feet wide on the alley in the rear thereof and off the East side of Lot 273, in the N. T. Marriott's addition to said Village of Richmond, Ohio.

For a more specific description reference is hereby made to the recorded Plat of said addition duly recorded in the Recorder's office at Marysville, Ohio, said sale to be cash, on day of sale.

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

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 6th day of November, 1920. W. H. Husted, Probate Judge

105-96 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 7th day of November, 1920.

G. S. Cheney, Executor Estate of Mary F. Swoorden, Dec'd.

105-96

Report of Private Sale

105-96

Order approving and

confirming Sale

Order of appraisement

105-96.
Report
of
Private
Sale -

Report of Sale - Private
In obedience to the within order, I sold said premises
on the 7th day of November, 1925, to F. M. Boney for the
sum of \$15.00 - said sum being all the appraised
value of the same. Dated the 7th day of Nov. 1925,
C. S. Cheney, Ex. of the estate of Mary F. Swarden, Dec'd.

The State of Ohio, Union County,
The above named, C. S. Cheney, 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. S. Cheney, Ex. of the estate of Mary F. Swarden, Dec'd,
sworn to before me, and signed in my presence,
this 7th day of November, 1925.
W. H. Husted, Probate Judge

105-96
Order
approving
and
confirming
Sale -

Journal Entry:
Probate Court Union County, Ohio,
November 9 - 1925.
Orders approving & Confirming Sale -
This day this cause coming on to be heard on the
report of C. S. Cheney executor of the estate of Mary
F. Swarden, 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
& confirmed. It is further ordered that said
petitioner execute a deed of all the right, title
and interest of the said Defendants in said
real estate to the purchaser F. M. Boney 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

Order of
appraisement.

Order of appraisement
The State of Ohio, Union Co., ss. Probate Court,
To C. S. Cheney, Ex. of estate of Mary F. Swarden, Dec'd. Greeting:
In obedience to an order and decree of the

Final Record, Union County Probate Court.

Probate Court, within and for said county, made this day in a certain cause wherein you as Executor of the estate of Mary F. Snowden, Deceased, are Plaintiff and Walter Fisher, and Arthur Fisher, et al. are Defendants you are commanded that by the oaths of O. G. Bolenbaugh, Lloyd Miller and Frank E. Riley judicious disinterested men of the county, 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 appraisement to be made according to law, of the following described premises therein, to wit:

See description in application.

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, this 6th day of November, 1925.

W. H. Husted, Probate Judge
Return

Return

To the Probate Court of Union County, this

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 7th day of November, 1925.

W. S. Cheney, Executor

Estate of Mary F. Snowden, Deceased.

Oath of appraisers.

Oath of appraisers

The State of this 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.

O. G. Bolenbaugh, Lloyd Miller, F. E. Riley & appraisers

Sworn to before me, this 7th day of Nov. 1925

Jacob R. Lacker, Notary Public, Union Co. Mo.

Appraisers

Return

Appraisers Return

In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises therein described we, the undersigned appraisers estimate the value of said real estate at, One thousand Five Hundred Dollars \$1500.-

Given under our hands, this 7th day of November, 1925;

O. G. Bolenbaugh, Lloyd Miller, F. E. Riley & appraisers,
Frs of appraisers, #2-

105-66.
Mar. 6-1925
C. A. Hoopes
attorney.

Petition

105-66.
Mar. 6-1925
C.A. Hoopes
attorney.

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

J. S. Gingerich and
Eli A. Miller,
Administrators,
of the Estate of
A. E. Miller, deceased,
Plaintiff.

No. 105-66,
Civil Action

Susan Miller, widow of A. E. Miller,
Katie Gingerich,
John A. Miller,
Eli A. Miller
Peter Miller
Leroy Miller
Alvin Miller
Ada Miller
Ans.

Petition
To
Sell Real Estate

Bertha Miller
Children of A. E. Miller, all
of whom are adults, except
Ada Miller ^{Ans.} Bertha Miller
minors of 15 and 16 years of age
respectively, and
The First State Bank, of Plain
City, Ohio,
M. M. Kaufman, and
Beach & Chandler Company, a
partnership, who hold mortgage
liens upon said real estate,
Defendants.

Petition

Petition

The Plaintiff represents that they are the duly
appointed and qualified administrators of the estate
of A. E. Miller late of Union County, Ohio, deceased;
that the amount of debts due from the deceased
is ten thousand dollars, as near as can be ascertained
consisting of mortgages upon said real estate 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 eighteen hundred dollars, being
wholly insufficient to pay the debts and costs aforesaid.
The plaintiff further represents that said A. E. Miller
died in fee simple of the following described real
estate situate in the County of Union Township of
Jerome and State of Ohio, to-wit:

Part of V. M. Survey, No. 3754 Beginning at a stone
in pieces of brick in the center of the Miford ^{Ans.}

Final Record, Union County Probate Court.

105-06

New California road, and corner to lands, owned by the heirs of Samuel M. Lucey; thence with their line and the line of James Ketch, N. 34 1/2° W. 190.71 poles to a stake in said Ketch line; thence N. 54 1/2° E. 70 poles to a stake and stone; thence S. 34 1/2° E. 238 poles to a stake, and stone in the center of the Oxford and New California road; thence with the center of said road West 87 poles to the beginning, contains ninety-six acres and seventy poles.

The said decedent died leaving the defendant, Susan Miller his widow, who is entitled to dower in said premises; that the defendants Katin Gingenich, John A. Miller, Eli A. Miller, Peter Miller, Leroy Miller, Alvin Miller, Ada Miller, and Bertha Miller are the only children and heirs at law of said decedent, having the next estate of inheritance from said A. E. Miller, decedent, in said premises; that the defendants The First State Bank of Plain City, Ohio, M. M. Kaufman, and Beach & Chandler Company a partnership, claim some interest in said land by reason of mortgages liens thereon.

Petition

The Plaintiff therefore prays that the dower of said Susan Miller in said premises, may be assigned and set off to her, unless she file her answer herein consenting that same be sold free from her said dower, homestead and other rights she may have therein; that the rights interests and liens of the said The First State Bank of Plain City Ohio, M. M. Kaufman, and Beach & Chandler Company, a partnership, may be fully determined, adjusted and protected according to equity and that your petitioners may be authorized and ordered to sell said real estate subject to said dower, unless the widow release the same, according to the statute in such cases made, and provided, and for all other proper orders and relief in the premises.

C. D. Hoopes, atty. for Plaintiff.

Affirmed

The State of Ohio, Madison County, ss. J. S. Gingenich, the within named Plaintiff's 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.

J. S. Gingenich,

Affirmed to before me, and signed in my presence 16-day of May, 1925. seal Howard C. Black, Notary Public Journal Entry; In the Probate Court of Union County, Ohio March, 6-1925.

Filing Petition.

Filing Petition To Sell Real Estate. This day came the Plaintiff J. S. Gingenich and Eli A. Miller and presented to this court

105-06

Cross-Petition First State Bank, Plain City, O.

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Cross-Petition
First State Bank,
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105-06

their petition, duly verified, praying an order for the sale of real estate of the said A. E. Miller 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. Hasted, Probate Judge.

Cross-Petition
First State Bank,
Plain City, D.

Cross-Petition of
The First State Bank of Plain City, Ohio
In the Probate Court, Union County, Ohio

J. S. Kingensch, ^{ms.}
Eli A. Miller, adm^r.
of the estate of
A. E. Miller, deceased.

Cross Petition of
The First State Bank of
Plain City, Ohio.

Plaintiff

v.

Susann Miller, et. al.

Defendants

Defendant says that it is a corporation organized under the laws of Ohio with its principal place of business in Plain City, Ohio.

That there is due this defendant the sum of \$8700.00 with interest at six per cent. from February 26, 1925, upon a promissory note, a copy of which with all credits and endorsements is attached hereto, marked "Exhibit A" and made a part hereof.

That on said date to secure the payment of said note the said A. E. Miller and Susann Miller, executed and delivered to this defendant their mortgage deed, thereby conveying the real estate described in the petition.

Said mortgage was conditioned in substance as follows: That if said note be paid when due then said mortgage to be void, otherwise to remain in full force and effect. Said mortgage was duly filed with the Recorder of Union County Ohio, at 9:50 o'clock, A. M. March 4, 1919, and was by him duly recorded, in Volume 81, page 260 of Mortgage Records of Union County, Ohio, and is the first and best lien upon said premises.

Wherefore this defendant prays that upon the sale of said property its claim be first paid out of the proceeds.

C. A. Hooper, Atty. for First State Bank.

Final Record, Union County Probate Court.

105-06

State of Ohio, Union Co. ss.

Charles Wilson being first duly sworn, says that he is the President of the First National State Bank of Plain City, Ohio that the facts stated and allegations made in the foregoing cross-petition are true as he verily believes

Chas. Wilson

Sworn to before me, and subscribed in my presence, this 26-day of February, 1925, Frank J. Currier, Notary Public,

Answer

Answer of Susan Miller

In the Probate Court of Union Co. Ohio

Susan Miller

J.S. Gingrich and
E.A. Miller, administrators
of the Estate of
A.E. Miller, deceased.
Plaintiff

Susan Miller, et al.

Answer of Susan Miller.

Defendants.

Now comes Susan Miller, one of the defendants in the above case and voluntarily enters her appearance herein, and for answer to the petition says, that she is the widow of A.E. Miller deceased, and as such is entitled to dower in the premises described in said petition, provided said premises sell for more than the mortgage upon said real estate, that her age is 58 years and that she assents to the selling of said premises, and waives the assignment of dower by miles and bounds or in reute, and profits and asks that said premises may be sold free from her dower, and that the value of such dower may be paid to her in money, provided there is anything remaining after the paying of the mortgages.

C.A. Hoopes, atty. for answering defendant.

105-06

State of Ohio, County of Madison ss.

Oath.

Susan Miller, being first duly affirmed says that the statements made in the foregoing answer are true, as she verily believes.

Susan Miller

Sworn to before me, and subscribed in my presence this 16-day of July, 1925.

Howard B. Black, Notary Public

105-06

Warrant

Warrant of Summons in Petition to Sell Real Estate
Probate Court, Union County, Ohio

J.S. Gingrich, et al.
Plaintiff

Susan Miller et al. Defendants

Warrant of Summons
Consent to Sell

105-06

Summons

105-06

Return

of

Service

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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.

The First State Bank of Plain City, O. per, C. D. Hoopes, atty, M. M. Kayfman; Beach, Chandler Co., per W. E. Chandler, Katie Gingench; John A. Miller; Eli A. Miller; Pete A. Miller; Le Roy Miller; Alvin A. Miller.

Summons.

Summons on Petition To Sell Real Estate

The State of Ohio, Union County. To J. S. Gingench, You are hereby commanded to notify Ada Miller and Bertha Miller 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 6-day of March, 1920 J. S. Gingench et al, Adms., of the estate of A. E. Miller deceased, filed their 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 A. E. Miller and that unless they answer by the 4-day of April, 1920, said petition will be taken as true, and an order granted accordingly.

The server will make due return of this writ on the 16-day of March 1920.

This writ to be served on each of said defendants by copy personally.

Witness, my hand, and the seal of said Court, this 6-day of March, 1920.

W. H. Hasted, Probate Judge

Return of Service.

105-06

Return

Received this writ on the 7 day of March, 1920.

of

Service

at 9 o'clock a. m. and on the days and on the days and in the manner herein after named, I served the same on the within named defendants, viz: March 5-1920 on Ada Miller and Bertha Miller as to the within named defendants who are minors, March 8-1920 on Susan Miller the mother of the said Ada Miller and Bertha

Final Record, Union County Probate Court.

105-06

Bertha Miller said misshaving no guardian the father of said minor being dead. Mar. 13-1925 - on the person having the care of with whom lives the said minor reside.

J.S. Kingerich, the above named J.S. Kingerich who has signed the same being duly shown, says the foregoing Return of Service is true as he really believes.

Shown to before me, and signed in my Presence. This 18. day of March. 1925.

L.A. Davis Notary Public

Answer of Guardian ad Litem.

In the Probate Court, Union County, Ohio.

105-06

Answer of Edu. ad. Litem

J.S. Kingerich, and Eli A. Miller, Admrs. of the estate of M.E. Miller, Deceased. Plaintiff.

vs. 105-06

Susan Miller, et. al. Defendants.

Answer of Guardian ad Litem.

Now come Ada Miller and Bertha Miller, minor defendants herein, by Miss L. Myers, Guardian ad Litem, and for answer to the petition deny all of the allegations therein contained prejudicial to said defendants, and further say that they are of tender years, and not acquainted with the law in such cases, and therefore ask the Court to protect their rights in this case and for such relief as may be just.

Miss L. Myers, Edu. ad. Litem.

105-06

Appt. of Edu. ad. Litem

In the Probate Court, Union County, Ohio Sept. 12-1925 No. 105-06.

Appt. of Guardian ad Litem. Entry.

This cause came on this day to be heard and it appearing to the Court that Ada Miller and Bertha Miller minor defendants, now the age of 14 years have been duly served with process herein and have neglected to make an application within twenty days hereafter for the appointment of a guardian ad litem.

It is therefore ordered that Miss L. Myers, Sr. and she is hereby appointed guardian ad litem of said minor defendants, and thereupon Miss L. Myers appeared in open Court and accepted said appointment.

W.H. Husted, Probate Judge

Order for Private Sale.

In the Probate Court, Union County, Ohio Sept. 12-1925. Entry. Order for Private Sale - etc.

This day this cause came on to be heard upon

105-06

Application Private Sale.

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10506

The petition of the plaintiff and, also, upon the return of the summons issued, the answer of Miles L. Myers, guardian ad litem, for the minor defendants, Adw Miller and Bertha Miller, and the answer and cross petition of the defendant, The First State Bank of Plain City, and the Court being fully advised in the premises find that all of the defendants herein have been legally served with process, or have waived the service of process and entered their appearance, and that all have been notified of the pendency and prayer of the petition, as prescribed by law.

And the Court further find that Susan Miller widow of the said A. C. Miller, deceased, avails in her answer herein set forth the assignment of her dower in said premises in metes and bounds and desires that the same may be sold free and clear 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 find 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 decedent and cost of administration.

The Court further find that the real estate in the petition described was appraised by the appraisers of the general estate, at \$2000.00 and the Court also find that the bond heretofore given by plaintiffs as administrators of the estate of A. C. Miller in the amount of Six Thousand Dollars, 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 said estate to sell the real estate described in the above petition at private sale, it is now ordered, that J. S. Kingerich and Eli A. Miller as such administrators proceed to sell said estate at private sale, at not less than the appraised value thereof upon the following terms, to wit, Cash in hand, on day of sale.

W. T. Trustad, Probate Judge

Application
Private Sale.

Application to Sell Real Estate at Private Sale
Probate Court, Union County, Ohio.
(No. 10506. application.)
The said Plaintiff represents that it would be for the best interest of the said parties to sell the real estate described in the petition in this case at private sale.

Final Record, Union County Probate Court.

105-06

for the following reasons: That said land can be sold for more money at private than at public sale.

And they therefor ask for an order authorizing them to sell said real estate at private sale.

J. S. Gingench Eli A Miller, administrators

The State of Ohio Union County

Cash

J. S. Gingench being duly sworn, says that the various matters set forth in the foregoing Application are true, as they verily believe. J. S. Gingench

Known to before me, and signed in my presence this 11th day of Sept. 1925. W. D. Hooper, Notary Public

affidavit

affidavit of Disinterested Person.

of The State of Ohio Union County

Disinterested

L. H. Miller and B. E. Thomas, 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 done for the interest of the said parties to sell said real estate at private sale than at public sale as they verily believe.

Person.

L. H. Miller B. E. Thomas

Known to before me, and signed in my presence this 12th day of Sept. 1925. L. D. Davis, Notary Public

Order for

Order for Private Sale

Private sale.

Probate Court, Union County, Ohio

Sept. 12th 1925.

This day this cause came on to be heard upon the petition 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 A. E. Miller deceased, did ^{leave a widow} but that she is not entitled to share 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 A. E. Miller described in the petition, to pay his debts, and to bring 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 J. S. Gingench, and Eli A Miller as such Adms- proceed, to sell said real estate, free of taxes, at private sale, for not less than the

105-06

Order

of

sale -

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Report of Sale.

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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

Order of Sale Free of Dower.

of

The State of Ohio, Union County, Probate Court.

sale

To J. S. Kingerich, and Eli A. Miller, administrators of the Estate of A. E. Miller. Greeting:

This, 12th

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, Admin^r, are Plaintiff and Susan 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, free the dower of widow of deceased, the following described premises, to wit: Situated in the State of Ohio, County of Union and Township of Jerome Park of Survey, No. 3754.

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Beginning at a stone and piece of brick in the center of the Miford and New California Road and corner to lands owned by the heirs of Samuel M. Cullough; thence with their line to the line of James Ketch north 34 1/4° West 195.75 poles to a stake in said Ketch line; thence north 54 1/2° East 70 poles to a stake and stone; thence South 34 1/4° East 238 poles to a stake and stone in the center of the Miford and New California Road; thence with the center of said Road West 87 poles to the beginning, containing 96 acres, and 70 poles.

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Said sale is to be free from the dower estate of Susan Miller to be upon the following terms; cash in hand on day of sale.

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allegations
A. E. Miller

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

It is ordered
dispensed
that it

Witness my signature and the seal of said Probate Court at Marysville Ohio, this 12th day of September, 1925
W.H. Husted Probate Judge

A. E. Miller
and to

Return

To the Probate Court of Union County, Ohio.

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

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such
ce of dower.

Dated the 12th day of September, 1925;

J. S. Kingerich.

Report of

Report of Sale

Sale.

In obedience to the within order, I sold said

Final Record, Union County Probate Court.

10506

said premises on the 12th day of Sept. 1925, to The First State Bank of Plain City, Ohio, for the sum of Eighty seven hundred and fifty-five Dollars said sum being more than the appraised value of the same.

J. S. Gingenich,

Eli A. Miller, adms.,

Dated the 12th day of September, 1925.

The State of Ohio, Union County

Affirm

The above named J. S. Gingenich, and Eli A. Miller adms., 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.

J. S. Gingenich, Eli A. Miller

known to before me and signed in my presence this 12th day of Sept. 1925.

Wm. Cooper, Notary Public

Approving Sale

Journal Entry: approving Sale and Ordering Distribution

Ordering

J. S. Gingenich, Eli A. Miller, adms.

Case No. 10508.

Sept. 11th 1925

Distribution

of the Estate of A. E. Miller, deceased Plaintiff

Susan Miller, et al. Defendants

Approving Sale and Ordering Distribution.

This day the cause came on to be heard on the report of J. S. Gingenich and Eli A. Miller, adms., of the estate of A. E. Miller, of their proceedings under the former order of this Court, and upon their motion to confirm the sale made in obedience to said order, and the Court having carefully examined said report and find the proceedings of said petitioners in all respects correct and being satisfied 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 A. E. Miller in said real estate to the purchaser The First State Bank of Plain City, upon said purchaser paying the purchase price in full in cash.

And now this cause coming on further to be heard upon the pleadings and upon the motion to distribute the proceeds of the sale, amounting to Eighty seven hundred and fifty-five dollars; and the said Susan Miller, widow, having by her answer therein waived the assignment of dower, in said premises,

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by metes and bounds, or in rents and profits, and asks that the value of such dower be allowed and paid her out of the proceeds of said sale.

The court finds that the said Susan Miller released her dower in said premises to the defendant, The First State Bank of Plain City, and that she executed a mortgage set up in the cross petition of said defendant, The First State Bank of Plain City, and that the price for which said real estate was sold, not being as much as the amount due upon said mortgage, that therefore said widow is not entitled to any of the proceeds of said sale by way of dower.

The court finds that there is due the said The First State Bank of Plain City, upon the note and mortgage set forth in its answer and cross petition from the estate of the said A. E. Miller, deceased, the sum of Eighty seven hundred and fifty five dollars, with six percent interest from May 25-1925. That said mortgage was duly executed and was filed and recorded in the office of the Recorder of Union Co., O. as alleged in the cross petition of said The First State Bank of Plain City, and is 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 further ordered, that said administrators out of the money in their hands pay first; the cost and expenses of this proceeding amounting to the sum of \$ 18-

Second: to the First State Bank of Plain City upon the note and mortgage described in its answer and cross petition, the balance of said proceeds amounting to \$ 1737.22

And, it is further ordered, that this proceeding be recorded and that the petitioner pay the costs \$ ---, out of the proceeds of said sale.

W. H. Husted
Probate Judge

105-5-0
April 29.
1925;
Miss L. Myers
attorney.

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

Odele E. Piersol, administrator
of the estate of
Enoch Piersol, deceased.
Plaintiff

vs.
Civil Action

Millie C. Ebright,
Lou C. Ebright, and
Odele E. Piersol.

Petition to Sell Real Estate

Petition.

Defendants

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Enoch Piersol, late of Willcreek Twp. Union County, Ohio deceased; that the amount of debts due from the deceased is Three thousand two hundred and ^{no} ₀₀ Dollars, as near as they can be ascertained, that the charges of administration of said estate will amount to about Seven hundred and ^{no} ₀₀ Dollars, and that the total value of the personal estate and effects of said deceased, is but Eighteen hundred and ^{no} ₀₀ Dollars, being wholly insufficient to pay the debts and costs aforesaid;

The Plaintiff further represents that said Enoch Piersol 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 Willcreek, Town; and a part of Surveys nos. 5609 and 3006, and bounded and described as follows:

First tract:-

Part of Survey no. 5609, and beginning at a stone in the center of a road, (by the side of a Walnut stump); thence with said road N. 82° E. 78.50 poles to a stone in the center of the road, in the East line of the original Survey; thence S. 30° E. 187.50 poles to a stone; thence S. 82° W. 113 poles to a stone; thence to the beginning, containing 100 acres, more or less.

Second tract:-

Situated in said Township, County and State, and a part of said Survey, no. 5609, and beginning at a stone in the east line of said Survey no. 5609, at being the south-east corner of Enoch Piersol's 100 acre tract; thence with the Survey line S. 29° E. 67.50 poles to a stone in Survey line; thence S. 83° 30' W. 144.50 poles to a stone in the East line of William Mt's land; thence N. 7° 30' W. 61.50 poles to a stone; thence N. 83° 15' E. with the South line of Enoch Piersol's 100 acre tract to the beginning, containing 50 ¹⁵⁰/₁₆₀ acres, more or less.

Petition

Receipt

Third Tract 1-

Situated in said Township, County, and State, and a part of Survey, No. 3006, and,

Beginning in the center of the Watkins^{2d} DeLorean Grant Road and, the north-east corner of Enock Pissol's 100 acre tract; thence, with the center of said Grant Road N. 83° 15' E. 17.50 poles; thence S. 8° W. 5-6 poles to a stake in the line between Surveys, No. 5-609, and, 3006; thence N. 79° W. to the beginning,

containing 3 acres, more or less.

The 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 amt of said appraisement is Three Thousand Two Hundred and Forty and ^{no}/₁₀₀ dollars.

That the said decedent died leaving no widow, who is entitled to dower in said premises; that the defendants, Micie C. Ebright and Odell E. Pissol are the only children and heirs at law of said decedent, having the next estate of inheritance from said Enock Pissol, deceased, in said premises; that the defendant Ira O. Ebright is the husband of the said Micie C. Ebright one of the defendants named herein.

The Plaintiff therefore prays, that the rights, interests and liens of the said defendants may be fully determined, adjusted, and protected according to equity and, that your petition may be authorized, and ordered to sell said real estate according to the statute in such case made and provided, and for all other proper orders, and relief in the premises.

Mrs. B. Myers atty for Plaintiff.

The State of Ohio - Union County,

Odell E. Pissol, the petitioner 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^{2d} belief.

Odell E. Pissol.

Sworn to before me, and, signed in my presence, this 27 day of April, 1925;

Mrs. B. Myers, Notary Public,
Probate Court, Union County, Ohio,
No. 105-50.

Civil Action, Reciprocity

To the Probate Judge: Issued summons for said defendants, Micie C. Ebright, ^{2d} Ira O. Ebright and Odell E. Pissol, "action to sell Real estate to pay debts" directed to the

Sumps

Sheriff of said County returnable according to law,
Miss L. Myers, Plaintiffs, atty,
In the Probate Court of Union County, Ohio,
April 29 - 1925.

Journal Entry. Filing Petition to Sell
Real Estate.

Entry
Filing

This day came the Plaintiff Odell E. Piersol, as admsr. of the
estate of Enoch Piersol, deceased, and presented to this
Court his petition, duly verified, praying an order for the
sale of real estate of the said Enoch Piersol, 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. S. Husted, Probate Judge

Waino

In the Probate Court of Union County, Ohio
No. 10533.

Waino

I, the undersigned do hereby waive the issuing
an service of summons, and process in the above
entitled cause, and do hereby enter my appearance
herein.

Odell E. Piersol, Miss E. Ebrigt, Ira O. Ebrigt

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.
No. 10533. Application

Application
71

sale at

Private Sale

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

First: That the appraised value, \$12,320.00 of said
real estate is all the said real estate is reasonably
worth.

Second: That the said real estate can be sold
forthwith for the appraised value thereof, and for
cash, which will save the expenses of offering
the same at public sale.

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

Odell Piersol,

Admsr.

Affidavit
of
Disinterested
Persons.

Order
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Private Sale

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The State of Ohio, Union County,

Odell E. Pierson, being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.

Odell E. Pierson.

Sworn to before me, and signed in my presence, this 21-day of Nov. 1925: Cliff. Mand. Pyles, Notary Public

Affidavit of Disinterested Person.

Affidant of Disinterested Person.

The State of Ohio, Union County

H. A. Hoopes, and E. H. Bauman, 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 Enock Pierson, deceased, to sell said real estate at private sale than at public sale, as they verily believe.

H. A. Hoopes, E. H. Bauman.

Sworn to before me, and signed in my presence, this 21-day of November, 1925: Cliff. Mand. Pyles, Notary Public

Probate Court, Union County, Ohio,

November 21-1925:

Order for Private Sale-etc.

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 Enock Pierson 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 said appraisement is hereby confirmed.

And, the Court, being satisfied that it is necessary to sell the real estate of said Enock Pierson, 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 Odell E. Pierson as such Administrator proceed to sell said real estate, free of dower, at private sale for not less than \$12320.00 the appraised value

Final Record, Union County Probate Court.

105-50

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 from Debt.

Order of Sale

The State of Ohio, Union County.

Probate Court,

To Edell E. Pissol, Executor.

In obedience to an order and decree of the Probate Court within and for said County, made this day, in a certain cause, wherein you as Administrator of the estate of Enock Pissol, deceased, are Plaintiff and Willie C. Bright et al. are Defendants, you are commanded to proceed according to law, to sell at private sale for not less than \$12,320.00 the appraised value thereof, the following described premises to wit:

Situated in the State of Ohio, County of Union and in the Township of Milcreek and a part of Survey No. 3006 and 5609.

First Tract: Part of Survey No. 5609 and beginning at a stone in the center of a road by the side of a walnut stump; thence with the said road N. 82° E. 73.00 poles to a stone in the center of the road in the East line of the original survey; thence S. 35° E. 157.00 poles to a stone; thence S. 17° W. 113 poles to a stone; thence to the beginning.

Containing 100 acres, more or less.

Second Tract:

Situated in said Township, County, State and a part of said Survey, No. 5609, and

beginning at a stone in the east line of said Survey, No. 5609, it being the south east corner of Enock Pissol's 100 acre tract; thence with the Survey line S. 29° E. 67.50 poles to a stone in Survey line; thence S. 53° 30' W. 144.50 poles to a stone in the east line of William Witt's land; thence N. 7° 30' W. 61.50 poles to a stone; thence N. 83° 15' E. with the South line of Enock Pissol's 100 acre tract to the beginning.

Containing 50 1/2 acres, more or less.

Third Tract:

Situated in said Township, County and State and a part of Survey No. 3006, and beginning in the center of the Watkins and Delaware Gravel Road and in the north-east corner of Enock Pissol's 100 acre tract; thence with the center of said Gravel Road N. 53° 15' E. 17.00 poles; thence S. 5° W. 56 poles to a stake in the line between Surveys, No. 5609, and 3006; thence N. 29° W. to the place of beginning.

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Containing 3 acres 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 Marysville this 21 day of November, A.D. 1925
 Odell E. Piersol, 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 21 day of November, 1925.
 Odell E. Piersol.

Report of Sale

Report of Sale

In obedience to the within order, I sold said premises on the 21 day of November, 1925 to Millie C. Bright for the sum of Seven Thousand Three Hundred and Twenty and no/100 Dollars, said sum being the appraised value of the same.
 Odell E. Piersol.

Dated the 21 day of November, 1925.

The State of Ohio, Union County.

The above named Odell E. Piersol 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.
 Odell E. Piersol.

Orders of Confirmation

Known to before me, and signed in my presence, this 21 day of November, 1925. Mand P. Myers, Notary Public
 Journal entry; Orders approving and confirming Sale - Probate Court, Union County, Ohio, November, 21, 1925.

This day this cause coming on to be heard on the report of Odell E. Piersol, Adm. of the estate of Arch Piersol, 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

Enoch Piersol in said real estate, to the purchaser, Miller & Bright upon the said purchaser paying the purchase price \$ 72,220⁰⁰ therefor.

It is further ordered that this proceeding be recorded, and that said petitioner pay costs \$ ---.
Witnessed Probate Judge

105-97,
July 16th
1925.
R. C. Allen
atty.

Petitioner for Sale of Real Estate to Pay Debts.
J. J. Zupan adm. etc. Deft.
E. R. Hull,
Deft.

Probate Court, Union County, Ohio.
No. 105-97
Civil action.
Petition to Sell Real Estate.
Petition.

The Plaintiff represents that he is the duly appointed and qualified Administrator de bonis non of the estate of Addie E. Masters late of Union County, Ohio, deceased; that the amount of debts due from the deceased is three hundred and ^{no} ~~no~~ ^{no} dollars, as near as can be ascertained, the same being the burial expenses of E. O. Masters, (deceased) as provided in the Will annexed, that the charges of administration of said estate will amount to about seventy and ^{no} ~~no~~ ^{no} 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.

Petitioner

The plaintiff further represents that said Addie E. Masters died ^{legally} in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to wit: and in the village of Richmond and being Lot no. 389 situated in Beatty annex addition to the village of Richmond, Ohio, (For a more specific description see recorded Plat of the said Beatty Annex addition to the said village of Richmond Ohio, in the Recorders office at Mansfield, Union Co. Ohio. The said decedent died leaving E. O. Masters her widow, who is now deceased, that the defendants E. R. Hull, T. B. Farley, and H. B. Farley are the only next of kin and heirs at law of said decedent, having the next estate of inheritance from said Addie E. Masters deceased, in said premises.

The Plaintiff therefore prays that the rights, interests and heirs of the said E. R. Hull, T. B. Farley, and H. B. Farley may be fully determined, adjusted, and protected according to equity, and that your petitioners may be authorized and ordered to sell said real estate free from any said ~~down~~ according to the statute in such cases made and provided, and for all other proper

105-97

Oath

Filing Petition

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105-97

orders and relief in the premises.

F. Leroy Allen

The State of Ohio, Union County, ss.

Oath

I, G. Zuppan, Adm., etc. of the within named Plaintiff being duly sworn, says that the various matters and things set forth in said petitions are true to the best of his knowledge and belief.

I, G. Zuppan, Adm., etc.

Sworn to before me, and signed in my presence, this 15th day of July, 1925. F. Leroy Allen, Notary Public, Union Co., O.

In the Probate Court of Union County, Ohio, July 15th 1925. No. 97-10597.

Filing Petition to Sell Real Estate.

Filing Petition

This day came the Plaintiff G. Zuppan, Adm., etc. and presented to this Court his petition duly verified praying an order for the sale of real estate of the said Addie E. Masters, 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. Studied Probate Judge

Wainor of Summons

Wainor

Probate Court, Union County, Ohio

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, 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 21-1925.

E. R. Hull.

Wainor

Wainor

Probate Court, Union County, Ohio.

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.

July 27 - A. D. 1925.

J. B. Farley

H. H. Farley

105-97

Journal Entry Orders on Hearing of appraisement, etc.
Probate Court, Union County, Ohio.
July 30th 1925.

Hearing
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, have voluntarily entered their appearance herein, and are 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 Addie E. Masters described in the petition, to pay her debts. It is ordered that Benton Cabell, J. Fred Woods and W. P. Ransome, three suitable and judicious disinterested men of the vicinity of said real estate who are freeholders, be and they hereby are appointed to appraise said lands, as a whole, at their true value in money. It is further ordered, that said appraisers do, soon as required by law, and after view upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, on or before the 30th of July, 1925. This cause is continued.

W. H. Busted, Probate Judge

Order of
appraisement.

Order of appraisement.
The State of Ohio, Union County, Probate Court.
To D. J. Zupan Administrator of the estate of Addie E. Masters (deceased) Greeting:
You are directed 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. etc. are Plaintiff and E. R. Hull, et al. are Defendants, you are commanded that by, the oaths of J. F. Woods, Benton Cabell and W. P. Ransome, 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 laws of the following described premises, free from any dower estate of anyone - therein to wit:
Survey # 5293. Being all of lot # 259, in Beatty's Addition to the Village of Richmond Ohio.
(For a more specific description see Plat Book No. 1, of the Village of Richmond in the Recorder's office at Marysville, Ohio) Deed recorded in Vol. 136 Page 41 Union County Record, of Deeds.
You will make return of your proceedings to this Court forthwith upon execution of this order.
Witness my signature and the seal of said

105-97

Return

Oath of
appraisers

appraisers
Return

Confirmation
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Probate Court at Mansfield Ohio, this 30 day of July -
A.D. 1925 W.P. Ransome, Probate Judge
Return

Return

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

Dated the 30 day of July, 1925.

J. G. Zuppan, Adm., etc -

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.

J. F. Wood, Bent Cahill, W. P. Ransome, appraisers

Known to before me, and signed in my presence, this 30 day of July, 1925.

W. L. Roy, atty. Notary Public Union Co - Ohio -

Appraisers Return

appraisers

Return

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

Given under our hands, this 30 day of July, 1925.

J. F. Wood, Bent Cahill, W. P. Ransome, appraisers
Wes. 2^o

In the Probate Court of Union County, Ohio,

August 4 - 1925, no. 10597

Decree Confirming appraisement & Ordering Sale.

Confirmation

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 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 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 public sale.

105-97

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 thereupon by the Court ordered that said J. G. Zuppan, admr., as aforesaid, proceed to advertise and sell the real estate aforesaid free of duty, at public sale, at not less than 75% 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. Husted, Probate Judge

Order of Sale Free from Duty

Order of

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

To, J. G. Zuppan, admr., et al. with the Will annexed, of the Estate of Addie E. Masters, 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., et al. with the Will annexed, are Plaintiff, and E. R. Bull et al. are Defendants, you are commanded to proceed, according to law, to sell at public sale, for not less than 75% of the appraised value thereof the following described premises, to wit:

Situated in the County of Union, State of Ohio, in the Village of Richmond being part of Survey No. 6293, and being all of Tract No. 359, in Beatty's Addition to said Village (you, as admr., more specific description see Plat Book No. 1 of the Village of Richmond in the Recorder's office at Marysville, Ohio) said sale to be held upon the premises and to be upon the following terms - cash - you will make return of your proceedings to this Court, forthwith upon execution of this order.

Witness my signature, and the seal of said Probate Court, at Marysville, Ohio, this 4th day of August, A. D. 1925.

Return

To the Probate Court of Union County, Ohio.

Oath

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 29th day of August, 1925.

J. G. Zuppan, Admr., et al. with Will Annexed.
Report of Sale

In obedience to the within order, I duly

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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 29. day of August 1925, 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 3. o'clock, P. M. I attended upon the premises and offered said real estate for sale, when Percy Sanders, and G. W. Lee bid for the same the sum of Seven Hundred fifteen and no/100 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 them for that sum.

Dated the 29. day of August, 1925.

D. G. Zuppan, Adm., etc.

Confirmation Journal Entry; orders approving and Confirming Sale - Probate Court, Union County, Ohio.

Sept. 5th 1925-

D. G. Zuppan, Adm., etc.
of the estate of Addie E. Masters
Deceased, order -
Plaintiff

E. R. Hull, et al. Defendants.

This day this cause coming on to be heard on the report of D. G. Zuppan, Adm. - etc. of the estate of Addie E. Masters, 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 Addie E. Masters, deceased, in said real estate, to the purchasers Percy Sanders, and G. W. Lee, upon the said purchasers, paying cash to the amount of purchase price.

It is further ordered that this proceedings be recorded, cost paid \$

W. H. Hasted, Probate Judge

Legal Notice

State of Ohio, Union County, Personally appeared

Legal Notice

105-97.

before me, O. A. Kingery, made oath that the notice, a copy of which is hereto attached, was published & consented to in and after Aug. 6th 1925; in the Richmond Gazette, a newspaper of general circulation in the county aforesaid

O. A. Kingery

In witness whereof, I have signed in my presence, this 5th day of Sept. 1925. F. L. Roy, Notary Public

notice

Notice of Public Sale.

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer at public Auction Saturday Aug. 29, 1925, at 3 P.M. on premises described herein in the village of Richmond, Ohio, the following described real estate, situated in the County of Union State of Ohio and in the village of Richmond, being part of Survey No. 6293, and being all of in-lot No. 359 in Beatty's Addition to said village. For a more specific description see plat Book No. 1 of the village of Richmond in Recorder's office at Mansfield, O. Said property was appraised at \$800

Terms of sale, cash.

F. G. Zuppan, Adm., etc. of Addie E. Masters, deceased. F. L. Roy, atty. Aug. 6 - 1925 4 times.

Petition

9774

Petition for Sale of Real Estate.

Probate Court, Union County, Ohio.

July 2 - 1925
Leonard Cox
att'y.

O. E. Sheppard Adm. of the Estate of Samuel E. Wright, Deceased. Plaintiff

vs. Elmer Wright, a minor over 14 yrs. of age. Lewis L. Wright Defendants.

Petition. For Sale of Real Estate.

The plaintiff represents that he was on the 18 day of April 1921 duly appointed and qualified Administrator of the Estate of Samuel E. Wright, late of Union County, Ohio, and is still acting as such Administrator; that the amount of debts due from the deceased is sixty-five hundred 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 thirty-four hundred dollars, as near as the same can be ascertained which is wholly insufficient to pay the debts and

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The Plaintiff further represents that the said Samuel E. Wright died seized in fee simple of the following described real estate situated in the township of Washington, County of Union and State of this and known as a part of Virginia Military Survey No. 12/12, being known lot number nine (9) Duncan and Wright's subdivision of said Survey No. 12/12 bounded as described as follows:

Beginning at two beeches, southeast corner of said lot number nine (9) thence north 10.5° west 100.25 poles to a stake and hickory corner to lot number eight (8); thence along the South line of lot number eight (8) passing the Southwest corner on a line parallel with the South line of said Survey South 79.5° West 100 poles to a stake, North East corner of lot number five (5); thence on a line between lot number five (5) and number nine (9) South 10.5° east 100.25 poles to the South line of said Survey; thence with said line north 79.5° East 100 poles to the place of beginning, containing sixty-two (62) acres and one hundred and five (105) poles of land.

Petition

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 the said deceased free from any dourry estate therein and that the amount of said appraisement Sixty two hundred and sixty six Dollars. That the plaintiff has given bond as such administrator in the sum of Five thousand Dollars.

That said decedent died leaving the defendant Elmer Wright a minor son 14 years of age his only child and heir at law having the next estate of inheritance from the said Samuel E. Wright deceased in said premises (the said decedent was unmarried at time of death) That the defendant Lewis L. Wright claims to have a mortgage lien in said premises.

Plaintiff therefore prays that the right interest & liens of the said Lewis L. Wright may be fully determined, adjusted and protected according to equity and that your petitioner may be authorized to order 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. Lemuel Cox, Atty. for Plaintiff.

9774

State of Ohio, Hamilton Co. ss.

O. E. Sherman, 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.

O. E. Sherman.

Sworn to before me, and signed in my presence, this 28-day of January, 1922. *[Signature]* Leonard Cox, Notary Public Hamilton Co. Ohio.

Probate Court, Union County, Ohio
Feb. 2-1922

Entry
Filing
Petition

Journal Entry Filing Petition to Sell Real Estate.
This day came O. E. Sherman, adm. of the estate of Samuel E. Wright, and filed herein his petition for the sale of real estate therein described to pay debts of the said deceased. And on his motion summons is issued for Elmer Wright a minor over 14 years of age and for Lewis L. Wright directed to the plaintiff and returnable according to law.

Said cause is set for hearing on the 6th day of March, 1922 that being the first day that the same can be heard after answer given. *[Signature]* Probate Judge.

Summons on Petition to Sell Real Estate.

9774

Summons

The State of Ohio, Union County, Probate Court
To the administrator of the estate of Samuel E. Wright, Dec'd. you are commanded to notify Elmer Wright, a minor over 14 yrs. of age, and Lewis L. Wright, that on the 31-day of January, A. D. 1922, O. E. Sherman, adm. of the estate of Samuel Wright, deceased, filed his petition in the Probate Court of said Union County, Ohio, against them & 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, that unless they answer by the 4-day of March, 1922, said petition will be taken as true. And an order granted accordingly.

Said adm. will make due return of this writ on the 13th of Feb. 1922.

Witness my hand and the seal of said Court this 31-day of January, 1922. *[Signature]*

[Signature] Probate Judge

Deviser.

The State of Ohio, Hamilton County.
I, O. E. Sherman, being duly sworn, say that on the 3-day of February, 1922, I, served this writ by delivering a copy thereof personally to the following named persons, to wit: Elmer Wright, a minor over the age of fourteen years, and upon Laura Rockwood with whom said minor resides and on the 2-day of February 1922, I served this writ by delivering a certified copy

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Order for
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thereof Lewis L. Wright, personally.

O. E. Sherwood.

Sworn to before me, and signed in my presence, this 4-day of February, 1922. Leonard Cox, Notary Public.

9774 application Private Sale.

Application to Sell Real Estate at Private Sale - Probate Court, Union County, Ohio, No. 9774.

Sale.

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

1. Saving of expense of advertising for public sale -
2. That as there is not much demand for real estate, there is not likely to be any competitive bidding and he therefore asks for an order authorizing him to sell said real estate at private sale.

O. E. Sherwood, adv. of Samuel E. Wright, Dec.

The State of Ohio, Union County, ss.

O. E. Sherwood, being duly sworn, says that the various matters set forth in the foregoing Application are true, and he verily believes.

O. E. Sherwood.

Sworn to before me, and signed in my presence, this 6-day of March, 1922. W. H. Husted, Probate Judge - Affidavit of Disinterested Person. (?)

The State of Ohio, Union County, ss.

W. E. Gray, being duly sworn, says that he knows the facts set forth in the application to which this affidavit is attached; that he has no interest whatever in the matter therein referred to, and that it will be more for the interest of the said Estate to sell said real estate at private sale than at public sale - as he verily believes.

W. E. Gray.

Sworn to before me, and signed in my presence, this 6-day of Mar. 1922. W. H. Husted, Probate Judge.

9774 Order for Private Sale.

Probate Court, Union County, Ohio, March 6-1922.

Orders for Private Sale -

This day this cause came on to be heard upon the petition, evidence and testimony and pleadings 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

9774

said Samuel E. Wright, 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 Samuel E. Wright 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 O. E. Sherwood 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: One-third cash in hand, on day of sale, one-third in one year and one-third in two years, from the day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. And said petitioner is ordered to make return to this Court immediately after such sale is made. ^{Am.} This cause is continued.

W. H. Husted, Probate Judge

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Order of Sale Free of Dower.

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Order

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Sale.

The State of this Union County, Probate Court,
To O. E. Sherwood, Adm. of the estate of Samuel E. Wright, deceased. Greeting:

In obedience to an order ^{tho.} decreed of the Probate Court within and for said County, made this day, in an certain cause, wherein you as Administrator of said an Plaintiff ^{tho.} Elmer Wright et. al. are Defendants, you are Commanded, 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 Washington, County of Union, and State of this, and known as a part of Virginia Military Survey no. 17112, being known as lot number nine (9) Duncan and Wright's subdivision of said Survey no. 17112; bounded, and described as follows, to wit:-

Beginning at two fitches, southeast corner of said lot number nine (9) thence north 10.5° west 100.25 poles to a stake and hickory corner to lot number eight (8) thence along the south line of lot number (8) passing the south west corner on a line parallel with the south line of said Survey South 79.5° west 100 poles to a stake, north east corner of lot number five (5) thence on a line between lot number nine (9) South 10.5° East 100.25 poles, to the south line of said Survey; Thence, with said line North

Motion for Public Sale

Greeting

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79.5° East 100 poles to the place of beginning, containing sixty two (62) acrs. and one hundred and five (105) poles of land.

Said sale to be free of down. ^{the} to be upon the following terms: one-third cash in hand, one-third in one year, and one-third in two years.

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

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 March, 1922. ^{W. H. Husted} Probate Judge

Jan. 2 - 1926.

Return

I am unable to find buyers at appraisement ^{and} therefore return the same. O. E. Sherwood.

9774

Motion

Probate Court of Union County, Ohio. No. 9774.

Motion

for Public Sale

The Plaintiff moves that the order of Private Sale heretofore issued in this action be set aside ^{and} an order of Public Sale be issued for the following reasons, to wit:

That the plaintiff is unable to effect a sale of the real estate described in the petition at the appraised value.

Leonard Cox,

Attorney for Plaintiff.

Probate Court of Union County, Ohio.

Journal Entry, No. 9774.

Entry

This day this cause came on to be heard on the motion of the plaintiff for an order to set aside the order of Private Sale heretofore issued and for an order of Public Sale of said real estate described in the petition.

The Court being fully advised in the matter and after careful consideration does hereby order that the order of Private Sale heretofore issued be set aside and held for naught, and it is now ordered that the said O. E. Sherwood, as such administrator proceed to advertise for the sale at the Court House the said real estate for four

9774

consecutive weeks, in a newspaper of general circulation in the said county, in which said land is situated and he is further ordered, to sell the same, at not less than $\frac{2}{3}$ of the appraised value, and on the following terms, to wit, cash, and to make due returns of said sale to this court. W. H. Husted, Probate Judge.

Probate Court, of Union County, Ohio.
Answer. Case No. 9774.

9774

Answer.

Lewis L. Wright, says, that on the 21-day of December, 1920, that the decedent Samuel E. Wright duly executed his mortgage on the property described in the petition herein.

Said mortgage was conditioned to secure his notes to the amount of \$3250 payable as follows: No. 1. \$400. March 1, 1922. No. 2. \$400. March 1, 1923. No. 3. \$400. March 1- 1924. No. 4. \$400. March 1- 1925. No. 5. \$1650. March 1- 1926.

Said notes to bear interest at 6%.

Said mortgage was on the 14th day of April 1921, duly left for record with the Recorder of Union County, Ohio, and was afterwards duly recorded in Mortgage Record, Vol. 85, Page 91 of said county.

That no part of said mortgage has been paid except all interest up to and including interest due Dec. 20th 1925.

This defendant therefore prays, that his interest in case of sale of said premises be protected and for other proper and equitable relief that he may be entitled to.

Lewis L. Wright

Lewis L. Wright being duly sworn says, that the statements in the foregoing answer is true as he verily believes.

Lewis L. Wright

Sworn to before me, and signed in my presence, this 13th day of July, 1926. W. H. Husted, Probate Judge.
Legal notice.

Administrators file.

9774

Legal Notice

In pursuance of an order of probate court of Union County, Ohio, I will offer for sale at public sale on the 13th day of July, 1926, at 10 o'clock P. M. at the door of the Court House in the village of Marysville, the following described real estate

Situate in the Township of Washington County of Union and State of Ohio, and known as, a part of Virginia Military Survey No. 12112, being known as, Lot Number nine (9) Duncan and Wright's subdivision of said Survey No. 12112 bounded as described as follows, to wit:

Beginning at two bushes southeast corner of said

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Order of Sale
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Lot no. nine (9) thence north 10.5° west 100.25 poles to a stake and hickory corner to Lot number eight (8) thence along the south line of Lot number eight (8) passing the south west corner on a line parallel with the south line of said survey. 79.5° west 100. poles to a stake: north east corner of Lot number, five (5) thence on a line between Lot number nine (9) south 10.5° East 100.25 poles to the south line of said survey: thence with said line north 79.5° east 100 poles to the place of beginning: containing 62 acres and one hundred and five (105) poles of land.

Said property being situated on the Willwood stonepile and about three miles north west of Bgthalia Ohio.

appraised at 6266.

Terms of sale: cash.

O. E. Sherwood, Adver

Samuel Cox, attorney for Plaintiff.

The State of Ohio, Union County, ss.

Personally appeared before me, Lena Huber, ^{we} made solemn oath, that the notice, a copy of which is hereto attached was published for five consecutive weeks on and next after January, 13-1926 in the Weekly Mansfield Tribune, a newspaper of general circulation in the county aforesaid.

Lena Huber.

Done to before me and signed in my presence, this 13- day of Feb. A.D. 1926.

J. M. Huber, Notary Public

Fers. # 14²⁰.

Order of Sale. Free of Debt.

9774

Order of Sale.

(Public)

The State of Ohio, Union County, Probate Court.

To O. E. Sherwood, Adver, of the estate of Samuel E. Wright, deceased. Meeting:

In obedience to an order and decree of the Probate Court within ^{the} for said county, made this day in a certain cause, wherein you as, Adver, aforesaid are Plaintiff ^{vs.} Elmer Wright 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 township of Washington, County of Union ^{and} State of Ohio, and known as a part of Virginia Military Survey No. 12112, ^{the} being known as lot # 9 Duncan and Wright's subdivision of said Survey No. 12112, bounded and described as follows: To wit:

9774

Beginning at two beches, southeast corner of said Lot number nine (9) thence north 10.5° west 100.25 poles to a stake and hickory corner to Lot no. 8. thence along south line of lot number (8) passing the south west corner on a line parallel with the south line of said Survey south 79.5° west 100 poles to a stake. north west corner of lot number five (5) thence on a line between Lots no. 9 south 10.5° east 100.25 poles to the south line of said Survey; thence with said line north 79.5° east 100 poles to the place of beginning.

Containing 62 acres and 105 poles of land.

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

Cash in hand, on day of sale, or upon 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 Maryville, this 16 day of Jan'y, 1926.

[Signature] W. H. Husted, Probate Judge

Return

To the Probate Court of Union County, this

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 17 day of Feb'y, 1926.

O. E. Sherwood, Adm'r

Report of Sale Public.

9774

Report of

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Maryville Tribune a newspaper printed and of general circulation in Union County, this, when said real estate is situated for at least four consecutive weeks prior to the 13 day of Feb'y, 1926 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 1:00 clock P.M. I attended and offered said real estate for sale free of donor, when Lewis L. Wright bid to pay for the same the sum of Forty one hundred, Security Bond 25^{th} per Decree, which being the highest and best bid that was offered, and being 75% of the appraised value of said premises, I then and there sold the same to Lewis L. Wright for that sum.

Dated the 17 day of Feb'y, 1926.

O. E. Sherwood, Adm'r.

Probate Court of Union County, this
Approving Sale and ordering Distribution
no. 9774!

Entry

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This day this cause came on to be heard upon the report of a public sale of the property described in the Petition herein, 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, wherefore it is ordered that the same be and is hereby approved, ^{aw.} Confirmed.

and it is further ordered that the same O.E. Sherman, as such administrator make to the purchaser Lewis L. Wright a good ^{aw.} Sufficient deed for the premises so sold, and it is further ordered that upon satisfaction of the mortgage of Lewis L. Wright herein set forth in the amount of said Lewis L. Wright said mortgage being recorded in Volume 85 Page 91 of the mortgage Records of Union County, this Cancellation be entered on the record thereof in the office of the Recorder of said County where it is recorded.

The Court now coming to the distribution of proceeds of said sale amounting to \$477.33, it is ordered that the said administrator out of said money in his hands pay first to the Treasurer of this County taxes penalties ^{aw.} interests thereon.

Secondly, to the expense incurred in the sale of said lands to the sum of --- Dollars including five dollars for Auctioneer and Three and 70/100 Dollars for extra advertising.

Thirdly, to Lewis L. Wright on the note and mortgages set forth in his answer herein the sum of three thousand eight hundred eighty-two dollars ^{aw.} fifty cents which the Court finds due him ^{aw.} it is ordered that the balance of said sum amounting to --- Dollars be distributed by the said Administrator as provided by law.

W. H. Husted, Probate Judge

10666
 Dec. 7-
 1925:
 R. C. Thraall
 atty.

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

Katherine Scheidner, ex. Adm.
 of the estate of
 George Scheidner, Deceased.
 Plaintiff

P.

Mauden Mann.
 Anna Josephy
 Anna Johnson.
 Emma Gilbert
 Bertha Richard
 Lucille Schauble
 Julius Scheidner
 Clara Scheidner
 Edith Scheidner
 Ben Engel.
 Frances Nicol
 Florence Dasher.
 Christine Engel
 Katherine Scheidner.
 Defendants.

The Plaintiff represents that she the duly appointed and qualified administratrix of the estate of George Scheidner late of Union County, Ohio, deceased, that the amount of debts due from the deceased is seventeen hundred dollars as near as can be ascertained that the charges of administration of said estate will amount to about one hundred dollars, and that the total value of the personal estate and effects of said deceased is but one hundred dollars, being wholly insufficient to pay the debts & costs aforesaid.

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

Being a part of Survey No. 2256. (U. M.) and in Paris Township

Beginning at a stone, northwest corner of said Survey thence S. 7° E. 56 poles to a stake, corner to lands of Emanuel Burns in the West line of said Survey; thence with the line of said Burns land N. 80° E. 169.25 poles to a stake in the center of the Mann Road; thence with the center of said road, correcting the course thereof, N. 27½° W. 59.72 poles, to a stake in the center of said road; at the Southern margin of a stone culvert; thence S 0½° W. 149.84 poles to

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Containing 56.14 acrs. more or less.

The said decedent died leaving the defendant Katharine Scheiderer his widow who is entitled to dower in said premises; that the defendant Clara Scheiderer is insane; that Florence Dasher, Christine Kugel, and minors, and that they together with the others (to wit: Matilda Mann, Lena Loschky, Anna Johnson, Emma Gilbert, Bertha Richard, Lucille Schraib, Julius Scheiderer, Edith Scheiderer, Clara Scheiderer, John Kugel, Frances Nicol and the one heir at law of said decedent, having the next estate of inheritance from said George Scheiderer, deceased, in said premises; that the defendants

The Plaintiff therefore pray that the dower of said Katharine Scheiderer in said premises may be assigned and set off to her, that the rights, interests and liens of the said heirs at law may be fully determined, adjusted, and protected according to equity.

Petition

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.

Katharine Scheiderer as admx.

By Richard E. Thrall, her attorney.

Oath

The State of Ohio, Union County, ss.

Katharine Scheiderer, the within named Plaintiff being duly sworn, says that the various matters herein set forth in said petition are true, to the best of her knowledge, and belief.

Katharine Scheiderer, admx.

Known to before me, and signed in my presence, this 28. day of November, 1925

Wm. Richard E. Thrall, notary public

Filing Petition

In the Probate Court of Union County, Ohio December 7, 1925. No. 22666.

Journal Entry: Filing Petition to Sell Real Estate.

This day came the Plaintiff Katharine Scheiderer Admx. of the estate of George Scheiderer, deceased, and presented to this Court her petition, duly verified praying an order for the sale of real estate of the said George Scheiderer, deceased, to pay the debts and the cost of administering the estate of the said decedent.

Whereupon it is considered and ordered, by this

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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

Wainor

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

Lucille Schaeffle

Wainor

Wainor

The undersigned party defendant to the Petition in the above entitled action, do hereby waive the issuing and service of Summons and voluntarily enter appearance as such Defendant, and hereby consent to sale of Real Estate decedent in Petition.

Julius W. Schneider

Wainor

Wainor

Probate Court, Union County, Ohio

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

Emma B. Gilbert

Frances E. B. Nicol

Florence Dasher

Christine Kugel

J. G. Kugel

Martina Warr

Lena Poschky

Katharine Schneider

Edith Schneider

Waiver of Summons

Wainor

The undersigned party Defendant to the Petition in the above entitled action, hereby waive the issuing and service of Summons, and voluntarily enter our 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.

January 8, A.D. 1926.

Anna B. Johnson

Summons

Summons on Petition to Sell Real Estate

The State of Ohio, Union County, ss.

To W. H. Pritchard, Supt. State Hospital

You are commanded to notify Clara Schneider that on 7th day of Dec. A.D. 1925, Katharine Schneider as administratrix of the Estate of George Schneider, Decedent,

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filed her petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts, that unless they answer by the 6-day of Feb. 1926, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 18-day of January, 1926.

Witness my hand, and the Seal of said Court, this 7-day of Jan'y, 1926. *W. H. Husted*, Probate Judge

Case

The State of Ohio, Franklin County, ss.

I, W. H. Pritchard Supt. being duly sworn say, that on the 8-day of January, 1926, I served this writ by delivering a copy thereof personally to the following named persons: *Trinita Clara Scheiderer*

W. H. Pritchard

In and before me, and signed in my presence this 8-day of Jan'y, 1926. *Wm. T. Hines*, Notary Public

Summons

Summons

The State of Ohio, Union County, Probate Court, To *Katharine Scheiderer, Adm.*

You are hereby commanded to notify *Flourance Dasher*, and *Christine Eysel* who are minors, making service of this summons upon said minors, 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 seventh day of December, A. D. 1925, *Katharine Scheiderer, adm.* of the estate of *George Scheiderer*, 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, that unless they answer by the 6-day of Feb'y, 1926, said petition will be taken as true, and an order granted accordingly.

The server will make due return of this writ on the 18-day of January, 1926.

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 January, 1926. *W. H. Husted*, Probate Judge

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Return of Service

Return of Service

Received this writ on the 8. day of January, 1926, at 11. a.m. and on the days and in the manner hereinafter named. I served the same on the within defendants, viz. January 9-1926. on Florence Dasher, and Christine Eyrle, who are minors, by delivering to each of them a true copy hereof with all the endorsements thereon; and on the same day on the person having the care of and with whom said minors live, by delivering to said person, a true copy hereof with all the endorsements thereon said minors having no guardian and the mother of said minors being dead.

Katharine Scheiderer

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

Katharine Scheiderer

Sworn to before me, and signed in my presence, this 9. day of January, 1926.

(Richard C. Howell, Notary Public
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Waiver

The undersigned, party defendant to the petition in the above entitled action hereby waives the issuing and service of Summons, and voluntarily enters appearance, as such defendant, and consents to the sale of the Real Estate described in the petition.

Mrs Bertha Pritchard

1-11-1926.

Answer of Widow.

Probate Court, Union County, Ohio.
No. 10666.

Answer of widow

And now comes, Katharine Scheiderer 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 sup. that she is the widow of said George Scheiderer, deceased, and as such, is entitled to her dower, in the premises described in said petition that her age is seventy 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, by such sum of money as the Court deems the just and reasonable value of her dower interest in said real estate. Katharine Scheiderer

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Appt. for
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Entry on appt-

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The State of Ohio, Union County,
Katharine Scheiderer, being duly sworn, says, that the statements in the foregoing answers, are true, as she verily believes.
Katharine Scheiderer.

Sworn to before me, and signed in my presence, this 31. day of December, A.D. 1925.

Very

Richard C. Thrall, Notary Public

Application for appointment of
Guardian ad litem.

Probate Court, Union County, Ohio,
Feb. 8 - A.D. 1926.

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

The undersigned Katharine Scheiderer, as adx., makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The defendants Christine Kugel ^{and} Florence Dasher, above the age of 14 yrs, and, have been duly served with summons herein, and, have neglected for twenty days after the service of summons upon them to apply for the appointment of a guardian ad litem.

The undersigned suggests that John W. Dailey who is a suitable person be appointed as such Guardian ad litem.

Respectfully, Katharine Scheiderer, as adx.,
By Richard C. Thrall atty.

Entry on
appt-

Journal entry on appointment of Edu. ad litem.
Probate Court, Union Co., O. Feb. 8 - 1926
no. 18666.

This day Katharine Scheiderer, adx. 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 Christine Kugel, ^{and} Florence Dasher are over the age of 14 yrs, and, have been duly and legally served with summons herein, and, that they have failed to apply for the appointment of a guardian ad litem for twenty days after the service of summons upon them, it is ordered that John W. Dailey be, and, he hereby is appointed guardian for the suit for said minor defendants.

and, now comes the said John W. Dailey and in open court accepts said appointment

W. B. Husted, Probate Judge -

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Answer.

Answer of Guardian ad litem

Probate Court, Union County, Ohio,
And now comes the said Christine Luyel ^{ans.} Florence Dasher, the minor defendants to the petition in said cause by John H. Dailey their Guardian ad litem, heretofore appointed in said cause by said court, ^{ans.} 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 8. day of February, 1926.

Christine Luyel. Florence Dasher

By John H. Dailey Gdn. ad litem.
Bond.

10666
Bond

Know all men by these presents, that we, Katharine Scheidner, Bertha Critchard ^{an} J. C. Luyel and ^{ans.} J. C. Luyel bound unto the State of Ohio in the sum of \$1,000.00 for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators

Signed by us, ^{ans.} dated at Marysville, Ohio this 16. day of February, 1926.

The condition of the above obligation is such, that whereas the above bound Katharine Scheidner was heretofore duly appointed ^{ans.} qualified by the Probate Court of Union County, Ohio, Adm. of the estate of George Scheidner deceased, and whereas the said Katharine Scheidner as such Adm. 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 16. day of Feb. 1926. made an order requiring said Adm. to execute a bond according to statute in such cases made ^{ans.} provided.

Now if the said Katharine Scheidner adm. as aforesaid shall account for all the further assets arising from the sale of said Real Estate ^{ans.} that shall remain after payment of the debts ^{ans.} charges for which the bond shall be filed, and to dispose of the same according to law, then this obligation to be void, otherwise to remain in full force.

Katharine Scheidner, Bertha Critchard,

J. C. Luyel.

This Bond, approved in open Court, this 16. day of Feb. 1926

W. H. Husted, Probate Judge

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Order for Private Sale

Probate Court, Union County, Ohio,

Feb. 20th 1926.

Order for Private Sale

Private Sale.

This day, this cause came on to be heard upon the petition, evidence and testimony Albert A. Keer, Harold E. Carr, and F. A. McCullough 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 George Scheidner 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. The Court being satisfied that it is necessary to sell the real estate of said George Scheidner, 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 Katharine Scheidner, as such adx., 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

Journal, 39, Pg 535. Journal 39, Pg 537.

Application to Sell Real Estate at Private Sale

Probate Court, Union County, Ohio.

Application

for

Private Sale.

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

1. The property can and must be sold for the full appraised value.
2. The expense of public sale may be avoided.
3. A buyer at the full value is willing to buy at private sale, and no larger price could be obtained at public sale.

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

Katharine Scheidner

adx. of the Estate of George Scheidner, Dec.

10666

The State of Ohio, Union County,

Cash

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

Katharine Scheiderer

Sworn to before me, and signed in my presence, this 19 day of February, 1926. Richard B. Thrall, Notary Public, Union Co., Ohio.

Affidavit of Disinterested Persons

affiant

The State of Ohio, Union County,

Disinterested Person.

Albert A. Kerr, Gerald E. Carr, J. A. McCullough, 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, for the reasons given by adm. as they verily believe.

Albert A. Kerr, Gerald E. Carr, J. A. McCullough

Sworn to before me, and signed in my presence, this 20 day of Feb'y, 1926. Richard B. Thrall, Notary Public, Union Co., Ohio.

Order of Sale Free from Debt.

The State of Ohio, Union County,

Probate Court,

To Katharine Scheiderer, Adm. of the estate of George Scheiderer, 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., are Plaintiff Mrs. Matilda Mann, 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 debt of Katharine Scheiderer, widow of George Scheiderer, deceased, the following described premises, to wit: Situated in the State of Ohio, the County of Union the Township of Paris and bounded and described as follows:

Being a part of Survey No. 2256 (V.M.)

Beginning at a stone, north west corner of said Survey; thence S. 7° E. 56 poles to a stake, corner to lands of Marion Burns in the West line of said Survey; thence with the line of said Burns land N. 80° E. 169.2 poles to a stake in the center of the Mann Road; thence with the center of said road connecting the course thereof, N. 27 1/2° W. 59.72 poles to a stake in the center of said road at the southern margin of a stone Culvert; thence 80 1/2° N. 149.84 poles to the beginning containing 56.14 acres, more or less.

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Said sale to be full of the dowry of Katharine Scheiderer
to be upon the following terms: cash in full paid
down 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 Mansville, Ohio, this 23-day of February, 1926-

W. H. Husted, Probate Judge

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 thereto attached.

Dated the 25-day of February, 1926.

Katharine Scheiderer, Adx.

Report of Sale - Private

Report

7

sale

Private

In obedience to the within order, I sold said premises
on the 24-day of February, 1926, to J. L. LeRoy Burns,
and Mildred Lucile Burns, for the sum of Eight
thousand four hundred ^{two} twenty-one Dollars, said sum
being the appraised value of the same.

Dated the 25-day of February, 1926.

Katharine Scheiderer, Adx.

The State of this Union County,

The above named Katharine Scheiderer 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.

Katharine Scheiderer, Adx.

Sworn to before me, and signed in my presence, this
25-day of February, 1926.

Richard C. Thrall, Notary Public

Confirming
Sale.

Journal entry: Order Approving & Confirming Sale -
Probate Court, Union County, Ohio,
February, 25-1926.

This day this cause coming on to be heard on the
report of Katharine Scheiderer, Adx. of the estate of
George Scheiderer 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, 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 Schneider in said real estate, to the purchaser: J. G. Leroy Burns, and Mildred Lucile Burns, husband and wife upon the said purchaser paying the full purchase price in cash.

It is further ordered that this proceeding be recorded and that said petitioners pay the costs herein taxed
 W. H. Husted, Probate Judge

10686
 Jan. 11-1926

Petition for Sale of Real Estate to Pay Debts.

Probate Court Union County, Ohio

Sarah L. Reese, Executrix
 of the estate of
 B. M. Reese, Deceased,
 Plaintiff

vs.
 Civil action

Bert C. Reese,
 Iva Reese,
 Don E. Reese,
 Bertha M. Reese,
 Daisy Hoffman,
 Edgar Hoffman,
 Velma Loudenlager,
 A. J. Loudenlager,
 Norma Wilby,
 Leroy Wilby,
 Edith Conquest,
 Elvira Conquest,
 Mabel Parrott
 Mrs.
 Clarence Parrott
 Frank J. Robinson
 Sarah L. Reese,

Petition
 To
 Sell Real Estate

Petition

Petition

Defendants.

The Plaintiff represents that she is the duly appointed and qualified executrix of the estate of B. M. Reese, late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is Five thousand five hundred ^{and} no/100 dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about \$200-⁰⁰. 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 B. M. Reese died seized in fee simple of one half interest of the following described real estate, situate in the County of Union ^{and} State of Ohio, to-wit:

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10686. ans. in the Township of Leesburg and part of Sunny no. 3694 and bounded and described as follows:
 Beginning at a stone N.E. corner of a tract of land conveyed by E.W. Moore to W.C. Hopkins April 1 - 1908 and in the center of the Pharisburg and Decatur Grant Road; thence with the center of said Road N. 80° 45' E. 87.40 poles to an iron pin, a corner lands conveyed by Georgia A. Bone to Andrew C. Rowland March 15, 1899; thence with the west line of said land S. 11° N. 183.50 poles to a large post (witnessed by 2 Elms and a Hickory) the southeast corner of said land in the north line of the George C. Freshwater farm; thence with said line N. 76° 45' W. 87.50 poles to a stone, the southeast corner to said tract of land conveyed by E.W. Moore to W.C. Hopkins; thence with the east line of said land N. 11° E. 158.50 poles to the beginning containing 93 acres more or less.

Petition

also the following premises being a part of said Sunny no. 3694 and described as follows:
 Beginning at a stake (witnessed by a Hack Walnut) in the center of the Pharisburg and Decatur Grant Road, and southeast corner to a piece of land containing 4.25 acres conveyed by Norton Scott to Wesley Abrahams April 14 - 1870; thence with the center of said road N. 80° 45' E. 63.30 poles to a stone; thence N. 10° E. 22.40 poles to the center of Boker Creek; thence up the center of said creek with the meanders thereof (containing with the old Channel of the same) to the north east corner of said parcel of land conveyed by Norton Scott to Wesley Abrahams; thence with the east line of said land S. 10° N. 37 poles to the beginning, containing 11 acres more or less.

Excepting therefrom 2 acres off the west end of said 11 acre the same having been sold to Charles Ward about 9 years ago, said 2 acres being cut off from the other by a small stream.

The total amount of land herein described being 102 acres more or less.

The said decedent died leaving Sarah L. Reel his widow who is entitled to dower in said premises; that the defendants Bert C. Reel, Don E. Reel, Daisy Koffman, Velma L. Lunderslager, Norma Wiley, Edith Congill ^{an} Mrs. Mabel Perrott are the only next of kin of said decedent having the next estate of inheritance from said

10686 B. M. Reel deceased, in said premises, that the

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Defendants, Frank L. Robinson and A. J. Loundslayer have some interest or claim to have same represented by notes secured by mortgages on said within described premises and that the same is a mortgage lien against said premises respectively

The Plaintiff therefore prays that the rights, interests and terms of the said A. J. Loundslayer and Frank Robinson may be fully determined, adjusted and protected according to equity and that your petitioner may be authorized and ordered to cause to be appraised and to sell said real estate at private sale free from said debts, according to the statute in such cases made, and provided, and for all other proper orders and relief in the premises.

Sarah L. Reese

The State of this Union County, ss.

Oath

Sarah L. Reese, 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

Sarah L. Reese.

Sworn to before me and signed in my presence this 7 day of January, 1926. Seal F. Leroy Allen, Notary Public.

In the Probate Court of Union County, this Jan. 9th 1926. vs. 10686.

Filing Petition

This day came the Plaintiff Sarah L. Reese, executrix of the estate of B. M. Reese, deceased, and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said B. M. Reese, 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 -
Waimo.

Waimo

Probate Court, Union County, this. The undersigned, party defendant, to the Petition in the above entitled action, hereby waives the issuing and service of Summons, and voluntarily enters for appearance, as such Defendant.

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Waimo

Order for appraisement

Application for Real Estate

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Mr. T. J. in Waimo volume
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And consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

Jan'y. 15 - 1926.

F. J. Robinson,

Wainor

Wainor

Probate Court, Union County, Ohio.

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 Real Estate described in petition.

Norma E. Wiley

L. A. Wiley

Mabel L. Parrott

Kelarende E. Parrott

Bert. G. Reese

Ira J. Reese

Daisy A. Koffman

Edgar E. Koffman

Edith M. Bongill

Olin P. Bongill

Velma L. Loudenlager

A. J. Loudenlager

Bertha A. Reese

Dow E. Reese

Probate Court, Union Co. Ohio, Jan'y 27 - 1926

Journal Entry. Order for Appraisement.

Order for appraisement

This day this cause came on to be heard upon the petition, proofs, and exhibits the Court finds that all the defendants have voluntarily entered their appearance in the case, and that as set forth in the petition, it is necessary to sell the real estate therein described, to pay the debts of said B. M. Reese, deceased.

It is therefore ordered and adjudged by the Court, that the said premises be appraised free of doubt, by the oath of Del. Jct's, Will Parrott, Mr. Homer Hall three judicial 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

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

Application to sell Real Estate

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

That it is now near the first of March, and time to give possession of farm land and that an offer of \$3500⁰⁰ more than the appraised value thereof in cash has been made

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for the same. ^{and} that same would save expense of public sale and advertising.

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

Sarah L. Reece, Ex. of the estate of Benjamin M. Reece, deceased.

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cont.

The State of Ohio, Union County.

F. Leroy Allen, attorney of Record for Sarah L. Reece being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.

F. Leroy Allen.

Sworn to before me, ^{and} signed in my presence this 27 day of Feb. 1926. ^{and} W. H. Husted, Probate Judge -

affidavit of Disinterested Person.

The State of Ohio, Union County.

Affidavit of Disinterested Person

J. B. Kagay, and Meade C. Robinson 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 Sarah L. Reece, executor to sell said real estate at private sale, than at public sale, they being offered \$350.00 more than the appraised value, in cash, for the same and thereby eliminate the expense of public sale and it being marshaled as they verily believe.

J. B. Kagay M. C. Robinson

Sworn to before me, ^{and} signed in my presence this 27 day of February, 1926. F. Leroy Allen, Notary Public

Order of appraisement.

10686

The State of Ohio, Union County, ss.

Probate Court.

To Sarah L. Reece, Executrix:

Order of appraisement

In obedience to an order and decree of the Probate Court, within and for said county, made this day in a certain cause, wherein you, as, Adm^r of the Estate of B. M. Reece, deceased, are Plaintiff and Bert C. Reese, et al. are Defendants, you are commanded by the orders of E. B. Campbell, J. H. Wilson ^{and} Robt Hopkins 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 Sarah A. Reece therein, to-wit:

Part of Survey, No. 3694.

Beginning at a stone N.E. Corner of a tract of land, conveyed by E. W. Moore, to H. C. Hopkins April

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1-1908 in the center of the Phainburg and Delamare Gravel Road; thence with the center of said road N. 86.45° E. 89.40 poles to an iron pin, a corner to lands conveyed by Georgia A. Bone to Andrew C. Rowland, Mch. 15-1899; thence with the west line of said land S. 11° W. 183.50 poles to a large post (witnessed by 2 elms & a hickory) the S.E. corner of said land in the north line of the George C. Freshwater farm; thence with said line N. 76° 45' W. 87.50 poles to a stone the S.E. corner of said tract of land conveyed by E. W. Moore to H. C. Hopkins; thence with the E. line of said land N. 11° E. 158.50 poles to the beginning containing 93 acres more or less. Also the preceding premises being a part of said Survey no. 3694 and described as follows:

Order of appraisement

Beginning at a stake (witnessed by a Hack Walnut in the center of Phainburg and Delamare Gravel Road, S.E. corner) to a piece of land containing 4.25 acres conveyed by Norton Scott to Wesley Abraham, April 14-1870; thence with the center of said road N. 86° 45' E. 63.30 poles to a stone; thence N. 10° E. 22.40 poles to the center of Bokes Creek; thence with the center of said Creek with the meandering thereof (and continuing with the old channel of the same) to the N.E. corner of said parcel of land conveyed by Norton Scott to Wesley Abraham; thence with the E. line of said land S. 10° W. 37 poles to the beginning containing 11 acres by the same more or less.

The total amount of land conveyed by this deed being 104 acres more or less.

Except 2 acres of land between Grassy Run Ditch and Bokes Creek conveyed to Chas. A. Ward by Warranty Deed dated Mch. 24-1921 and recorded in Union County Record of Deeds Vol. 125 Page 198.

It is understood that the undivided one-half interest of the above described real estate is the amount represented by this appraisement.

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 Marsville this 27 day of January 1926.

Return

Return to the Probate Court of Union County of this. 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 January 1926. Sarah L. Reece, Adm'r.

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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.

R.R. Hopkins, E. B. Campbell, J. N. Wilson, appraisers.

Done to before me, and signed in my presence this 27th day of January, 1926. W. H. Husted, Probate Judge.

F. DeRoy, Allen, Notary Public, Union Co., O.
Appraisers Return.

10680

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 ^{and no/100} Dollars, free from said dower estate of Sarah L. Reese, therein given under our hands, this 27th day of Jan'y, 1926.
R.R. Hopkins, E. B. Campbell, J. N. Wilson, appraisers.

10680

Journal Entry; Orders, approving appraisement.

Probate Court, Union County, Ohio

Jan. 27-1926. Bond Dispensed with.

This day came the said Plaintiff by her attorney and produced to the Court the report of an appraisement therein made by E. B. Campbell, J. N. Wilson and Robert Hopkins in pursuance of a former order of this Court; and it appearing upon examination that said report is in all respects correct and correct, it is ordered that the same, by said clerk, is approved and confirmed.

Said Sarah L. Reese, being named Executrix without Bond, no bond is therefore required.

W. H. Husted, Probate Judge.

10680

Answer

Answer of Widow.

In the Probate Court of Union County, Ohio, this Case No. 10680.

Proceeding to sell real estate.

Ans. now comes Sarah L. Reese, one of the defendants in the above entitled cause, and voluntarily enters her appearance, herein for answer to the petition in this case filed, says that she is the widow of Benjamin M. Reese, deceased, and as such is entitled to dower in the premises described in said petition that her age is 72 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.

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Order for Private Sale.

This petition for advice here or be Mr. a State in leave to so is re Berg in app the estate petition of Reese down the term return is

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Order of Sale

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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 to her in lieu thereof out of the proceeds of said sale, such money as the court deems just and reasonable as the value of her dower interest in said real estate.
Sarah L. Reese, By her attorney
LeRoy F. Allen.

Oath

State of Ohio, Union County, ss.
Sarah L. Reese, being duly sworn, says that the statements in the foregoing answer are true, as she truly believes.
Sarah L. Reese,

known to before me, and signed in my presence, this 27 day of February, 1926, at
LeRoy Allen, Notary Public,
Probate Court, Union County, Ohio,
Feb. 26 - 1926.

Order for Private Sale

This day this cause came on to be heard upon the petition, evidence & testimony to the Court, being duly advised in the premises finds that all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance, and are now properly before the Court. That the statements and allegations in said petition are true.

That said Benjamin F. Reese 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 Benjamin F. Reese 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 Sarah L. Reese as such executrix 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.F. Husted

Probate Judge -

10686

Order of Sale

Order of Sale - Free from Dower
The State of Ohio, Union Co. Probate Court.

1068a

To Sarah L. Rice, Ex. of the estate of Benjamin M. Rice, 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 executrix of the estate of Benjamin M. Rice, are Plaintiff and Bert C. Rice 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 Sarah L. Rice, widow of Benjamin M. Rice deceased, the following described premises, to wit:

Being undivided one-half interest of the following: Situate in the County of Union and State of Ohio, and in the Township of Leetown, and bounded and described as follows: Being Part of Survey No. 3694, Beginning at a stone, N.E. corner of a tract of land conveyed by E. W. Moor to W. C. Hopkins April 1-1905, in the center of the Pharrsburg and Delamater Grand Road: thence with the center of the said road N. 76° 45' E. 57.40 poles to an iron pin: a corner to lands conveyed to Georgia A. Bone and Andrew Rowland March 15-1899; thence with the N. line of said land S. 11° W. 152.50 poles to a large post (witnessed by two oaks and a hickory) the S.E. corner of said land, in the north line of the George C. Freshwater farm; thence with said line N. 76° 45' W. 87.50 poles to a stone the S.E. corner of said tract of land conveyed by E. W. Moor to W. C. Hopkins; thence with the E. line of said land, N. 11° E. 158.50 poles to the beginning.

Containing 92 acres of land, more or less.

Also the following premises being a part of said Survey No. 3694, and described as follows:

Beginning at a stone (witnessed by a black walnut) in the center of the Pharrsburg and Delamater Grand Road, and the S.E. corner to a tract of land containing 4.25 acres conveyed by Norton Scott to Wesley Abrahams April 14 - 1870. Thence with the center of said road N. 86° 45' E. 63.30 poles to a stone; thence N. 10° E. 22.40 poles to the center of Bokes Creek; thence up the center of said creek with the meanderings thereof (and continuing with the old channel of the same) to the N.E. corner of said parcel of land conveyed by Norton Scott to Wesley Abrahams; thence with the E. line of said land, S. 10° W. 27 poles to the beginning, containing 11 acres of land, more or less.

Excepting therefrom that part of said tract of land lying between grassy Run Ditch and

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Pokes Creek conveyed by Benjamin M. Reese and Sarah L. Reese, to Chas. W. Ward by Warranty Deed dated March 24 - 1921 and Recorded in Union County Record of Deeds, Vol. 125 Page 198 and containing about 2 acres of land.

The total amount of land conveyed by this deed being 102 acres more or less.

Said sale to be private sale, and to be upon the following terms - cash -

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

Witness my signature and the seal of said Probate Court, at Mansville, Ohio, this 27th day of Feb'y - 1926. W. H. Husted, Probate Judge.

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 27th day of Feb'y, 1926.

Sarah L. Reese, Ex -

Report of Sale -

Report of Sale

In obedience to the within order, I sold said premises on the 27th day of February, 1926, to Elton Myers, and Mary Myers, for the sum of Four Thousand Three Hundred and fifty dollars, said sum being more than the appraised value of the same -

Sarah L. Reese, Ex -

Dated the 27th day of Feb'y, 1926.

The State of Ohio Union County.

The above named Sarah L. Reese being duly sworn, dep. 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.

Sarah L. Reese.

Sworn to before me, and signed in my presence, this 27th day of Feb'y, 1926. F. Leroy Allen, Notary Public.

Journal entry: Orders, approving, and confirming Sale - Probate Court, Union County, Ohio, Feb'y, 27th 1926.

Confirming

approving

This day this cause coming on to be heard with report of Sarah L. Reese executrix of the estate of B. M. Reese, 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

10680

having carefully examined said report, finding the proceedings of said petition in all respects correct, and being satisfied that said sale was fairly and legally made.

It is ordered that the same, be and hereby is approved, confirmed.

It is further ordered, that said petitioner execute a deed, of all the right, title and interest of the said B. M. Rice in said real estate to the purchasers Elton Myers and Mary Myers, upon the said purchasers paying the amount of said purchase price, \$435.00 in cash.

It is further ordered that this proceeding be recorded, that said petitioner pay the costs \$13.00

W. H. Husted, Probate Judge

10271^a
July 11
1926.

In the matter of the estate of Belle Snyder, Decid
Petition To Sell Personal Property.

Probate Court, Union County, Ohio.

The undersigned respectfully represents, that he is the duly appointed and qualified Admin. of the estate of Belle Snyder, dec'd, late of said Co., 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.

Household goods, including bed-room out-fits
Chairs, Sings, and pictures 100.00

Said authority is asked for, the following reasons, that the said property can be sold forthwith for the appraised value.

That the appraised value is all said property is reasonably worth.

That to sell at private sale will save the expenses of advertising and offering for sale at public sale.

The State of Ohio, Union County, ss.

Mrs. L. Myers, being duly sworn, says, that the facts stated in the foregoing petition are true, as she verily believes.
Mrs. L. Myers.

Sworn to before me, and signed in my presence, this 11-day of July, 1926.

Maud Myers, Notary Public
Entry, Journal, vol. 34, p. 520.

10271^a

Order

Order of Private Sale, 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 authorized to sell at Private sale, at not less than

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\$100- the appraised value thereof.
House hold goods etc (application) \$100-

Said sale to be on the following terms: Purchases amounting to \$100- or less, 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 11- day of Feby. 1926.

[Seal] W. H. Husted, Probate Judge

Return

Return

Probate Court, Union County, Ohio.

Report of Sale of Personal Property.

The undersigned Adm^r of said estate says that in obedience to the order of said court, hereto attached he sold said property at private sale, on the 11- day of February, 1926, for the sum of \$100- said sum being not less than \$100- the appraised value of the same.

A detailed Bill of said sales is hereto attached. Dated this 11- day of Feby. 1926.

[Seal] Miss L. Myers adm^r

Bill of sale.

Bill of sale

Household goods including, bed room out. file, chairs, rugs, ^{and} pictures \$100.00 sold to - Clara Gorman, \$100.00

Oath

The State of Ohio, Union County.
Miss L. Myers, adm^r of the estate of Belle Snyder, 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. Miss L. Myers

brings to before me, and signed in my presence, this 11- day of Feby. 1926 *[Seal]* Maud Payer, Notary Public

10271^m
Sale.

Journal entry, Probate Court, Union Co. O - Feby. 11- 1926.
Sale of Personal Property Confirmed.
The Adm^r of the above named decedent having filed his return of the order heretofore issued therein for private sale of the personal property

Final Record, Union County Probate Court.

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

10669

Petition To Sell Real Estate

Dec. 12th

State of Ohio, Union County, ss:

In the Probate Court.

Opeland Thompson
attys.
Marion, Ohio

Sarah Margaret Barker, Executrix
of the estate of Isaac Barker Deceased.
Plaintiff

v

Joseph B. Barker, and Nettie Barker, his wife
Elmer T. Barker, and, Starling Barker, his wife
Lynil East^{sr}, Corinne June East, his wife
Howard Barker,
Lucille Youngs, and,
Sarah Margaret Barker.
Defendants.

Petition.

Petition

The plaintiff represents that she is the duly appointed and qualified executrix of the estate of Isaac Barker, late of Union County, Ohio, deceased; that the appraisers appointed by this Court to appraise the estate of said decedent set off and allowed Sarah Margaret Barker, widow of said Isaac Barker deceased, for her year's support, the sum of eight hundred dollars; that said sum of eight hundred dollars, is still due and unpaid, except \$98.⁹³ which said widow has heretofore received; that the balance yet due to the Probate Court of Union County, Ohio, for costs in the administration of the estate of said Isaac Barker, deceased, amounts to \$5.⁵⁰, that the personal estate of said decedent, has been converted into money and entirely used for the payment of the debts of said decedent, and, that it will be necessary to sell the real estate of said decedent, for the payment of the year's allowance, to the widow and the balance due this Court, for costs in the administration of said estate.

This plaintiff further represents that the said Isaac Barker, died seized in fee simple of the following described real estate.

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

Beginning at a stone in the center of the Richmond or Bellefontaine State road, at R. J. Smith's west line; thence north with the line of Smith's land, 18° West 139 1/2 poles to a stone in Samuel

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Graham's south line: thence with Graham's line south 72° west 59½ poles to a stone in said Graham's south line; thence south 18° east 129½ poles to a stone in the center of said Richmont and Bellefontaine State road; thence along said road north about 85° east 59½ poles to the beginning. Containing fifty (50) acres being part of Military Survey No. 6307 in Belmont County, Ohio.

The said decedent, died leaving the defendant, Sarah Margaret Barker, his widow. Etc., under the terms of the Will of said decedent, which has been duly filed and probated in the Probate Court of Union County, Ohio, was devised a life estate in all of the above described premises in lieu of dower.

That the defendant Joseph B. Barker, who is named and described in said Will of Isaac Barker, as Bert Barker, is a son of said Isaac Barker, deceased, and a devisee under his Will, that Nettie Barker is the wife of said Joseph B. Barker.

That Howard Barker and Elmer T. Barker are sons of Frank Barker, deceased, who was a son of said Isaac Barker, deceased, and the said Howard Barker, Elmer T. Barker, are the children and only children of Frank Barker, being the devisees mentioned in the Will of said Isaac Barker, deceased.

That Starling Barker is the wife of Elmer T. Barker, and that Lucille Young was formerly the wife of Howard Barker.

That Mary Lilly Gast a devisee under the Will of said Isaac Barker, deceased, died in Dec. 1921 leaving Cyril Gast her only heir at law, and that the above said, foregoing are all of the heirs, devisees, and next of kin, of the said Isaac Barker, deceased, that Corine June Gast is the wife of said Cyril R. Gast.

Wherefore, this plaintiff prays that she be authorized and ordered, to sell the real estate of said Isaac Barker, deceased, free of the life estate of Sarah Margaret Barker, for the payment of the year's allowance to said widow and the balance due this Court for costs, and for such other and further relief as the equities of the case may require. Sarah Margaret Barker executrix of the estate of Isaac Barker, deceased.

By Hays Thompson and John B. Kunkade her attorneys, State of Ohio, Union County, ss

Sarah Margaret Barker, 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 &c. &c. Sarah M. Barker.

Petition

10669

Sworn to before me, ^{tho.} signed in my presence, this 12 day of December, 1920. ^{Seal} Sturgis H. Cheney, Notary Public in the Probate Court, Union County, this

Filing

This day came, the Plaintiff Sarah Margaret Barker, executrix of the estate of Isaac Barker, and, presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said Isaac Barker, 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
Praeside

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Praeside

Sarah Margaret Barker
Executrix of the estate
of Isaac Barker, deceased
Plaintiff.

v.

Praeside

Joseph B. Barker, et. al.
Defendants.

To the Judge, and Ex-officio clerk of said Court:

Issue summons, for said Defendants Joseph B. Barker, Nettie Barker, Elmer T. Barker, Shading Barker, Layle East ^{and} East, his wife, Howard Barker, Lucille Young directed to the Sheriff of said County, returnable according to law. ^{Ways Thompson, Plaintiffs atty.,}

answrr

Sarah M. Barker

Answer of Sarah Margaret Barker, Widow
State of this, Union County, ss.
In the Probate Court.
Sarah Margaret Barker, Executrix,
of the estate of Isaac Barker, deceased,
Plaintiff

answrr of
Sarah Margaret Barker

Joseph B. Barker, et. al. Defendants.

Now comes the defendant, Sarah Margaret Barker, and, waives the issuing and service of summons, and enters her appearance herein, and, for her answer herein says, that she admits the allegations of the petition to be true.

Further answering this defendant alleges that she is the widow of Isaac Barker, deceased, and that she was fifty three years of age, at the time of.

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the death of said Isaac Barker, and, under, the Will of said Isaac Barker, deceased, is seized of, a life estate, in all of the premises, in the petition described.

She freely consents to the sale of said premises, free of said life estate, as prayed for in the petition, and asks that the value of said life estate may be computed by the Court on the sale of said premises, or on such part as may be ordered, sold, and paid to her in money.

This defendant further alleges that as, the widow of Isaac Barker, deceased, the appraisers heretofore appointed by this Court in said estate accord her, the sum of Eight Hundred Dollars (\$800) for her year's support, as provided by Statute. That of said sum she has been paid ninety-eight dollars and ninety-three cents (\$98.⁹³) and that there is still due and unpaid the sum of seven hundred and one dollars and seven cents (\$701.⁰⁷)

Wherefore, this answering defendant prays, that the executrix herein be ordered to sell, the real estate as, prayed for in the petition; that out of the proceeds of said sale she be paid the balance, due her on the allowance, for her year's support; that she be paid the value of her life estate as found by the Court in money; for her costs herein, and for such other things, further relief as, the equities of the case may require.

Sarah Margaret Barker,
By Hugo Thompson
Att. John H. Kirkade Her attorney.

State of Ohio, Union County, ss.

Oath

Sarah Margaret Barker, being first duly sworn says that the facts stated in the foregoing answer are true, as she believes.

Done to before me, and, subscribed in my presence, this 12th day of December 1925.
Sturgis K. Cheney, Notary Public Min. O.

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Prarifice. Dec. 16-1925.

Prarifice

To the Judge of said Court:
Issued Summons for the Defendant, Lucille Young (Resides with Ed Young, R. 1, Richmond Ohio) directed to the Sheriff of Union County, Ohio, in order to Sale of Real Estate and equitable relief, costs prayed for, returnable according to law.

Hugo Thompson, atty. for Plaintiff

Summons on Petition to Sell Real Estate

10649

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

You are commanded to notify Joseph B. Barker, Nettie Barker, his wife; Ormer T. Barker, and Starling Barker his wife; Howard Barker, and Lucille Young, ex. Ed Young, R. D. 1, Richmond, O. that on the 12-day of December, 1925 Sarah Margaret Barker, executor of the Estate of Isaac Barker, deceased, filed her petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts and equitable relief and costs, ^{tho} that unless they answer by the 23 day of January, 1926, said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 4-day of Jan'y. 1926.

Witness my hand, and the Seal of said Court this 21-day of December, 1925.

W. H. Hasted, Probate Judge

Sheriff's Return

Sheriff's Office Union County, Ohio
Dec 30 - 1925

10669
Sheriff's
Return

Received this writ, Dec. 21-1925, at 3 o'clock, P.M. and pursuant to its command, served Joseph B. Barker, Nettie Barker, Ormer T. Barker, Starling Barker and Lucille Young, the within named defendants by personally handing to each of them a true and duly certified copy, with all the endorsements thereon.

Howard Barker cannot be found in my Bailiwick
^{now at}
(421 E. Rich St. Col. Ohio) J. B. Kager, Sheriff
Sheriff's Fee

Service ^{on} Return. 75
additional names 1.25
miscellaneous 30. at. 8. 240 Total \$440

10669
Summons

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County ss,
To the Sheriff of Franklin County,
you are commanded to notify Howard Barker 421 East Rich St. Columbus, Ohio, that on the 12-day of December, A. D. 1925; Sarah Margaret Barker executor of the Estate of Isaac Barker, deceased filed her petition in the Probate Court of said Union County, Ohio, against them ^{and} others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition, described, for the purpose of paying debts and equitable relief and costs, and that unless they answer by the 30th day of January 1926, said petition will be taken as true, ^{and} an order

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 Sheriff's Return
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granted accordingly.
 you will make due return of this writ on the 11-
 day of January, A. D. 1926.
 Witness my hand, and the seal of said
 Court, this 2-day of January, A. D. 1926
 W. W. Husted, Probate Judge

Sheriff's Return
 Sheriff's office Franklin County, Ohio,
 January 9th 1926
 Received this writ January 4-1926, at 8 o'clock, a. m.,
 and pursuant to its command, on Jan. 4-1926,
 I left a true and certified copy of this writ with
 all the endorsements thereon, at the usual
 place of residence, of the within named
 defendant, Howard Barker,
 Walter F. Gump, Sheriff Franklin Co., O.
 By R. B. Shivers, Deputy.

Sheriff's fees.
 names 75
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Warrant of Summons.
 Probate Court Union County, Ohio.
 We the undersigned parties Defendant to the petition
 in the above entitled action, as 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.
 Jan. 2-1926.
 Cyril R. Gast. Corine June Gast.

In the Probate Court, Union County, Ohio,
 Case No. 10669. Journal Entry.
 Orders on Filing answer.
 On motion of Joseph B. Barker, Howard Barker
 and Elmer Barker, leave is hereby granted to the
 above named defendants to file answer after
 rules day, and the time for answer is
 hereby extended to Feb. 1-1926.
 W. W. Husted, Probate Judge

Answer and Cross-Petition
 Case No. 10669.
 Now comes the defendants: Joseph B. Barker, and Hettie
 Barker, his wife;
 Elmer T. Barker, and Estelene Barker, his wife; Cyril
 Gast and Corine June Gast, his wife; and,

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Answer, an.
Cross-Petition

Howard Barker, the answering defendants herein and admit that the plaintiff, Sarah Margaret Barker, is the duly appointed and qualified executrix of the estate of Isaac Barker, late of Union County, Ohio, deceased; admit that the appraisers appointed by the court to appraise the estate of said deceased, set off and allowed Sarah Margaret Barker, widow of said Isaac Barker, deceased, for her years support, the sum of \$800- that said sum of \$800- is still due and unpaid except \$98.93 which said widow has heretofore received; admit that the deceased, Isaac Barker, in his last will and testament in this court did devise a life estate in all his realty to the widow Sarah Margaret Barker.

These answering defendants further admit they bear relationship to the testator and to his estate as shown in the petition filed in this case.

Further answering these defendants say that they have been properly served with summons in this action and that they now wish to enter their appearance in said action and freely consent to the sale of the entire premises particularly described in the petition filed in this case, free of the life estate of the widow.

Further answering these defendants deny each and every other allegation contained in the petition not heretofore expressly admitted to be true.

Cross-Petition

Now comes the defendants, Joseph B. Barker, and Nellie Barker, his wife; Elmer T. Barker, and Starling Barker, his wife; Byrd R. Gask, his wife; Corrie Jane Gask his wife; and Howard Barker, and respect fully represent to the court that they bear relationship to the testator Isaac Barker, deceased, and to his estate as shown in the petition for a land sale filed in this court under date of December, 12th 1925.

These answering defendants further represent to the court that the decedent, Isaac Barker, in his last will and testament, devised a life estate in all his realty to his wife, Sarah Margaret Barker, and, after her death, or re-marriage, the realty was devised one-third to his son, Burk Barker,

one-third to Frank Barker's children

one-third to his wife, May Kelley Gask

These answering defendants further represent that the widow, Sarah Margaret Barker, was fifty-three years of age, at the time of the death of said Isaac Barker, and that she, as widow of the decedent, and life

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tenant under the provisions of this will, has appeared in this Court, waived the issue and service of summons and entered her appearance herein and has consented to the sale of said premises described in this petition, free of said life estate and asked that the value of said life estate may be computed by the Court on the sale of said premises, and paid to her in money, and that she be allowed, out of the proceeds of said realty, the sum of \$701.⁰⁷ the balance of the sum of \$800- set apart and allowed to her by the appraisers of the estate for her year's allowance.

These answering defendants further represents that they consent to the sale of the entire premises, the commutation, and computation of the life estate to her in money, and the payment of the same to her together with the balance of the year's allowance not heretofore paid.

Wherefore these answering defendants pray the Court that the widow, Sarah Margaret Barker, executrix of the estate of Isaac Barker, be ordered by the Court to sell the premises described in the petition; that the value of her life estate be determined by the Court; that the balance of the year's allowance be determined by the Court; that upon the consummation of sale of this realty under the order of the Court the Court order paid to the widow the value of her life estate and the balance found due her on the year's allowance set off to her by the appraisers, and that after the costs of administration have been paid the Court order a distribution of the remainder of the proceeds of sale according to the terms and conditions of the last will and testament of Isaac Barker, and for such other and further relief in law, or equity as the Court deems just and reasonable.

attorney for Defendant.

10669

State of Ohio, Union County ss.

Oath.

Joseph B. Barker, Nettie Barker, Elmer T. Barker, Sterling Barker and Howard Barker, being just duly sworn according to law, say that they are Defendants in the above styled action and that the statements and allegations made and contained in the above Answer & Cross Petition are true as they verily believe. J. B. Barker, Nettie Barker, Elmer T. Barker, Sterling Barker, Howard Barker.

known to and subscribed in my presence. This 27-day of Jan'y. 1926. ~~Test~~ Jacob R. Tackler, Notary Public

Order for appraisement.

Probate Court, Union County, Ohio.

Feb'y. 9th 1926.

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Order for appraisement

This day this cause came on for hearing upon the petition, proofs, and exhibits of Sarah Margaret Barker, Executrix 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 Isaac Barker, dec'd. it is therefore ordered and adjudged by the Court that the said premises be appraised first of, down, by the oaths of W. H. Taylor, J. F. Rapp, and R. R. Linn, 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. T. Husted, Probate Judge

10 669

Order of appraisement

Order of appraisement.

The State of Ohio, Union County.

Probate Court.

To Sarah Margaret Barker, 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 estate of Isaac Barker, are Plaintiff ^{vs.} Joseph Barker et al, are Defendants, you are commanded that by the oaths of R. C. Peet, W. H. Taylor, and R. R. Linn judicious disinterested men, of the vicinity, not of kin to the petitioner, who are freeholders of the county in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises free of the down estate of Sarah Margaret Barker, therein, to wit:

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

Beginning at a stone in the center of the Richmond and Bellefontaine State Road, at R. J. Smith's west line; thence north with the line of Smith's land 18° West 139 1/2 poles to a stone in Samuel Graham's south line; thence with Graham's line South 72° West 59 1/2 poles to a stone in said Graham's south line; thence south 18° East 129 1/2 poles to a stone in the center of said Richmond and Bellefontaine State road; thence along said road north about 80° East 57 1/2 poles to the beginning, containing fifty (50) acres being part of Military Survey No. 6307 in Beladowne

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Probate 1926.

Return

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Decree Confirming appraisement

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Township, Union County, Ohio.

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 Marysville, Ohio, this 9 day of Feb., 1926. *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 20 day of February, 1926.

Sarah Margaret Barker, by John B. Kinkade atty.
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.

R. R. Linn, W. H. Taylor, R. C. Peck, appraisers.

Sworn to before me, and signed in my presence, this 16 day of Feb., 1926. *Arthur Fletcher, Notary Public.*
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

Fifty five hundred Dollars (\$5500.00)

free of the above estate of Sarah Margaret Barker, Deceased under our hands this 16 day of February, 1926.

R. R. Linn, W. H. Taylor, R. C. Peck, appraisers.

Res. #2-

Decree Confirming appraisement

In the Probate Court of Union County, Ohio, Feb., 20th 1926. Journal entry.

Sarah Margaret Barker, Ex
of the estate of Isaac Barker, deid.
Plaintiff

10669

v.

Joseph B. Barker, et al. Defendants

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, 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

10669

said appraisement has been made, in all respects in conformity to law, and the former order of this Court, the same, 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 thereof the Court finds that it would be for the best interests of all parties interested therein that said real estate be sold at public sale.

It is thereupon by the Court ordered, that said Sarah Margaret Barker, executor, as aforesaid, proceed to advertise and sell the real estate aforesaid, free of down, at public sale, at not less than 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. Husted, Probate Judge

In the Probate Court, Union County, Ohio.

Case No. 10669

Margaret Barker, Executrix,
of the Estate of Isaac Barker, Decd.
Plaintiff

v.

answering

Joseph B. Barker, et al. Defendants.

Cross-Petition

Now comes Joseph B. Barker, Leonard Barker, and Elmer L. Barker and leave of the Court, having been just obtained to file this pleading, admit that the plaintiff is the duly appointed and qualified executrix of the estate of Isaac Barker, deceased, that the appraisers appointed by the Court, did set off, and allow to her, as widow, the sum of money mentioned in the petition and that there is a balance yet due her as shown in the petition and that there is a balance yet due her as shown in the petition and admit that the decedent, Isaac Barker, died seized in fee simple of the land described in the petition and that he left a Will under the terms of which the plaintiff, as widow, was devised a life estate.

These defendants further say that the parties named defendants in this action bear the relationship, as shown in said petition.

Further answering these defendants

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Cross-Petition

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Cross-Petition

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deny each, and every allegation in the petition not herein expressly admitted to be true.

Cross-Petition

Cross-Petition

Now comes these answering defendants and respectfully represent to the Court that they are the only heirs to the estate of Rachel D. Barker, former wife of Isaac Barker.

These defendants further say that after the marriage of Rachel D. Barker and Isaac Barker, she received the sum of \$1113.51 from her Guardian William Smith, as a balance after his final account in the Probate Court of Knox Co., this, and that after she received said balance, she applied the entire amount shown above to the purchase of the real estate described in the petition.

These defendants further say that Joseph B. Barker, is the son of Isaac Barker and Rachel Barker, and that Elmer T. Barker and Howard Barker, are the only sons and only heirs of Frank Barker, deceased.

The only other son of Rachel and Isaac Barker.

These defendants as the only heirs of Rachel D. Barker, hereby enter their appearance to this action and fully consent to the sale of the premises described in the petition.

Wherefore these defendants pray that upon the sale of the premises, the Court order from the proceeds of the sale that the sum of \$1113.51 be ordered paid to the defendants herein per stirpes and for such other and further relief as is just and equitable.

Attorney for Plaintiff.

10669

State of Ohio, County of Union ss.

Sworn

Joseph B. Barker, Elmer T. Barker, and Howard Barker, after being first duly sworn according to law, say that the allegations and statements made in the above answer and cross petition are true as they verily believe.

J. B. Barker, Howard Barker, Elmer T. Barker, Sworn to and subscribed in my presence, this 2^d day of March, 1926.

Jacob R. Fackler, Notary Public

10669

Motion

In the Probate Court, Union County, Ohio, Case no. 10669. Motion.

Now comes the defendants J. B. Barker, Elmer T. Barker, and Howard Barker, and moves the Court for leave to file an answer, and cross-

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Petition in the above entitled action instanter
B. E. Fackler, atty.

Entry: No. 10699.

This cause coming on for hearing on a motion for
leave to file an answer and cross-petition, the Court hereby
grants the same. W. H. Stueder, Probate Judge
Legal notice.

Legal notice

Executrix's Sale of Real Estate.

In pursuance of an order of the probate court of Union
County, Ohio, I will offer for sale at Public Auction, on
Saturday, the 27-day of March, 1926, at one o'clock, p. m., at
the north door of the Court House, Mansfield Union Co. O.,
the following described real estate

Part of Military Survey No. 6307 in Blairtown Township, Union
County, Ohio, Beginning at a stone in the center of the Richmond
and Bellefontaine State Road, at R. J. Smith's west line; thence
north, with the line of Smith's land 18° west 139 1/2 poles to a
stone in Samuel Abraham's south line; thence with Abraham's
line south 72° west 59 1/2 poles to a stone in said Abraham's
south line; thence south 15° east 129 1/2 poles to a stone in the
center of said Richmond and Bellefontaine State Road; thence
along said road north about 80° East 59 1/2 poles to the
beginning. Containing fifty acres (50). Said property
is appraised at \$5,500. Terms of sale, cash.

Sarah Margaret Barker Ex.

July 25-1926 47.

State of Ohio, Union County.

Oath.

Personally appeared before me, O. A. Kingley and made
oath, that the notice, a copy of which is hereto attached,
was published for 4 consecutive weeks, on and after July 25-
1926, in the Richmond Gazette, a newspaper of general circulation
in the county aforesaid. O. A. Kingley

Done to before me, and signed in my presence,
this 19, day of March, 1926. Paul D. Van Winkle Notary Public
Fees - \$4.50

Order of Sale - Free of Dower.

Order

The State of Ohio, Union County.

Probate Court,

To Sarah Margaret Barker, Ex. of the estate of Isaac Barker, dec'd.
Meeting.

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 Executrix
are Plaintiff and J. B. Barker 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 free of the dower of
Sarah Margaret Barker, widow of Isaac Barker, dec'd.
the following premises, to-wit:

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Part of Military Survey # 6307, in Blairtown Township, Union County, Ohio.

Beginning at a stone in the center of the Richmond and Bellefontaine State Road, at P. J. Smith's west line; thence North with the line of Smith's land, 18° west 139 1/2 poles to a stone in Samuel Graham's South line; thence with Graham's line South 72° West 59 1/2 poles to a stone in said Graham's South line; thence South 18° East 129 1/2 poles to a stone in the center of said Richmond and Bellefontaine State Road; thence along said road North about 80° East 59 1/2 poles to the beginning. Containing fifty (50) acres.

Said sale to be free of the donor's life estate of widow and to be upon the following terms: Cash, sale to be at north door of the Court House, Mansfield, Ohio, after due advertisement according to law. 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 20th day of July, 1926. W. H. Stueder, Probate Judge - 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 March, 1926. Sarah M. Barker, Ex^{or}.

Report of Sale - Public

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 5 consecutive weeks prior to the 27th day of March, 1926, 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 11 o'clock P.M. I attended at the north Court House offered said real estate for sale free of the donor estate of Sarah Margaret Barker, therein, when B. R. Wosser bid to pay for the same, the sum of (\$5,175) Five Thousand one hundred & seventy-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.

Dated the 27th day of March, 1926. Sarah M. Barker, Ex^{or}, estate of Isaac Barker, dec^d.

The State of Ohio, Union County.

The above named, Sarah M. Barker, 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.

Sarah M. Barker
Done to inform me, and signed in my presence, this 27-day of March, 1926. Sturgis Cheney, Notary Public.

Journal entry: In the Probate Court of Union County, Ohio, March 29-1926. vs. 10669.

Confirming Sale

Confirming Sale ^{vs.} Ordering Deed

Ordering Sale

This day, this cause came on to be heard on, the return of the Order of Sale, heretofore issued herein, to Sarah Margaret Barker, Ex^{tr}, and, of the proceeding and sale thereunder.

Thereupon, the Court, after having carefully examined said return and being satisfied that such sale has in all respects been made according to law, and, the former order of this Court, it is, therefore considered and ordered by the Court, that said sale to, and, the same hereby is approved, and, confirmed: ^{vs.} said Sarah Margaret Barker, as such executrix is hereby ordered, to execute and deliver to B. R. Houser, the purchaser, a good and sufficient deed for the premises so sold, upon the payment of the purchase money, Ten thousand One hundred & Seventy-five Dollars (\$ 10,175) and, to hold said proceeds subject to further order of this Court, as, to distribution.

W. H. Husted Probate Judge

O. K. See Pg. 5-88. Entry Distribution - 10669-

10604

Petition to Sell Real Estate

Filed July 31-1925
Mills L. Myers
attorney

In the Probate Court of Union County, Ohio, vs. 10604
Frank Ballier, administrator
of the estate of Altruda Fox, deceased.
Plaintiff.

Jessie Fox, Willard D. Fox
Chester Fox, Sarah Taylor,
Doshia Pennell,
Leda Kormig
Eleva Navan,
Ivan Probst,
Minnie Cole,
Ernest Ballier
Frank Ballier
The Buckeye State B. & Loan Co.,
of Columbus, Ohio.

Petition.

Ott Ballier Ex^{or} of Willard D. Fox
Jessie Fox ad^{or} of the estate of
E. K. Fox, deceased. Defendants.

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The Plaintiff, Frank Ballier, says, that he is the duly appointed, qualified and acting administrator of the estate of Altruda Fox, deceased, and that he was appointed as such by the probate court of Union County, Ohio, and duly qualified therein.

That the personal estate and effects of the said Altruda Fox, deceased, will amount to about the sum of \$70- and that the total indebtedness against said estate will be approximately \$850.00, and that the funeral expenses will be approximately \$300.00 and that the expenses of administration of said estate will be approximately \$300.00; the personal property being wholly insufficient to pay said indebtedness, funeral expenses and expenses of administering said estate.

Further the said plaintiff says that the said Altruda Fox, died seized of the following described real estate, to-wit: Situate in the State of Ohio, County of Franklin and the City of Columbus, and being a strip of ground Twenty-five (25) feet in width off of the east side of Lot number eight (8) of William A. Hill's addition to the City of Columbus, Ohio, as the same is numbered and delineated on the plat thereof recorded in plat book no. 1 page 209 Recorder's office, Franklin County, O.

Petition

Further the said plaintiff says that the said Altruda Fox, died leaving no widow or children but left the following named who are entitled to the next estate of inheritance from the said deceased to-wit:

Jennie Fox, widow of E. H. Fox, deceased, a brother;

William D. Fox, a brother

Chester Fox, a nephew who is a son of Chester Fox, deceased, who was a brother of said Altruda Fox, deceased.

Sarah Taylor, ^{W.} Dasha Pennell, nieces, who are daughters of Byntha Taylor, deceased, who was a sister of the said Altruda Fox, deceased.

Lida Korny, and Alva Navis, Nieces, ^{W.} Ivan Brobeck, a nephew, who are children of Clorinda Brobeck, deceased, who was a sister of the said Altruda Fox, deceased.

Miriam Cole, a niece, Ernest Ballier and Frank Ballier, nephews, who are children of Annuritta Ballier, deceased, who was a sister of the said Altruda Fox, deceased.

Further the said plaintiff says that the defendant The Buckeye State Building ^{Co.} Loan Company of Columbus has or claims to have some claim, or lien on the premises herein described.

Further the said plaintiff says that it will be necessary to sell the said real estate to pay the debts of the said Altruda Fox, deceased, her funeral expenses, and the expenses of the administration

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of her estate. whereupon, the plaintiff, Frank Collier, as administrator of the estate of Altruda Fox, deceased, prays that the said Buckeye State Building ^{Co.} Loan Company be made a party defendant to this cause, ^{and} that it be required to set up its answer, setting forth its claim or be forever barred, and, that he have an order directing him to sell said real estate, for the reason, and, for the purposes as stated and set forth in the foregoing petition, ^{and} for such other and further relief in the premises as may be just and equitable. Mils L. Myers, atty. for Plff.

State of Ohio, Union County, ss.

Frank Collier, being just duly sworn, says that the facts stated and the allegations made and contained in the foregoing petition are true as he believes
Frank Collier.

I prom to before me, and signed in my presence, this 30 day of July, 1925 ^{at} Grand Pagers, Notary Public.

10604
Filing Petition

Journal entry: In the Probate Court of Union County, Ohio
July 31 - 1925. No. 10604
Filing Petition to Sell Real Estate

This day came the Plaintiff Frank Collier, administrator of the estate of Altruda Fox, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Altruda Fox 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. B. Kusel, Probate Judge.

Waint

We, the undersigned, parties defendant to the petition in this cause, hereby waive the issuing and service of summons and process in this cause, and voluntarily enter our appearance, herein as such defendants and we do hereby waive the statutory time for an order of sale, and consent to the sale of said real estate described in the said plaintiffs petition for the purpose, as therein stated, and ask for the immediate sale thereof.

Chester E. Fox, Frank Collier, Doshier Pennell,
Jimmie Fox per C. D. Hoopes, atty.
Wilford D. Fox, by Ott Collier his Edu-
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In the Probate Court, Union Co., Ohio.

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Mr. the undersigned, parties defendant to the petition in this cause, hereby waive the issuing and service of summons and process in this cause, and voluntarily enter our appearance herein as such defendants, and we do hereby waive the statutory time for an order of sale, and consent to the sale of said real estate described in the said plaintiffs petition for the purposes as therein stated, and ask for the immediate sale thereof.

Leda Koenig, Elva Koenig, Jennie Koenig, admors. of the Estate of E.P. Hoy, decd. per C.A. Cooper atty.
Waiver.

waiver

In the Probate Court, Union County, Ohio
Mr. the undersigned, parties defendant to the petition in this cause, hereby waive the issuing and service of summons and process in this cause, and voluntarily enter our appearance herein as such defendants, and we do hereby waive the statutory time for an order of sale and consent to the sale of said real estate described in the said plaintiffs petition for the purpose as therein stated, and ask for the immediate sale thereof.

Sarah Taylor, Ernest Bellier, admors. of the Estate of D.J. Probst.
Waiver

waiver

In the Probate Court of Union Co. Ohio
no. 10604
The undersigned defendant hereby waives the issuing and service of summons and voluntarily enters its appearance, as a defendant, herein, and consents to the immediate sale of the real estate described in the petition as prayed for by the plaintiff, The Buckeye State Building and Loan Company.

By Wilson, atty. for the Plaintiff.
Cross - Petition.

Cross-Petition

In the Probate Court, Union County, Ohio
no. 10604. Cross-Petition.
Now comes Ott Bellier and says that he is the duly appointed, qualified and acting guardian of Willard D. Fox an insane person, and that he was appointed as such guardian by the probate Court of Union County, Ohio, and, as such, guardian hereby enters this appearance, herein for the said Willard D. Fox, and files this his cross-petition,

Further the said Ott Bellier as such guardian says that he is not familiar with the facts stated and allegations made and contained in the said plaintiffs petition, and therefore

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denies the same, but says, if the Court finds it necessary to sell said premises set forth in the said plaintiffs petition and order, the same sold, then asks, that his said wards interest therein be protected, and, that from the proceeds of the sale, he, as, such guardian receive therefrom in cash, whatever amount may be found by the Court to be due his said Ward. Oth Collins, Exor. of Willard D. Fox, State of Ohio, Union Co., ss.

Oth Collins being first duly sworn, says, that the facts stated and allegations made, and, contained in the foregoing cross-petition are true as he believes.

Oth Collins,

Sworn to before me, and, signed in my presence, this 9 day of January, 1926. ^{First} Grand Jurors, Notary Public

Cross-Petition of Jennie Fox

In the Probate Court, Union County Ohio,
vs. 10604

Cross-Petition
of
Jennie Fox

Now comes Jennie Fox and for her first cross-petition and for herself says, that she is the widow of E. K. Fox decd., and, that the said E. K. Fox, died on, the 16-day of July, 1925, intestate and leaving no issue of his body surviving him, and, that at the time of his death and prior thereto he was entitled to the one-fifth part, or distribution, of, whatever estate the said Altruda Fox died seized and the owner of she having died prior to the death of the said E. K. Fox, to-wit, on the 11th day of May, 1925, and, as such widow she is entitled to a dower interest in the undivided one-fifth part of the premises in the petition described, subject however, to the payment of the debts, funeral expenses and costs of administration of the estate of the said Altruda Fox, deceased.

Further the said Jennie Fox, says, that she consents to the sale, of said premises as prayed for in the plaintiffs petition, and, hereby waives the assignment of her dower interest or any other interest she may have in said premises by metes and bounds, rents, issues or profits and, elects to take whatever interest she may therein, as may be found by the Court, in cash, out of the proceeds, received from the sale of said premises in this action and, further says, that her age is 66 years.

Second Cross-Petition.

For a second-cross-petition, the said Jennie Fox says, that she is, the duly appointed, qualified and acting ady. of the estate of E. K. Fox, deceased, and, that she was appointed as such and gave bond, in the sum of-

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7000²⁰ on the 10-day of August, 1925, by the Probate Court of Union County, Ohio.

That the said Altruda Fox died on the 11-day of May, 1925, and prior to the death of the said E. K. Fox, who died on the 16-day of July, 1925, and that by reason thereof and by reason of her appointment as adx. of this estate and as such adx. she is entitled to receive, after the payment of the debts, funeral expenses, and expenses of administration of the estate of Altruda Fox, deceased, whatever interest the said E. K. Fox, deceased, might of had or had therein, if living.

Further, and as such adx. she consents to the sale of the premises described in the said plaintiffs petition as prayed for therein.

Wherefore, for herself and as adx. of the estate of the said E. K. Fox, deceased, she prays that the court may order said premises to be sold as prayed for in Plaintiffs petition, and that out of the proceeds of the said sale any interest therein as may be found by the court for herself, or as said administratrix, that the same be paid to her, in cash, or distribution, and for such other and further relief, in the premises as may be just and equitable. C. W. Hoopes, atty. for Jennie Fox.

States of Ohio, Union County's
Jennie Fox, being duly sworn according to law, says that the facts stated, and the allegations made and contained in the foregoing cross-petition are true as she believes.
Jennie Fox.

Sworn to before me, and signed in my presence this 29-day of March, 1926 at C. W. Hoopes Notary Public

Answer and Cross Petition of
The Buckeye State Building and Loan Company,
In the Probate Court of Union County, Ohio.

Frank Bellier, admr.
of the estate of
Altruda Fox, deceased.

Plaintiff
Jennie Fox, et al. Defendants
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 August 31-1925 Altruda Fox executed and delivered to this defendant her certain promissory

Answer of
Buckeye
State
B. & Loan Co.

no. 10604
answer.

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Note of which the following is a true and correct copy:
Monthly Payment Loan.

\$1200.⁰⁰ Columbus, Ohio - August 31 - 1916.

In consideration of a loan of \$1200.⁰⁰ this day made to the undersigned by the Buckeye State Building and Loan Company of Columbus, Ohio, I, M. or either of us, agree to pay to said company at its office in said city the sum of Twelve Dollars (\$12.) or more, on or before the last day of this and of each calendar month hereafter until said sum so borrowed with interest thereon at the rate of six per cent per annum, payable semi-annually, on or before the last day of June and December of each year, is fully paid. On said last day of June and December of each year the amount due on this note shall be determined.

Assessor of Loan Co.

Said amount due shall draw interest at the rate of six per cent per annum until the following last day of June or December.

Payments of \$100. or more, may be made in addition to said regular monthly payments and the same shall cease to bear interest on day paid. Smaller payments than \$100. shall not cease to bear interest until the following last day of June or December.

It is further understood and agreed that if any share of said monthly payments become due and remain unpaid; or if the maker hereof or the owner of the real estate mortgaged to secure the payment of this note with the interest hereon, or anyone 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 not less than \$1200.⁰⁰ with a clause providing that the loss, if any, shall be payable to said company according to its mortgage interest, then and on such default in whole or in part of any one of said conditions all the indebtedness owing on this note and so secured by such mortgage, shall thereupon become due and payable at the option of said company or the legal owner hereof; and said company or owner may enforce the repayment of all said indebtedness, including all accrued interest and money expended for taxes, insurance and assessments, as provided for in said mortgage according to law.

Any installment of interest not paid when due, shall draw interest at the rate of six per cent per annum, payable semi-annually until paid.

Altruda Fox
(U.S. Revenue 24 cents)

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This defendant is now the owner and holder of

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said note on which there is payable the sum of \$805.⁹⁴ with interest from March 31- 1926, as for 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 rewritten herein, and further says that on August 31, 1916, to secure the payment of the note set out in the first cause of action herein, Altruda Fox, executed and delivered to this defendant her certain mortgage deed thereby to it conveying the following real estate, situated in the city of Columbus, County of Franklin, in the State of Ohio, and described as follows:

Assessor of Loan Co.

Being twenty-five (25) feet off of the east side of Lot Number Eight (8) in William A. Hill's addition or subdivision of land, in said City of Columbus, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 6 page 209 Recorder's office, Franklin County, Ohio.

Said mortgage is conditioned as follows:

Provided, nevertheless, and these presents are upon these conditions:

That the said mortgagor has executed and delivered to the said mortgagee her note of even date herewith, conditioned among other things for the payment of monthly installments of not less than \$12.⁰⁰ each, the first of said installments payable on or before the last day this month and one of the said installments on or before the last day of each and every month hereafter until the conditions of the said obligations have been fully complied with.

That the said mortgagor further agrees to pay all taxes, assessments and other charges that may be assessed against the property herein conveyed, and to keep said property insured in an insurance company satisfactory to said mortgagee in a sum of not less than \$1200.⁰⁰ with the loss, if any, payable to said mortgagee as its mortgage interest may appear; said policy of insurance to remain in the possession of said mortgagee until this mortgage is fully paid.

That if the said mortgagor, her heirs or assigns shall fail to pay said taxes, insurance, assessments, and other charges that may be levied against said property, the said mortgagee may pay the same, which sum so paid shall be charged

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against the said mortgagor, and bear interest from date of payment thereof at 6% 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.

That if three of said installments shall become due and remain unpaid for the space of one day, then the whole amount of principal, interest and other charges shall at once become due and payable at the option of said grantee.

Now if the said mortgagor shall pay to said Company its successor or assigns the said sums of money when due, as provided for in said note and shall faithfully keep each and all of the above stipulated conditions then these presents shall be void.

Said mortgage was filed for record with the Recorder of Franklin County, Ohio, on September 1-1926 at 9:50 a.m. and was thereafter by him recorded in Vol. 502 page 459 of the Mortgage Records of Franklin County, Ohio, and is now the first and best lien upon 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 its said claims first paid out of the proceeds of such sale; and that it may have all other and further relief to which it may be entitled either in law or equity.

Wilson ^{his} Pastor attorneys for Building ^{an} Loan Company

State of Ohio, Franklin Co. ss

Dick.

Fred C. Pastor, being just duly sworn, says that he is one of the duly authorized attorneys for The Buckeye State Building ^{an} Loan Co., 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. Pastor.

Sworn to before me, and subscribed in my presence this 29. day of March, 1926.

Ray W. Poppleton, Notary Public Franklin Co. ^{Ohio}

Taf Ju -

Order for appraisement

Probate Court, Union Co., Ohio, March 29-1926

vs. 10604. Journal Entry.

Order

for appraisement

This day this cause came on to be heard upon the proofs and exhibits and the cross-petition of the said Ott Collier, guardian of Willard D. Fox, an insane person, and The Buckeye State Building ^{an} Loan Co., and Jennie Fox, and the Court find that

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Order of appraisement

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all the defendants have been duly, and regularly 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 Altruda Fox, deceased. It is therefore ordered and adjudged by the court, that the said premises be appraised free of down, by the oaths of H. E. Roach, H. R. Hudson, and Chas. Pansch - 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 Frank Collier, Sheriff:

Order of appraisement

In obedience to an order and decree of the Probate Court within and for said county, made this day in a certain cause, wherein you, as Adver., of the estate of Altruda Fox, deceased, are Plaintiff and James Fox et al are Defendants, you are commanded that by the oaths of H. E. Roach, H. R. Hudson and Chas. Pansch, 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 Franklin and the City of Columbus, and,

Being a strip of ground twenty five (25) feet in width off of the east side of Lot No. eight (8) of William A. Hill's addition to the City of Columbus Ohio, as the same is numbered and delineated on the plat thereof recorded in plat book No. 1, Pg. 299 Recorder's office Franklin Co., 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 Mansville, Ohio, this 29 day of March, A. D. 1926. ~~W. H. Husted~~ Probate Judge.

Return

10604 Return

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

Dated the 31 day of March, 1926.
Frank Collier

10604

Oath of appraisers.

Oath

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. Roach, G. R. Hudson, Chas Pausch appraisers.

Sworn to before me, and signed in my presence, this 31-day of March, 1926 ^{sent} Francis Cingley, Notary Public

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Appr--
Returns

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 \$3500 - Three thousand five hundred dollars.

Given under our hands, this 31 day of March, 1926.

M. E. Roach, G. R. Hudson, Chas Pausch appraisers.

Application
Private

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

No. 10604 application.

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

First, that said premises can be sold for more than the appraised value thereof, for cash in full in hand on day of sale.

Second, that to sell at private sale will save time costs, and expenses of advertising and offering said premises for the sale at public sale; that the appraised value of said premises are all that the same is reasonably worth.

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

Frank Collier, admr. of the estate of, Altruda Fox, Deid.

The State of Ohio, Union County.

Oath

Frank Collier being duly sworn says that the various matters set forth in the foregoing application are true, as he verily believes. Frank Collier.

Sworn to before me, and signed in my presence, this 31-day of March, A. D. 1926.

Maud Pagers, Notary Public ^{sent}

Affidavit of Disinterested Person.

Affidavit

The State of Ohio, Franklin County.

E. B. Bassman, and L. W. Shaw, being duly sworn, say that they know the facts set forth

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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 Altruda Fox, deceased, to sell said real estate at private sale, than at public sale, as they truly believe.

E. H. Harmer. L. W. Shaw.

Sworn to before me, and signed in my presence, this 31 day of March, 1926. Cliff Mand Peyer, Notary Public

10604

Journal entry: In the Probate Court, Union County, this, March, 31-1926, No. 10604

Confirming Appraisement ordering sale

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, 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 admr., has given bond in sufficient amount with approved sureties, conditioned according to law, Further bond is dispensed with.

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 Frank Bellier as such, admr., as aforesaid, proceed to sell the real estate aforesaid, 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 from Dower.

Probate Court.

Order of Sale

The State of Ohio, Union County, to Frank Bellier, Executor: In obedience to an order and decree of the Probate

10604

within and for said county, made this day, in a certain cause, wherein you, as Adm. of the estate of Altruda Fox deceased, are Plaintiff and Jennie Fox, et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$35.00 - the appraised value thereof, the following described premises, to wit:

Situate in the State of Ohio, County of Franklin and the City of Columbus, and:

Being a strip of ground twenty-five (25) feet in width off of the east side of Lot number eight (8) of William A. Gill's addition to the City of Columbus, Ohio, as the same is numbered and delineated on the plat thereof recorded in plat book 1, page 229, Recorder's office, Franklin County, Ohio.

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 Mansfield, Ohio, this 31. day of March, 1926.

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 31. day of March, 1926.

Frank Collier

Report

Report of Sale

In obedience to the within order, I sold said premises on the 31. day of March, 1926, to George Varsky for the sum of Thirty-eight hundred and no/100 dollars.

Said sum being more than the appraised value of the same.

Frank Collier

Dated the 31. day of March, 1926.

The State of Ohio, Union County.

The above named Frank Collier 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 Collier

I sworn to before me, and signed in my presence this 31. day of March, 1926. *M. and P. Myers*, Notary Public

Journal entry: Order approving and confirming sale of Probate Court, Union County, Ohio March 31-1926.

10604

Confirmation

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Confirmation

This day this cause coming on to be heard on the report of Frank Collier, as administrator of the Estate of Altruda Fox, 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 Altruda Fox, deceased, in said real estate to the purchaser.

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

W.H. Husted Probate Judge

10669 From Page 564.

State of Ohio, Union County, &c.

In the Probate Court:

Sarah Margaret Barker, Executrix
of the Estate of Isaac Barker, Deceased,
Plaintiff

Journal entry

v.

Order on Dower

Joseph B. Barker, et al.
Defendants.

Distribution etc.

Order on Dower.

This day, this cause came on, to be heard on the motion of the executrix for an order of distribution of the fund of \$5175⁰⁰ arising from the sale of the real estate in this case, and on the answer and cross-petition of the defendants, Joseph B. Barker, Howard Barker, and Elmer T. Barker, and on the answer and cross-petition of Joseph B. Barker, and Nettie Barker, his wife, Elmer T. Barker, and Starling Barker, his wife, Cyril East and Corinna June East, his wife, and Howard Barker, and on the answer of Sarah Margaret Barker, the widow of Isaac Barker, deceased, and the evidence; and the Court, being fully advised in the premises finds that the said Sarah Margaret Barker, having by her answer elected to receive in lieu of her life estate in said real estate its value in money, the Court finds the just and reasonable value thereof to be \$2456⁹⁰

Distribution etc.

The Court further finds on the answer and cross-petition of the defendants, Joseph B. Barker, Howard Barker, and Elmer T. Barker, that a portion of the original purchase price of said real estate, namely the sum of \$1113.51, was furnished by Rachel D. Barker, the deceased wife of Isaac Barker, and a trust is established in the real estate for said amount.

The Court further finds that Joseph B. Barker is entitled to one-half of said trust fund; that Howard Barker is entitled to one-fourth of said trust fund, and that Elmer T. Barker is entitled to one-fourth of said trust fund.

And the Court coming now to distribute the proceeds of said sale, amounting to \$5175⁰⁰ it is ordered that the said executrix, out of the money in her hands, pay.

First,

To the Treasurer of this County the taxes, penalty, and interest thereon against said property, to wit: the sum of \$57³⁷

Second:

To the Probate Court of this County the sum of

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36.61 bring the balance due of the costs in this proceeding;

Third:

To Sarah Margaret Barker, the widow of Isaac Barker, deceased, the amount above found due for her life estate, to wit:

The sum of \$ 2452.⁹⁰;

Fourth:

To Sarah Margaret Barker the balance due said executrix as her compensation as such, executrix, to wit:

The sum of \$ 252.⁹⁴;

Fifth:

To John B. Kirkade and Hayes Thompson, the amount due said attorneys for services in the land sale, to wit: the sum of \$ 223.⁵⁰;

Sixth:

To Sarah Margaret Barker, the widow of Isaac Barker, deceased, the balance due on her year's support as set off by the appraisers in this estate, to wit:

The sum of \$ 701.⁰⁷;

Seventh:

To Sturgis Cheney for his services as a Notary Public the sum of \$ 2.⁰⁰;

Eighth:

To E. J. Evans for his services as auctioneer in the sale of said premises, the sum of \$ 3.⁰⁰;

Ninth:

To Joseph B. Barker, one-half of the trust fund as above set forth, namely, \$ 553.⁷⁵;

Tenth:

To Howard Barker one-fourth of the trust fund, namely, \$ 278.³⁷;

Eleventh:

To Elmer T. Barker, one-fourth of the said trust fund, namely, the sum of \$ 278.³⁷;

Twelfth:

To Joseph B. Barker one-third of the balance remaining under the provisions of the Will of the decedent, namely, \$ 109.³⁶;

Thirteenth:

To Howard Barker, one-sixth of the balance remaining under the Will of the decedent, to wit: the sum of \$ 54.⁶⁹;

Fourteenth:

To Elmer T. Barker, one-sixth of the balance

remaining for distribution under said Will, to wit, the sum of \$ 54.⁶⁹ ✓

Fifth:

To byrd East one-third of the balance remaining for distribution under the Will, to wit: the sum of \$ 109.³⁷ ✓

And, it further appearing to the Court, that said estate has been fully administered, that said executrix has accounted for all of the funds coming into her hands, it is ordered that said executrix be discharged from her duties as such executrix, that her bond be released from further obligation in this estate, and that her proceedings as such executrix be fully approved.

W. H. Busted, Probate Judge.

Approved

Hayes Thompson, atty. for Sarah Margaret Barker.

Approved

L. E. Traylor, atty. for J. B. Barker, Howard and Elmer Barker ^{and} byrd East.

10 448
Dec. 31-
1924

In the matter of the Estate of Wm. T. Arnold, Deceased.

From page 464, entry.

Petition to sell Personal Property.

Probate Court, Union County, Ohio.

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified admr. of the estate of Wm. T. Arnold, 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, so described in said inventory and appraisement, to wit:

- 1 1 Essex automobile Coupe - 250.⁰⁰
- 2 1 Willy Knight " Sedan 800.⁰⁰
- 3 4 1/2 T. Hay 65.⁰⁰
- 4 1 Cow 15.⁰⁰

Said authority is asked for the following reasons: To secure funds to pay debts of deceased, C. C. Penhorwood.

The State of Ohio, Union County, ss.

C. C. Penhorwood, being duly sworn, says that the facts stated in the foregoing petition are true, as he verily believes. C. C. Penhorwood, admr.

Authorizing
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Brown to before me, and signed in my presence, this 31-day of Dec, 1924. ~~read~~ W.H. Husted, Probate Judge
Probate Court, Union County, O. Dec. 31-1924

Authorizing Private Sale.

Authorizing Private Sale.

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 C.C. Penhollow as admr. of said William T. Arnold proceed to sell said personal property at private sale for not less than the appraised value thereof.

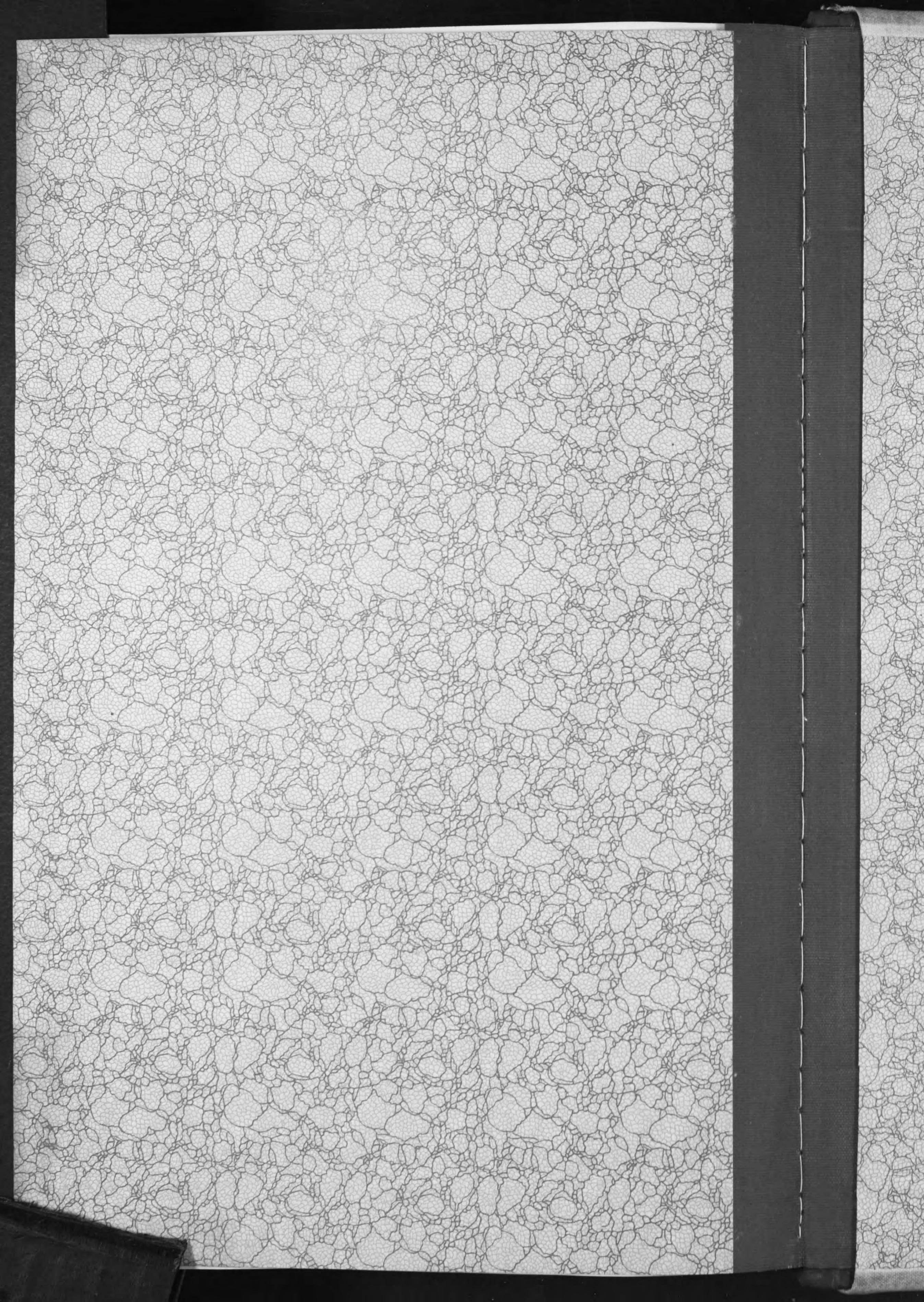
It is further ordered that said sale be made upon the following terms, to wit:

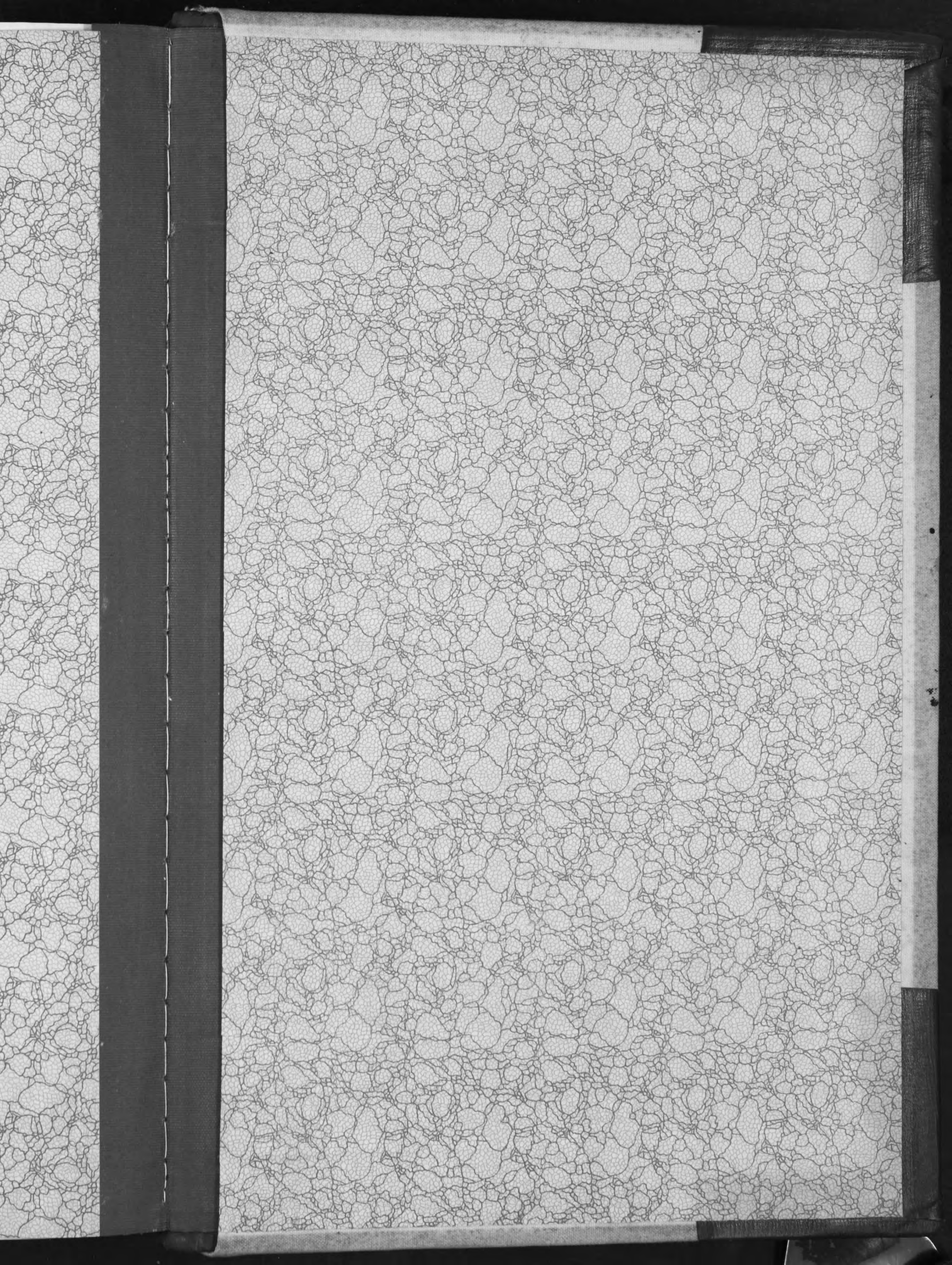
cash in hand day of sale. It is further ordered that said admr. make return of his proceedings herein, within 60 days, from this date, and, for date after such sale, is made, and, this cause is continued. W.H. Husted, Probate Judge (See Pg. 464 Entry)

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**FINAL
RECORD**

No. 33

Probate Court

UNION COUNTY

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