

**FINAL
RECORD
NO. 34
PROBATE COURT
UNION COUNTY**

**FINAL
RECORD**

**NO.
34**

**PROBATE COURT
UNION
COUNTY**

**FINAL
RECORD
NO. 34
PROBATE COURT
UNION COUNTY**

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Mar. 17

1925

John L. Long
attorney.

Petition

Final Record, Union County Probate Court.

10522	Guardian's Petition to Sell Real Estate.	Probate Court, Union County, Ohio, no. 10522.
Mar. 17" 1925 John L. Longhorne attorney.	Edna G. Figley, Guardian of Otto M. Figley, Edna G. Figley, and Ernest J. Figley all unmarried, further join in said petition as individuals	Petition to Sell Real Estate
	Plaintiffs. v.	
	The said wards, Otto M. Figley, ward, and William E. Figley, and Joseph M. Figley.	Defendants. Petition.
Petition	<p>The Plaintiff represents that she is the duly appointed and qualified Guardian of Otto M. Figley of the age of 39 years, on the 31 day of July 1924, and residing at State Hospital Columbus, Ohio. And the Plaintiff was duly appointed Guardian of said Ward on the 24th day of July 1924, by the Probate Court of Ohio, and is still acting as such.</p> <p>That the petitioning Plaintiff's Edna G. Figley and Ernest J. Figley (whose address is West Mansfield, R.D. #4) have an interest in the within described real estate, as further described herein.</p> <p>The Plaintiff says that the Defendants William E. Figley whose address is West Mansfield R.D. #4, and Joseph M. Figley, whose address is Dayton, Ohio R.D. #9, are next of kin of said Ward, said Ward having no wife no children, no brothers and sisters, or any other relations nearer than the Defendants, and for the reason of said relationship the parties are made Defendants herein, and that they may be required to set up their interest, if they have such, by answer and cross petition, or be forever barred.</p> <p>That said Ward, is the owner in a life estate of the following described real estate, situated in the County of Union State of Ohio, and in the Township of Liberty, to wit:</p> <p>First Tract: Survey no. 3443:</p>	

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Beginning at a stone at the north-east corner to a 32.96 acre tract of land, owned by Dena Woods and in the west line of the Hollaway Road, thence with the north line of said Woods land and continuing with the north line of Wm E. Penhorwood's land N 74° 10' W. 66.42 poles to a large post at an angle in the line of said Penhorwood's land; thence N. 12° 15' E. 56.66 poles to a post at another angle in said Penhorwood's land; thence S. 74° E. 66.42 poles to an iron stake in the west line of the Hollaway Road; thence with the west line of said Road S. 12° 15' W. 56.45 poles to the place of beginning. Containing 23.40 acres, more or less.

Second Tract. Statement.

That said Ward is owner of a life estate in the following described real estate, situated in said county, township and State.

Petition

Survey no. 3473.

Beginning at Two Elms and one ash, and running N. 8° 5' E. 119.7 poles to three Beeches; thence S. 78 1/4° E. 139 poles to two ashes and one Hickory; thence S. 8° W. 119.7 poles to a stake; thence N. 78 1/4° W. 139 1/3 poles to the place of beginning.

Containing 70 acres more or less.

Being part of the same land conveyed by Isaac Hollaway to Wm Hollaway Vol. 18, page 324 for the First Tract.

Otto M. Figley is owner of the life estate in. Joseph M. Figley is owner of the estate in fee simple and the said Defendant is inter-married to Clara V. Figley and the defendants have executed a deed to Otto M. Figley for the reason of unavoidable great waste in said real estate and placed in the hands of the Guardian Edward G. Figley subject to said land being sold by order of the Probate Court and they are willing to surrender all their interest to said property in full settlement providing said real estate is ordered sold by the Probate Court.

Second Tract:

The Plaintiff Edna G. Figley further says that her Ward Otto M. Figley gave a Warranty Deed for the foregoing described real estate to herself and Ernest J. Figley, both unmarried, reserving life estate therein on May 15th 1924. which was duly recorded on May 16th 1924. in Volume 128, Page 514 long before said Guardianship was made and this Plaintiff asks that the life estate of said Ward

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Petition

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be determined according to his age set forth in this petition, as well as the interest of Ernest J. Higley and Edna G. Higley who own the remaining interest in fee Simple as provided for in said Deed. Said real estate is worth annually Two hundred and fifty dollars.

That said Plaintiff has received rents from the real estate of his Ward, the same being insufficient to pay taxes, and maintain said farm, and the same should be sold for the following reasons:-

First:

The interest on the proceeds from the sale of said real estate, would amount to much more than the rentals, and said funds could be re-invested for a good rate of interest, in government bonds, Bank or Building and Loan Certificates which would be a benefit to said estate.

Second:

If property is sold would stop waste and the estate would not be at a loss each year to maintain real estate.

Third:

Said house on real estate is in bad repair the house needs a new foundation, weather boarding four new windows, if not sold.

Fourth:

The barn on the farm needs paint, metal roof, needs paint, and parts of farm needs new fences and tile, in order to raise and protect crops.

Fifth:

Neighbors are threatening to clear a county ditch, which will make tax assessment on the farm.

For the foregoing reasons said Guardian asks that said farm be sold for the best interest of said Ward, and parties plaintiff, in order to stop waste and preserve the estate.

That the sale of said real estate may be made at private sale, and if the real estate is sold at once the Plaintiff's claim it would be for the best interest of themselves and said Ward to be sold as such and to be sold on term payments.

The Plaintiff then for prays that said William E. Higley and Joseph M. Higley may be made Defendants to this petition, and notified of the pendency hereof according to law, for the

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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reason they are next of kin and that Plaintiff may be ordered to sell said real estate for the reasons and purposes hereinbefore proposed, and for other proper relief

Edna G. Figley, Guardian,

Edna G. Figley Ernest J. Figley

The State of Ohio, Union County, ss.

Cash

Edna G. Figley, Guardian, and Ernest J. Figley and Edna G. Figley being duly sworn, says that they are the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true as they verily believe.

Edna G. Figley, Guardian, Edna G. Figley, Ernest J. Figley Sworn to before me, and signed in my presence.

This 16th day of March, 1925

John L. Langhorst, Notary Public, Union Co. Ohio

Journal Entry: Orders Fixing Time of hearing and for notice, Probate Court, Union County, Ohio, March 17th 1925.

Order

Fixing Time of hearing and for notice

This day Edna G. Figley, Guardian of Otto M. Figley 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 17th day of March, 1925.

It is further ordered that said Guardian cause notice thereof, and of the filing and demand of said petition, to be given to said Otto M. Figley her ward.

All persons entitled to the next estate of inheritance in such real estate, Defendants: in writing, to be served upon them personally, and by leaving copies thereof at the usual place of residence of each of those who can not be served personally - days before said day of hearing. This cause is continued.

W. H. Husted, Probate Judge

Summons

Summons

The State of Ohio, Union County, ss.

To Dr. W. B. Pritchard.

You are commanded to notify Otto M. Figley that on the 17th day of March, A. D. 1925, Edna G. Figley, Guardian of the estate of Otto M. Figley, an incompetent, 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 avoiding a big expense in repairs to buildings and, for the reason that it will be necessary for the support and keep of her ward, and that unless

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Return from State Hospital

Receipt

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they answer by the 18 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 30 day of March, a. d. 1925.

Witness my hand and the Seal of said Court. This 18 day of March, 1925. W. H. Husted, Probate Judge - Return

Return from State Hospital

The State of Ohio Franklin County, ss. I, Wm. H. Pritchard, M.D. being duly sworn say that on the 19 day of March, 1925, I served this writ by delivering a copy thereof personally to the following named persons, to-wit:

Otto M. Figley, a patient at the Columbus State Hospital, Columbus, Ohio, of which institution I am Superintendent. W. H. Pritchard M.D.

Done to before me, and signed in my presence, this 19 day of March, 1925. W. H. Husted, Probate Judge - Return of Summons on Petition to Sell Real Estate Probate Court, Union County, Ohio.

We the undersigned parties, Plaintiff and 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. March 17, 1925.

Edna G. Figley, Ernest J. Figley, Wm. E. Figley, Joseph M. Figley. (Receipts) Case No. 10522.

Receipts

Probate Court, Union County, Ohio. Edna G. Figley, Gen. of Otto M. Figley. The Plaintiffs, Edna G. Figley and Ernest J. Figley are all un-marrried further join in said petition as individuals.

Her said Ward Otto M. Figley; William E. Figley; Joseph M. Figley; C. E. Ballonay; May Ballonay; Carrie Ballonay Widow; John Ballonay, minor; Charles Ballonay, minor; Carrie Ballonay Guardian of said Minors; Isiah Ballonay; Charles Ballonay and Eli Ballonay.

Issue Summons on the following Defendants: C. E. Ballonay, and May Ballonay his wife, whose address

Receipts

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is Wst Mansfield, Ohio R. 4; Carrie Ballouay, widow, John Ballouay and Charles Ballouay and serve together on said minors and on their mother being their guardian and next of kin. Now the foregoing directed to the Sheriff of Union County and made returnable according to law, to sell real estate, quiet title and equitable relief.

Issue summons for Isaac Ballouay directed to the Sheriff of Columbiana County, his residence being Columbiana, Ohio, and made same endorsement on summons as directed to the Sheriff of said county.

John L. Longany attorney for Plaintiff

May 5th 1925.

In the Probate Court of Union County, Ohio.
 May 7th 1925. No. 10522.

Filing Amended Petition

Journal entry: Filing amended Petition to Sell Real Estate.
 Edna G. Fidler Guardian of Otto M. Fidler Plaintiff

Otto M. Fidler; William E. Fidler;
 Joseph M. Fidler; L. E. Ballouay
 Mary Ballouay; Carrie Ballouay
 John Ballouay minor
 Charles Ballouay " "
 Carrie Ballouay guardian of said minors
 Isaiah Ballouay
 Charles Ballouay ^{and} legal representatives
 Eli Ballouay " " "
 Defendants

Petition amended

This day came the Plaintiff Edna G. Fidler Guardian of Otto M. Fidler and presented to this Court her amended petition, duly verified, praying an order for the sale of real estate of the said Otto M. Fidler for the purpose of re-investing the money etc.

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

Guardians Petition

Guardian's Amended Petition to Sell Real Estate
 Probate Court Union County, Ohio.
 Edna G. Fidler, Guardian of Otto M. Fidler
 The Plaintiff Edna G. Fidler, and
 Ernest J. Fidler, all unmarried, further
 join in said petition as individuals
 Plaintiffs

No. 10522
 Amended Petition to Sell Real Estate

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deceased, Mr. Barrie Ballouay, his wife, leaving two sons, John Ballouay, a minor, and Charles Ballouay, a minor, their mother being their guardian.

Isaiah Ballouay, unmarried, an uncle of Florence (Ballouay) Figley deceased, living in Columbiana Co., Columbiana Ohio.

Charles Ballouay or his legal representatives, an uncle of Florence (Ballouay) Figley deceased, and wife, if living, are unknown to the Plaintiffs, and asks that publication for notice be made.

Eli Ballouay, an uncle of Florence (Ballouay) Figley dec'd, and wife or legal representatives are also unknown to the Plaintiff, their last known address being St. Joe, Missouri, and they are unknown to Plaintiffs and they ask that notice be made by publication.

The plaintiff further ask that publication be made for all other persons claiming to be legal representatives of said Ward.

That said Ward is the owner in a life estate of the following described real estate, situated in the County of Union State of Ohio, and in the Township of Liberty Twp.:

First Tract: Survey No. 3443.

Beginning at a Stone at the northeast corner to a 32.96 acre tract of land, owned by Irena Wards, and in the west line of the Ballouay Road; thence with the north line of said Wark's land and continuing with the north line of Wm. E. Penhorwood's land, N. 74° 10' W. 66.42 poles to a large post at an angle in the line of said Penhorwood land; thence N 12° 15' E. 56.66 poles to a post at another angle in said Penhorwood's land; thence S. 74° E. 66.42 poles to an iron stake in the west line of the Ballouay Road; thence with the west line of said Road S. 12° 15' W. 56.40 poles to the place of beginning, containing 23.40 acres, more or less.

Statement

Statement:

Otto M. Figley is owner of the life estate of the foregoing tract, and Joseph M. Figley is owner of the estate in fee simple and the said Defendant is intermarried to Clara F. Figley, and the defendants have executed a deed to Otto M. Figley Ward for the reason of un-avoidable great waste in said real estate and placed in the hands of the Guardian Edna G. Figley subject to said land being sold by order of the Probate Court, and they are willing to surrender all their interest to said property in full settlement providing said real estate is ordered sold by the Probate Court, and said Ward is now

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sole owner of said tract.

Second Tract:

The said Ward is owner of a life estate in the following described real estate.

Situated in said county, Township ^{an} State:

Survey no. 3443.

Beginning at two Elms and one ash, and running N. 8° 5' E. 119.17 poles to three beeches; thence S. 78 1/4° E. 139 poles to two ashes and one Hickory; thence S. 8° W. 119.7 poles to a stake; thence N. 78 1/4° W. 138. 2/3 poles to the place of beginning, containing 75 acres, more or less.

Being part of the same land conveyed by Isaac Hallaway to Wm Hallaway Vol. 18 page 324.

Statement:-

The Plaintiff Edwin G. Figley further says, that her Ward Otto M. Figley gave a warranty Deed for the foregoing described real estate to herself and Ernest J. Figley, both unmarried, reserving the life estate therein, now may 15th 1924, which was duly recorded on May 15th 1924, in Volume 128, pg. 514 long before said Guardianship was made and this Plaintiff asks, that the life estate of said Ward be determined according to his age set forth in this petition as well as the interest of Ernest J. Figley and Edwin G. Figley who own the remaining interest in fee simple as provided for in said Deed.

Said real estate is worth annually Two hundred and Fifty Dollars.

That said Plaintiff has received rents from the real estate of his Ward the same being insufficient to pay taxes and maintain said farm, and the same should be sold for the following reasons:-

First: The interest on the proceeds from the sale of said real estate would amount to much more than the rentals, and said funds could be re-invested for a good rate of interest, in government bonds, bank, or building and Loan certificates which would be a benefit to said estate.

Second: If the property is sold it would stop waste, and the estate would not be at a loss each year to maintain real estate.

Third: Said house on real estate is in bad repair, the house needs a new foundation, mauler boarding, four new windows.

Fourth: The barn on the farm needs paint, metal roof, needs paint, and, gates of farm needs new fences and tile, in order, to raise and.

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Langhorst Brothers, Wapakonetta, Ohio.

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protect the crops.

Fifth:

Wrightson are threatening to clean the county ditch which will make an assessment on the farm.

For the foregoing reasons, the said Guardian asks that said farm be sold for the best interest of her ward, and parties Plaintiff in order to stop waste and preserve the estate.

That the sale of said real estate may be made at private sale, and, if the real estate is sold, at once the Plaintiffs believe it would be for the best interest of themselves and said Ward, to be sold as such, and to be sold on term payments.

The Plaintiff therefore prays, that said William E. Figley and Joseph M. Figley, may be made defendants to this petition, and, notified of the pendency hereof, according to law, for the reason, they are next of kin, also, C. E. Holloway, May Holloway, Carrie Holloway, John Holloway, Charles Holloway, Isidore Holloway, Charles Holloway and Eli Holloway.

For the reason they claim some interest or relationship to said Ward, Otto M. Figley and that Plaintiff may be ordered to sell said real estate for the reasons and purposes herein before proposed, and, for other proper relief.

Edna G. Figley, Guardian, Ernest J. Figley, Edna G. Figley.

The State of Ohio, Union County, ss.

Edna G. Figley Guardian, and Ernest J. Figley, being duly sworn, says that they are the Plaintiffs mentioned in the foregoing petition, and, that the facts stated therein are true, as he verily believes.

Edna G. Figley Guardian, Ernest J. Figley, Edna G. Figley, sworn to before me, and, signed in my presence, this 4. day of May, 1925. John L. Longhry, Notary Public.

Affidavit to obtain Service by Publication, Probate Court, Union County, Ohio, No. 105-22.

The State of Ohio, Union County, ss.

Edna G. Figley, Guardian of, Otto M. Figley the said Plaintiff, being sworn, says, that the Defendants Charles Holloway, and wife and legal representatives, who lived in the State of Michigan, whose address is unknown; Eli Holloway and unknown wife, or legal representatives whose last known address was St. Joe, Missouri, and any and all other unknown legal representatives of Otto M. Figley, Ward, are unknown or are

affidavit to obtain service by publication

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non-residents of this, and that service of summons on them cannot be made in this State; that the residence of said Defendants are unknown, and the names and residences of the heirs of Otto M. Figley, ward, Defendants, are unknown to the Plaintiff and cannot with reasonable diligence be ascertained, and that service of summons on them cannot be made; and that the case is one of those mentioned in Section 11292 of the General Code of this State.

Edna G. Figley
known to inform me, and signed in my presence, this 4th day of May, 1925; ~~not~~ J. L. Longberry, Notary Public.
Journal Entry: Orders. Service by Publication,
Probate Court, Union County, Ohio
May 6th 1925.

This day came the Plaintiff and filed herein an affidavit under the General Code, in that behalf for the purpose of procuring service by publication; and it appearing to the Court that the defendant Eli Hollenray and wife or legal representatives of St. Joe, Missouri, and Charles Hollenray unknown, or his legal representatives, non-resident of this, that service of summons on them cannot be made in this State; that the residence of said Eli Hollenray last known address, is St. Joe, Missouri and Charles Hollenray is unknown. And publication be made for all other persons claiming to be legal representatives of said ward Otto M. Figley, that the residence of said defendants are unknown to the plaintiff, that the heirs of defendants, are necessary parties and their names and residences are unknown to the Plaintiff, that the residences of such defendants so unknown to the Plaintiff cannot with reasonable diligence be ascertained, and that service of summons on such defendants cannot be made; it is ordered that proceedings against said unknown heirs be had without naming them. It is ordered, that the publication be made for six consecutive weeks, in a newspaper printed in this county; that it contain a summary statement of the object and prayer of the petition, mention the Court wherein it is filed, and notify the persons thus to be served when they are required to answer. And it is further ordered, that immediately after the first publication, the party making the service deliver to the clerk of this Court, copies of the publication, with the proper postage, that said

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10522

Check mail a copy to each of said defendants, whose residence is known; to his residence named therein and make an entry thereof on the proper docket. W.H. Husted, Probate Judge.

10522

mailing copy of publication

May 7 - 1925. No. 10522. Entry mailing copy Publication.

This day came John L. Langhorst, and delivered to the clerk of this court, copy of the Union County Journal, a newspaper of general circulation in Union County, Ohio, containing a publication of notice of the pending and time of hearing of this action. And one copy was this day mailed to Eli Ballonay to his last known address, St. Joe, Missouri. W.H. 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 C.E. Ballonay, May Ballonay, Carrie Ballonay, John Ballonay, Charles Ballonay and Berrie Ballonay as guardian and mother of the said John Ballonay and Charles Ballonay minors.

that on the 7-day of May 1925 Edna S. Fidler guardian of the person and of the estate of Otto M. Fidler 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 re-investing the money, and for the reason that the real estate is in a run down condition and is not making anything over and above the taxes and upkeep of said land, to grant title ^{an} equitable relief.

Sheriff's Return

^{an} that unless they answer by the 6-day of June 1925: said petition will be taken as true, ^{an} an order granted accordingly.

You will make due return of this writ on the 8-day of May A.D. 1925.

Witness my hand ^{an} the seal of said Court, this 7-day of May, 1925. W.H. Husted Probate Judge

Sheriff's Return

Sheriff's Office Union County, Ohio.

May 8 - 1925

Legal Notice

Received this writ, May 8-1925, at 10 o'clock a.m. and pursuant to its command, I served the writ named C.E. Ballonay, May Ballonay, Carrie Ballonay, John Ballonay, Charles Ballonay, and Berrie Ballonay as guardian and mother of said minors, John Ballonay, and Charles Ballonay, by personally branding to each of them a

Final Record, Union County Probate Court.

105-22

True and Certified copy of this writ all endorsements thereon
F. S. Hayer. Sheriff L.W.

Sheriff's Fees
Service .75
Names. 1.25

Mileage 38 - 304 Total \$5.04

Summons. on Petition to Sell Real Estate.

Summons.

The State of Ohio, Union County ss.
To the Sheriff of Columbiana County,
You are commanded to notify Isiah Balloway, residing at Columbiana, that on the 7-day of May, 1925, Edna G. Figley Guardian of the person and the estate of Otto M. Figley 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 re-investing the money for the reason of the ~~worn~~ down condition of said land and to quiet title and equitable relief. ^{And} that unless they answer by the 6-day of June, 1925, said petition will be taken as true, and an order granted accordingly.

You will make return of this writ on the 18 day of July, 1925.

Witness my hand and the seal of said Court, this 7th day of May, 1925. ~~W. H. Husted~~ Probate Judge -

Sheriff's Return.

Sheriff's Return

Sheriff's Office, Columbiana County, Ohio.
May 16 - 1925

Received this writ May 8 - 1925, at 9 a.m. and pursuant to its command, on the 16-day of May, 1925, I served the within named Isiah Balloway by leaving at his usual place of residence a true and certified copy thereof with all endorsements thereon.

George Wright Sheriff

Sheriff's Fees
Service .75

Mileage 1.60 Total \$ 2.35
Legal notice -

Legal Notice.

In the Probate Court, Union County, Ohio.
In the case of Edna G. Figley guardian of Otto M. Figley et al. vs. Otto M. Figley et al. case no. 105-22.

The Defendants and next of kin will take notice that a petition to sell real estate of Otto M. Figley has been filed by his Guardian Edna G. Figley, praying that said real estate be sold and said petition will be for hearing on or after June, 20th 1925, at 1: P.M. in said Court.

The defendants Eli Balloway, and wife, if any, or

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

105-22

or legal representatives, whose last known address was St. Joe's Missouri, and the defendant Charles Gallaway, his address being unknown, or his legal representatives, and any and all other persons, claiming to be next of kin, or legal representatives of Otto M. Figley, will take notice as to said sale of real estate described as follows:

Situated in the Township of Liberty, County of Union, and State of Ohio.

First tract: Survey No. 3443: Beginning at a stone at the northeast corner to a 32.96 acre tract of land owned by Rena Works, and in the west line of the Gallaway Road; Thence with the north line of said Works' land and continuing with the north line of Wm. E. Penhrows' land N. 74° 10' West 66.42 poles to a large post at an angle in the line of said Penhrows' land; thence north 12° 15' East 56.66 poles to a post at another angle in said Penhrows' land; thence South 74° East 66.42 poles to an iron stake in the west line of the Gallaway Road; thence, with the west line of said Road South 12° 15' West 56.45 poles to the place of beginning

containing 23.40 acres more or less.

Second tract: Situated in said County, Township, and State, Survey No. 3443. Beginning at two Elm and one ash and running north 8° 5' minutes East 119.7 poles to three birches; thence South 78 1/4° East 139 poles to two ashes and one hickory; thence South 8° West 119.7 poles to a stake; thence north 78 1/4° West 138 2/3 poles to the place of beginning

containing 75-acres more or less.

Edna M. Figley, Exr. of Otto M. Figley

John L. Longway, atty. for Plaintiff
State of Ohio, Union County, ss.

Protestation

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, or, and next after May 8, 1925, in the Union County Journal, a newspaper of general circulation in county aforesaid. W. Gallaway.

Sworn to before me, and signed in my presence, this 12 day of June, 1925. P. B. Sauer, clerk Printers Fees, \$26.18

Bond

Guardian's Bond - additional.

Know all men, by these Presents, that we, Edna M. Figley Ernest J. Figley and E. E. Flickinger are held and firmly bound unto the State of Ohio, in the sum of \$11,000.00 for the payment of which we hereby jointly and severally bind ourselves, our heirs, executor and administrators. Signed by us, and dated at Marysville, Ohio, this 29-day of June A.D. 1925.

The condition of the above obligation is such, that whereas, the above bound Edna M. Figley was on the 31 day of July, 1924, appointed by the Probate Court of

105-22

Orders on Hearing of appraisement

Final Record, Union County Probate Court.

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said Union County. Guardian of the person and estate of Otto M. Sigley, which appointment the said Edward H. Sigley then accepted, and gave bond as required by and conditioned, according to law, in the sum of Eleven thousand (\$11,000-) Dollars, with Edward H. Sigley, Ernest J. Sigley and E. E. Flickinger, as sureties thereunto the acceptance of the Court; and whereas, said bond has been found by said Court to be insufficient, and said guardian was on the 25th day of June, 1925, ordered to give an additional bond, as guardian as aforesaid payable to the State of Ohio and conditioned according to law in the sum of \$11,000- the same to be put in lieu of, but as an additional bond to his bond heretofore given by him, as such guardian.

Now if the said, Edward H. Sigley shall faithfully discharge all his duties as such guardian, as is required by law, then this obligation to be void, otherwise to remain in full force.

Edward H. Sigley, Ernest J. Sigley, E. E. Flickinger,
 This Bond approved in open Court this 29th day of June, 1925. ~~and~~ Notarized, Probate Judge -
 Journal Entry: Orders on Hearing, of appraisement,
 Probate Court Union County, Ohio,
 June, 25th 1925.

Orders on
 Hearing
 of
 appraisement

This day this cause came on to be heard upon the petition, evidence and testimony of Edward H. Sigley, Guardian of Otto M. Sigley, and the Court being fully advised in the premises finds that all the defendants herein have been served and legally served with process or have voluntarily entered their appearance herein, and are now properly before the Court, and that the statements and these allegations in said petition are true. The Court being satisfied that it is necessary to sell the real estate of said Otto M. Sigley, described in the petition, to pay his debts.

And it further appearing to the Court that it will be to the advantage of all parties in interest to have the real estate sold and the money re-invested.

It is ordered that H. J. Williams, H. H. Davis, Jr., A. T. Cook 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, therein.

It is further ordered, that said appraisers, in sum as required by law and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, on or before the 1st day of July, 1925, and this

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

105-22 cause is continued.

W.H. Husted, Probate Judge

10522,

Legal notice

Legal notice

In the Probate Court, Union County, Ohio.

In the case of Edna H. Higley guardian of Otto M. Higley et al. vs. Otto M. Higley et al. case no. 10522.

The Defendants and next of kin will take notice that a petition to sell real estate of Otto M. Higley has been filed by his guardian Edna H. Higley, praying that said real estate be sold and said petition will be for hearing on or after June 20th 1925 at 1.00 P.M. or clock in said court.

The defendants Eli Holloway and wife if any, or legal representatives, whose last known address was St. Joe, Missouri, and the defendant Charles Holloway, his address being unknown, or his legal representatives, and any and all other persons claiming to be next of kin or legal representatives of Otto M. Higley; will take notice as to said sale of real estate described as follows:

Situated in the Township of Liberty, County of Union and State of Ohio

First Tract: Survey no. 3443; Beginning at a stone at the North east corner to a 32.96 acre tract of land owned by Lena Wood, and in the West line of the Holloway Road; thence with the north line of said Wood's land, and continuing with the north line of Wm. E. Puchornood's land, north 74° 10' west 66.42 poles to a large post at an angle in the line of said Puchornood's land; thence north 12° 15' east 56.66 poles to a post at another angle in said Puchornood's land; thence south 74° east 66.42 poles to an iron stake in the West line of the Holloway Road; thence with the West line of said Road, south 12° 15' minutes west 56.40 poles to the place of beginning.

Containing 23.40 acres, more or less.

Second Tract: Situated in said County Township and State Survey no. 3443, Beginning at two Elm and one ash and running north 8° 5' East 119.7 poles to three beeches; thence south 78 1/4° East 139. poles to two ashes, and one hickory; thence south 8° west 119.7 poles to a stake; thence north 78 1/4° west 135 2/3 poles to the place of beginning.

Containing 75 acres, more or less.

Edna H. Higley.

Guardian of Otto M. Higley

John Longmire, attorney for Plaintiff.

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 six consecutive weeks, on and next after May 5- 1925, in the

10522 application

sale at Private sale.

affidant of Disinterested Persons.

Final Record, Union County Probate Court.

Judge
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Union County Journal, a newspaper of general circulation
 in county aforesaid. Rich Hartsborn
 known to before me, and signed in my presence,
 this 25-day of June, 1925.
 P.B. Ganner.

Printers fees \$26.¹⁸
 application to sell Real Estate at Private Sale,
 Probate Court, Union County, Ohio,
 No. 10522. application

The said Plaintiff represents that it would be for
 the best interest of the said Ots. M. Higley 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 in Court
 expense to sell at Private Sale.
- Second: said Guardian has a party who is willing
 to purchase said property for the appraised value, if
 property can be sold at once.
- Third:

It would be a great saving of time, as well as,
 newspaper advertising costs.

- Fourth:
 If the property is sold at public sale it
 might not be sold at the appraised value.
- Fifth:

Said Guardian claims said appraised value
 would be a reasonable price for said land, and for
 the best interest of the estate.

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

Edna G. Higley, Guardian of Ots. M. Higley.
 The State of Ohio, Union County
 Edna G. Higley Guardian of Ots. M. Higley, being duly sworn,
 says that the various matters set forth in the
 foregoing application are true, as she verily believes.
 Edna G. Higley.

Known to before me, and signed in my presence, this
 25-day of June, 1925.

John L. Longway, Notary Public,
 affidavit of Disinterested Person.

The State of Ohio, Union County,
 C.C. Jarvis, Leonard 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 Ots. M. Higley to sell said
 real estate at private sale, than at Public sale.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10522

as they truly believe.

b. c. Jarvis

Levin R. Sherman

known to inform me, and signed in my presence. This 25th day of June, 1925 - ~~at~~ John L. Longrey, Notary Public.

Order of appraisement

Order of appraisement

The State of Ohio, Union County ss.

Probate Court.

To Edna G. Fugley, Guardian of Otto M. Fugley's Estate;

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, Edna G. Fugley, Guardian of Otto M. Fugley am Plaintiff and Otto M. Fugley et al. are Defendants, you are commanded by the oaths of N. G. Williams, H. G. Davis and J. B. Davis, 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 all dower estate of the defendants therein, to wit:

Situated in the Township of Liberty County of Union, and State of Ohio.

First tract: Survey no. 3443.

Beginning at a stone at the north east corner to a 32.96 acre tract of land owned by Emma Woods, and in the west line of the Hallway Road; thence with the north line of said Woods' land, and continuing with the north line of Mrs. E. Penhollow's land, N. 74° 10' W. 66.42 poles to a large post at an angle in the line of said Penhollow's land; thence N. 12° 15' E. 56.66 poles to a post at another angle in said Penhollow's land; thence S. 74° E. 66.42 poles to an iron stake in the west line of the Hallway Road; thence with the west line of said Road S. 12° 15' W. 56.45 poles to the place of beginning, containing 23.40 acres, more or less.

Second tract:

Situated in said County, Township and State, Survey no. 3443.

Beginning at two elms and one ash and running N. 8° 5' E. 119.7 poles to three beeches; thence S. 78 1/4° E. 139 poles to two ashes and one Hickory; thence S. 8° W. 119.7 poles to a stake; thence N. 78 1/4° W. 138 2/3 poles to the place of beginning, containing 75 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 25th day of June 1925 - ~~at~~ 1074 Husted, Probate Judge

10522

Return

Order of appraisement

Appraisement Return

Entry

Confirming appraisement

Final Record, Union County Probate Court.

10522

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 29-day of June, 1925.

Edna G. Figley, Adm. of Ets. M. Figley.

Oath of Appraisers.

The State of Ohio, Logan County.

order 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.

U. G. Williams, H. G. Davis, T. B. Davis & appraisers.

Brought to before me and signed in my presence this 26-day of June, 1925.

Appraisers Return.

appriso- 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 \$5250.00 free from all dower estate.

Given under our hands, this 26-day of June, 1925.

U. G. Williams, H. G. Davis, T. B. Davis & appraisers

Entry

Journal Entry: Probate Court, Union County, Ohio.

June 29- 1925. No. 10522.

confirming appraisement.

Confirming appraisement and Entering Private Sale.

This day the 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 \$5250.00

and the plaintiff above named having given bond dated June 25th 1925, in the sum of \$11000.00 with Edna G. Figley, Ernest J. Figley, and E. E. Flickinger parties 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 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:

\$1250.00 Cash in hand, and the balance to be paid at \$1000.00 each year at the rate of 6% semi-annually, until paid.

The purchaser is to have the privilege to pay any

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

105-22

and all at any time. W. H. Kusted Probate Judge
Order of Sale - free from. Dorr.
Probate Court.

10522

The State of Ohio, Union County.
To Edwin H. Sigley, Guardian, Meeting:

Order of

Sale. In obedience to an order and decree of the Probate Court, made this day, in a certain cause, wherein you, as Guardian of Otto M. Sigley are Plaintiff and Otto M. Sigley et al. are Defendants you are commanded to proceed according to law, to sell at Private sale, for not less than \$5-200.00 the appraised value thereof free from down, the following described premises, to wit:

Report of Sale -

First tract: Survey No. 3443.

Beginning at a stone at the northeast corner to a 32.96 acre tract of land, owned by Lena Mabe, and in the West line of the Hullonay Road; thence with the north line of said Mabe's land and continuing with the north line of Wm. E. Penhorwood land N 74° 10' W 66.42 poles to a large post at an angle in the line of said Penhorwood's land; thence N. 12° 15' E. 56.66 poles to a post at another angle in said Penhorwood land; thence S. 74° E. 66.42 poles to an iron stake in the West line of the Hullonay Road; thence with the West line of said Road S. 12° 15' W. 56.48 poles to the place of beginning.

10522 confirmation

Containing 23.41 acres, more or less.

Second tract: Survey No. 3443.

Beginning at Two Elms and one Ash and running N. 5° 5' E. 119.7 poles to Two Pines; thence S. 78 1/4° E. 139 poles to two Ashes and one Hickory; thence S. 82° W. 119.7 poles to a stake; thence N. 78 1/4° W. 138 1/3 poles to the place of beginning.

Containing 75 acres, more or less.

Said sale to be \$1250 - Cash in hand, and the balance to be paid \$1000.00 each year at the rate of 6% semi-annually, until paid. Purchaser to have the privilege to pay any and all at any time.

The deferred payments to be secured by mortgages on the premises and to bear interest from 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 Wapakonetta, Ohio, this 11th day of July, A. D. 1925.

W. H. Kusted, 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 11th day of July, 1925.

Edwin H. Sigley.

Final Record, Union County Probate Court.

to Judge
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Report of Sale.
 In obedience to the within order, I sold said premises on the 11-day of July, 1925, to Nat. Smith, Arch Smith, Mr. Fred Smith, for the sum of Five thousand and two hundred and fifty dollars, said sum being the appraised value of the same.
 Edna G. Figley.
 Dated the 11-day of July, 1925.
 The State of Ohio, Union County.
 The above named, Edna G. Figley 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.
 Edna G. Figley.
 Brought before me, and signed in my presence this 11-day of July, 1925: ~~John L. Longbray~~ John L. Longbray, Notary Public.
 Journal Entry: Orders approving and confirming Sale-
 Probate Court, Union County, Ohio.
 July, 11th 1925.
 This day, this cause coming on to be heard on, the report of Edna G. Figley, guardian of Otto M. Figley 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 Edna G. Figley guardian of Otto M. Figley in said real estate, to the purchasers Nat Smith, Arch Smith and Fred Smith, upon the said purchasers 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 costs.
 W. H. Husted, Probate Judge.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10734
Mar. 3 - 1926

H. L. My Allen
att'y.

Fred Erwin, Guardian of
Lewis B. Mason, an alleged
incompetent,
v.
Plaintiff.

Guardian's Petition to Sell Real Estate,
Probate Court, Union County, Ohio,
No. 10 734

11734

His said ward,
Lewis B. Mason, Chloa M. Mason,
his wife, Oren Mason, as Guardian
of Chloa M. Mason, Estella Neel,
Benjie Boggs, Miedred Boggs, Lloyd
Boggs, and
Louisa M. Guinn,
Defendants.

Petition
to
Sell Real Estate

Petition.

The Plaintiff represents that he is the duly appointed and qualified Guardian of Lewis B. Mason, of the age of 88 years, and residing with his son, Oren Mason, and wife Chloa M. Mason, at Richmond, Ohio; that he was appointed as such guardian by the Probate Court of Union County, Ohio; and that it is necessary to sell the real estate for the reason that the defendant Estella Neel has a mortgage lien against said real estate for the sum of \$150.00 due March 5th 1926, and for the reason that the proceeds from the sale of said real estate is needed to pay the following just debts against said ward, to-wit:

Petition

Petition

Dr. H. C. Duke	\$25.25-
C. F. Hill coal	15.25-
Taxes	58.83
Oren Mason,	300.00
J. R. Fackler (attorney)	10.00
Estella Neel -	150.00

and, further that there is no personal property in his hands, with which to provide said ward with maintenance and support.

That there is no personal estate of said ward dependent upon the settlement of any decedent's estate, or the execution of any trust, or in expectancy.

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

Being out Lots no. 647, and 648, in Beems Addition to said village of Richmond, Ohio, so the same is known and designated upon, also recorded plat of said Addition on the records of Union Co. Ohio; with the exceptions of the north half of the above described Lots which was conveyed by warranty deed from Clyde C. Cameron his wife to Peter H. Daum and wife

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Said real estate is worth annually one hundred twenty and no/100 dollars.

That said Plaintiff has received no rents from the real estate of his ward That the sale of said real estate is necessary for the maintenance of said ward.

That Estella Neel has a lien on said real estate by way of a mortgage to secure the amount of \$1500 due and payable March 5 - 1926.

That Chloer M. Mason, wife of said ward, has a dower estate in said lands.

The Plaintiff therefore prays, that said Lewis B. Mason, Chloer M. Mason, Emma Mason, as Guardian of the estate of Chloer M. Mason, and Estella Neel, Lloyd Boggs, Bernice Boggs, Miedred Boggs, and Louis M. Guinn and Uriah Mason, may be made Defendants to this petition, and notified of the pendency hereof, according to law.

That dower may be set off to Chloer M. Mason, and the rights and liens of said lienholders may be adjusted, and that Plaintiff may be ordered to sell said real estate for the reasons and purposes hereinbefore proposed, for other proper relief. Fred Erwin, Guardian.

The State of this Union County, ss.

Petition

Fred Erwin 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. Fred Erwin.

Sworn to before me, and signed in my presence, this 20th day of February, 1926. J. LeRoy Allen, Notary Public, Journal Entry: Orders, fixing time of hearing for notice, Probate Court, Union County, Ohio.

February, 26 - 1926.

This day Fred Erwin Guardian of Lewis B. Mason, appeared in open Court, and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his said ward, Lewis B. Mason.

It is ordered that the time of hearing said petition be and hereby is fixed for the 3rd day of April 1926, 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 Lewis B. Mason, his ward, to Chloer M. Mason, wife of said ward, Emma Mason, as Guardian of Chloer M. Mason and to Estella Neel, to Miedred Boggs, Bernice Boggs, Lloyd Boggs, and Louis M. Guinn and Uriah Mason, all persons entitled to the next estate of inheritance in such real estate. Defendants: in writing to be

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served upon them personally, and by leaving copies thereof at the usual place of residence of each of those who can not be served personally - days before, said day of hearing. This cause is continued.

W. B. Busted, Probate Judge -
In the Probate Court of Union County, Ohio.
Case No. 10734.

Fred Erwin, Guardian of
Lewis B. Mason, an alleged
Incompetent.

Plaintiff

vs.

Lewis B. Mason, his Ward, et al.
Defendants.

Plaintiff

Issue summons for the defendant below on Mason, Mrs Mason, as Guardian of below on Mason, Lloyd Briggs, Berice Briggs, Mildred Briggs, Virah Mason, and Estella Hill, directed to the Sheriff of Union County, Ohio, and execute same, returnable according to law. Indorse Summons "action to sell Real Estate and equitable relief" Lewis B. Mason.

Orders on
Hearing of
appraisement

affidavit
to

F. Leroy Allen, attorney for Plff.
-affidavit to Obtain Service by Publication
Probate Court, Union County, Ohio.

obtain
Service by
Publication

In the State of Ohio, Union County, ss.
Fred Erwin, the said Plaintiff, being sworn, say the Defendant Louisa Mc Guinn is a non-resident of this State; that service of summons on her cannot be made in this State; that the residence of said Louisa Mc Guinn is De Witt Nebraska, and that service of summons on her cannot be made; and that the case is one of those mentioned in Section 5-040- of the Revised Statutes of Ohio.
Fred Erwin

Entry

Shown to before me, and signed in my presence, this 4 day of March, 1926. ~~sent~~ F. Le Roy Allen, Notary Public.
Journal Entry: Orders, service by Publication
Probate Court, Union County, Ohio.
Mch. 4 - 1926.

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 Louisa Mc Guinn is a non-resident of Ohio, that service of summons on her cannot be made in this State; that the residence of said Louisa Mc Guinn is De Witt, Nebraska, and that service of summons on such defendants cannot be made; it is ordered that proceedings against said unknown heirs be had without naming them. It is ordered, that the publication be made for six consecutive weeks, in a newspaper, printed in this county, that it

Order of
appraisement.

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contain a summary statement of the object and prayer of the petition, mention the Court wherein it is filed, and notify the persons, thus to be served when they are required to answer.

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

W. H. Husted Probate Judge

Journal Entry: Orders and Hearing, of appraisement Probate Court, Union County, Ohio.

April 6th 1926.

Order of appraisement

Orders on hearing of appraisement

This day this cause came on to be heard upon the petition, evidence and testimony, and the Court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance herein, and are now properly before the Court, and that the statements and allegations in said petition are true. That said Chas. M. Mason, wife of said Lewis B. Mason is entitled to dower in said real estate; That said wife 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 Lewis B. Mason, described in the petition to pay his debts.

It is ordered, that O. M. Fogh, R. D. Roberts and B. P. Hall three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, be, and they hereby are appointed to appraise said lands as a whole, at their true value, in money, free from the dower estate of said Chas. M. Mason, therein.

It is further ordered, that said appraisers be sworn as required by law, and afterwards, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, on or before the 10th day of April, 1926. This cause is continued.

W. H. Husted Probate Judge

Order of appraisement.

Order of appraisement.

The State of Ohio, Union County, Probate Court,

To Fred Edwin, Adm. of Lewis B. Mason, Deceased;

In obedience to an order and decree of the

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Probate Court, within and for said County, made this day in a certain cause, wherein you, as Guardian of, Lewis B. Mason an. Plaintiff and Chas M. Mason, et al. are Defendants, you are commanded by the oaths of, O. M. Fogle, R. D. Roberts, and B. P. Hall three judicious disinterested men of the vicinity not of kin to the petitioner, who are freeholders of the County, in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises, free from the dower estate of Chas M. Mason, therein to wit:

Situated in the village of Richmond County of Union State of Ohio, and being out lots no- 647, and 648, in Beems addition to said village of Richmond Ohio, as the same is known and designated on the recorded plat of said village and addition with the exceptions of the north half of the above described lots which was conveyed by warranty deed from Clyde C. Cameron and wife to Peter G. Dawson and wife

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

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 5th day of April, 1926.

W. M. Husted, Probate Judge.

Return

To the Probate Court of Union County Ohio.

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

Dated the 6th day of April, 1926.

F. LeRoy Allen, attorney for Fred Erwin, Esq.

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.

Wm Fogle, R. D. Roberts, B. P. Hall appraisers.

Sworn to before me, and signed in my presence, 6th day of April, 1926. F. LeRoy Allen Notary Public, Union Co. Ohio.

Appraisers Return

In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises therein described, we the undersigned appraisers estimate the value of said real estate at One Thousand Three Hundred Fifty Dollars free from any dower estate therein.

Given under our hands, this 6th day of April, 1926. Wm Fogle, R. D. Roberts, B. P. Hall appraisers.

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Bond

Summons

Final Record, Union County Probate Court.

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Guardian's Bond.

Know all men by these Presents: That we, Fred Erwin, Nancy Erwin and James Price are held and firmly bound unto the State of Ohio in the sum of Twenty-seven Hundred ^{and} ^{no} ¹⁰⁰ Dollars for the payment of which, we hereby jointly and severally bind ourselves, our heirs, executors and administrators

Bond

Signed by us, and dated at Richmond, Ohio, this 10 day of April, 1926.

The condition of the above obligation is such, that whereas, the above bound, Fred Erwin was, heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Lennis B. Mason, an alleged incompetent

and, whereas, the said Fred Erwin as such Guardian, has filed a petition in said Probate Court, asking an order for the sale of certain real estate of said ward, described in said petition, which under proceedings in said Court duly had, has been appraised at the sum of Thirteen Hundred Fifty Dollars.

And whereas, said Court, on the 8th day of April 1926, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now if the said Fred Erwin as Guardian aforesaid shall faithfully discharge his duties as such Guardian and shall 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.

Fred Erwin, Nancy E. Erwin, James Price.

This Bond, approved in open Court, this 10 day of April, 1926.

W. H. 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 Lennis B. Mason, Chloer M. Mason, Owen Mason, Guardian of Chloer M. Mason, Lloyd Boggs, Bernice Boggs, and Miedred Boggs, Minors and Roy Boggs, father of said minors, Uriah Mason, and Estella Nest, that on the 3rd day of March A. D. 1926 Fred Erwin, guardian of Lennis B. Mason 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 Lennis B. Mason, in said petition described, for the purpose of supporting his ward and to re-invest funds. And that unless they answer by the 3rd day of April

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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1926. said petition will be taken as true, and an order granted accordingly.

You will make due return of this writ on the 15th day of March A. D. 1926.

Witness my hand and the Seal of said Court this 5th day of March, 1926. W. H. Husted, Probate Judge

Sheriff's Return

Sheriff's Return

Sheriff's Office, Union County, Ohio
Mar. 6th 1926.

Received this writ Mar. 5th 1926. at 3.00 clock P.M. and pursuant to its command I served Lloyd Briggs, Bernice Briggs and Mildred Briggs, minors by handing to each of them personally a true certified copy of this writ and finding no guardian I served their father with whom they reside by personally handing to him a true and certified copy. I also served Lewis Mason, Chloa M. Mason, Guardian of Chloa Mason, by personally handing to each of them a true and certified copy of this writ.

F. B. Hayer, Sheriff.

Servic^e Return 75 names. 2nd mileage 37 at 8¢. 2nd total 30.75

Journal entry: Order approving appraisement ^{an} for Bond, Probate Court, Union County, Ohio
April 8, 1926.

approving appraisement and for Bond

This day came the said Plaintiff, by his attorney, and produced to the Court the report of an appraisement herein made by C. M. Fogle, R. D. Roberts and B. P. Hall, 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 Fred Erwin as guardian 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 Twenty seven hundred Dollars, conditioned according to law, and this cause is continued.

W. H. Husted.

Confirming appraisement ^{an} 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 Fifty seven Hundred and Fifty Dollars, four of the above estate therein of Chloa M. Mason, wife of Lewis B. Mason.

and, the plaintiff above named having given bond dated April 10 - 1926, in the sum of Twenty seven Hundred Dollars, with Nancy C. Erwin and James Price sureties, conditioned according to law and approved by the Court;

And, it appearing to the Court, that it would be

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Application
to
sell at
Private Sale.

affidant
of
Disinterested
Persons.

Final Record, Union County Probate Court.

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In 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 free of said down estate, at private sale, at not less than the appraised value thereof, and, upon the following terms, to-wit:

Cash in hands on day of sale.

W. H. Busted, Probate Judge.

Application to sell Real Estate at Private Sale.

Probate Court, Union County, this

No. 10734. Application

Application

Private Sale.

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

The time of year,

and expense of advertising

a purchaser at private sale can be found that will pay more for said property than same will net at public sale, and, he therefore asks for an order authorizing him to sell said real estate at private sale. Fred Erwin, Guardian of Lewis B. Mason.

The State of this Union County.

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

Fred Erwin.

Sworn to before me, and signed in my presence, this 10-day of April, 1926. F. L. Roy, Notary Public.

Affidavit of Disinterested Persons.

affidavit

Disinterested Persons.

The State of this Union County.

Mrs. W. Lee, Percy H. Sanders, and A. D. Parish 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 Fred Erwin as Guardian of Lewis B. Mason, to sell said real estate at private sale than at public sale for the appraisement as they verily believe.

Mrs. W. Lee, Percy H. Sanders, A. D. Parish

Sworn to before me, and signed in my presence, this 10-day of April, 1926. F. L. Roy, Notary Public.

Legal Notice.

To Louisa M. Guin, District Nebraska.

You are hereby notified that on the 3-day of March, 1926.

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Langhorst Brothers, Wapakonetta, Ohio.

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Fred Erwin as Gdn. of Lewis B. Mason, filed in the Probate Court of Union County, Ohio, a petition, the object and prayer of which is to procure said Court to order the sale of the real estate of the said Lewis B. Mason, situated in the village of Richmond Union County, Ohio, and bounded and described as follows: Being sub. lots no. 647, and 648, in Beems addition to said village of Richmond, Ohio, with the exceptions of the north one-half of the said lots, which was conveyed to Peter G. Dawn and wife from Ely de C. Cameron by warranty deed.

The Application thereof will be for hearing by said Court on the 27th day of March, 1926, at 1 P.M. at which time, unless you show cause to the contrary, an order will be asked as prayed for in said petition.

Fred Erwin Gdn. of Lewis B. Mason,
F. DeRoy Allen, attorney. March 4 - 1926, 47.

State of Ohio, Union County

Personally appeared before me, O. A. Kigley and made oath that the notice, a copy of which is hereto attached, was published for 4 consecutive weeks, on and after March, 4 - 1926, in the Richmond Gazette, a newspaper of general circulation in the county aforesaid.

Given to before me, and signed in my presence, this 18th day of March, 1926.

Paul B. van Winkle, Notary Public

Printer's Fees \$7.00

Order of Sale. Free from Debt.

The State of Ohio, Union County.

Probate Court.

To Fred Erwin Guardian of Lewis B. Mason an alleged Incompetent. Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you, as Guardian of Lewis B. Mason, are Plaintiff and Owen Mason, 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 Ely de C. Mason, wife of Lewis B. Mason, the following described premises to wit: Situate in the County of Union and the State of Ohio and in the Village of Richmond and bounded and described as follows:

Being sub. lots no. 647, and, 648, in Beems addition to said village of Richmond, Ohio. As the same is known and designated on the Recorded Plat of said Village on the Records of Union County, Ohio. With the exception of the north half of the above described lots which was conveyed by warranty deed from Ely de C. Cameron, and wife to Peter G. Dawn and wife.

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Return

Report of Sale

Oath

Order

of

sale.

Approving and Confirming Sale

Final Record, Union County Probate Court.

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Said sale to be upon, the premises, and to be upon the following terms; cash in hand
 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, Wis. this 8th day of April 1926. W. H. Husted, Probate Judge

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 10th day of April 1926.

Fred Erwin

Report of Sale

Report

In obedience to the within order, I sold said premises on the 10th day of April 1926, to Owen Mason, for the sum of Seventeen Hundred fifty Dollars, said sum being the appraised value of the same.

Dated the 10th day of April 1926.

Fred Erwin, Guardian

of sale

The State of this Union County

Oath

The above named Fred Erwin 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 Erwin Guardian

Sworn to before me, and signed in my presence this 10th day of April, 1926

F. Le Roy Allen Notary Public

approving and confirming sale

Journal entry: Order approving and confirming sale - Probate Court, Union County, Wis. April 10th 1926.

This day this cause coming on to be heard on the report of Fred Erwin Guardian of Lewis B. Mason alleged Incapacitated, 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.

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that said petitioner execute a deed of all the right, title and interest of the said Lewis B. Mason in said real estate to the purchaser. Over Mason. 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. W. H. Husted, Probate Judge.

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Mar. 11th 1926

F. DeRoy, Allen
attorney

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

No. 10739

Sarah L. Reeco, executrix

of the estate of

Benjamin M. Reeco, deceased. Civil action

Plaintiff

v.

Bert L. Reeco,

Velma Londenlager,

Norma Wiley,

Edith M. Bronzie

Don Reeco,

Mabel Parrott

Daisy Hoffman, ^{imp.}

O. E. Dufey,

Defendants.

Petition

to

Sell Real Estate

Petition

Petition

Petition

The Plaintiff represents that she is the duly appointed and qualified executrix of the estate of Benjamin M. Reeco late of Union County, Ohio, deceased; that the amount of debts due from the deceased is One Thousand seven hundred and no/100 Dollars, as near as can be ascertained one debt of \$1,000.00 and accrued interest being to the said O. E. Dufey and secured by a first mortgage on the within described real estate. That the charges of administration of said estate will amount to about Three Hundred and no/100 Dollars; and that the total value of the personal estate and effects of said deceased is but - nothing - being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Benjamin M. Reeco died seized in fee simple of one-half interest in the following described real estate, situate in the County of Union and State of Ohio, to-wit:

Beginning at a point in the center of Franklin Street S. 6° 5' N. 59 1/2 feet from the south east corner of a tract of land owned by Junior E. McAllister; thence with the center of said street in a southerly direction S. 6° 5' N. 59 1/2 feet to the S.E. Corner of a tract of land formerly owned by W. F. Martin; thence in a westerly direction S. 76° N. 197 1/2 feet to a stone; thence in a

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Northly direction N. 7° 45' W. 52 feet to a stone in
 Lutz's S. line; thence in an easterly direction 212 feet
 to the place of beginning, containing 26/100 acrs. more or less,
 also, the preceding described premises in the same village.
 Beginning at a stone N. of corner to a small tract
 of land conveyed by Matilda W. Beaver and husband to
 Albert L. Foub and Flora Foub March 1- 1915 (refer to
 Vol. of deeds # 110 page 487) thence with said Fort's
 west line S. 7° 45' E. 52 1/2 feet to a stone S.W. corner to
 said Fort's land; thence S. 76° N. 6 1/4 feet to a stone;
 thence S. 24 3/4 feet to an iron stake (intruded by a
 Cherry tree); thence S. 87° 15' W. 115 feet to an iron
 stake; thence N. 70 1/2 feet to the S.W. corner of the
 Mary Lutz land; thence with the S. line of the said
 Mary A. Lutz land N. 75° 50' E. 115 feet to the place of
 beginning; containing 20/100 of an acre of land.

The said decedent died leaving the defendant
 Sarah L. Reese, his widow who, is not now entitled
 to dower in said premises, she having elected to take
 under the will; that the defendants Velma Lunderslager,
 Don E. Reese, Bert C. Reese, Norma Wiley, Edith M. Corquill,
 Mabel Parrott, Daisy Huffman, are the only children and
 heirs at law of said decedent, having the next estate
 of inheritance from said Benjamin M. Reese, deceased
 in said premises; that the defendant O. E. Dufey claims
 to have a mortgage lien in said premises.

Petition

The plaintiff therefore prays that, the rights, interests
 and liens of the said O. E. Dufey, may be fully determined
 adjusted and protected according to equity,
 and that your petitioners may be authorized and
 ordered to see 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. Sarah L. Reese, Executrix.

The State of Ohio, Union County, ss.

Sarah L. Reese, Executrix, 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. Sarah L. Reese, Executrix

Sworn to before me, and signed in my presence, this
 10-day of March, 1926, F. L. Roy, Notary Public, Union Co. Ohio.
 F. L. Roy

Sarah L. Reese, Ex. of the
 estate of Benj. M. Reese, Dec'd.
 Plaintiff

Prasifier.

Bert C. Reese, et. al.
 Defendants.

To the Judge, and Ex-officio Clerk, of said Court:

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Langhorst Brothers, Wapakonetta, Ohio.

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Issue Summons for said O. E. Dufry, Defendant directed to the Sheriff of said county, returnable according to law.

F. LeRoy Allen, Plaintiffs atty.
In the Probate Court of Union County, Ohio,
Mar. 11 - 1926.

Filing Petition to Sell Real Estate.

Filing
Petition

This day came the Plaintiff Sarah L. Reece executrix of the estate of Benjamin M. Reece and presented to this Court her petition duly verified, praying an order for the sale of real estate of the said Benj. M. Reece, 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. Huated, Probate Judge

Waiver of Summons

Probate Court Union County, Ohio.

Waiver

We the undersigned parties Defendant to the Petition in the above entitled action, do each of us, hereby waive the issuing and service of Summons, and voluntarily enter our appearance as such Defendants. And we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

March 21 - a. d. 1926.

Bert C. Reece, Ira J. Reece, Daisy A. Hoffman, Edger E. Hoffman,
Don E. Reece, Bertha A. Reece, Norma E. Wiley, L. A. Wiley,
Edith M. Conyell, Oliver Conyell, Mabel L. Parrott, Clarence E. Parrott,
Verna I. Londenlager, Alfred J. Londenlager.

Journal entry: Orders on hearing of appraisement.

Probate Court, Union County, Ohio,
March 27 - 1926.

orders.
Hearing of
appraisement

This day this cause came on to be heard upon the petition evidence, and testimony, and the Court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance, herein, and are now properly before the Court, and that the statements and allegations in said petition are true. That said Sarah L. Reece, widow of said Benjamin M. Reece elected to take under the Will is not 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

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Order
of
appraisement

Final Record, Union County Probate Court.

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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 Benj. M. Reece, described in the petition, to pay his debts.

It is ordered that Miles Strouider, B. H. Harrison and W. H. Temple, 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 Sarah L. Reece, therein.

It is further ordered, that said appraisers be sworn as required by law, and, afterwards, upon actual view perform the duties required of them, and, make return of their proceedings in writing to this Court, on, or, before the 27-day of March, 1926, and, this cause is continued.

W. H. Husted, Probate Judge

Order of appraisement

Order of appraisement

The State of Ohio Union County, Probate Court.
To Sarah L. Reece, executrix, of the estate of Benjamin M. Reece, 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 executrix are Plaintiff and Bert C. Reece, et al, are Defendants, you are commanded that by the oaths of Miles Strouider, B. H. Harrison and W. H. Temple, three judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the county in which said real estate is situated and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, free from the dower estate of Sarah L. Reece, therein, to wit:

Bring the undivided one-half interest in the said real estate and bring in the village of Richmond County of Marion and State of Ohio, and, Beginning at a point in the center of the Franklin St. S. 6° 50' W. 59 1/2 feet from the S. E. corner of a tract of land owned by Jennie McAllister; thence with the center of said st. 6° 50' W. 59 1/2 feet to the S. E. corner of a tract of land formerly owned by W. F. Martin, thence S. 76° W. 197 1/2 feet to a stone; thence N. 7° 45' W. 52 feet to a stone in Lutz's south line; thence in an easterly direction 212 feet to the place of beginning, containing 2 1/100 of an acre more or less

Also the following described premises in the same village:

Beginning at a stone N. W. corner to a small tract of land conveyed by Matilda A. Bearr and husband

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to Albert G. Fout and Flora Fout March 1- 1915 (refer to vol. of deeds #10 page 487) thence with Fouts W. line S. 7° 45' E. 52 1/2 feet to a stone S.W. corner to said Fout's land; thence S. 76° W. 6 1/4 feet to a stone thence S. 74 3/4 feet to an iron stake (witnessed by a cherry tree) thence S. 57° 15' W. 115 feet to an iron stake; thence N. 70 1/2 feet to the S.W. corner of the Mary Lentz land; thence with the S. line of said Mary A. Lentz land N. 75° E. 50' E. 115 feet to the place of beginning containing 20/100 of an acre of land.

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 27-day of March, A.D. 1926.

W. H. Trustees, Probate Judge

Return

Return

To the Probate Court of Union County, Ohio.

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

Dated the 27-day of March, 1926.

Sarah L. Reese, Executrix.

Oath

Oath of appraisers.

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.

Milo Strossider, S. H. Harrison, W. H. Temple, appraisers.

Done to before me and signed in my presence, this 27-day of March, 1926.

F. LeRoy Allen, Notary Public, Union Co. O.

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 seven hundred Dollars, four from said dower estate of Sarah L. Reese

This is full value of said property and the undivided one-half of same, is hereby appraised at \$1350.00

Given under our hands, this 27-day of March, 1926.

Milo Strossider, S. H. Harrison, W. H. Temple - appr.

Fees of appraisers \$2.00 each per day.

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

no. 10 739.

Application.

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Affidavit of Disinterested Persons.

Order for Private Sale.

Final Record, Union County Probate Court.

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The said Plaintiff represents that it would be for the best interest of the said estate of Benjamin M. Reese, dec'd, to sell the real estate described in the petition in this case at private sale, for the following reasons:

It being near April 1st and the time of year that a sale can be made at this time to more advantage than at a time when same could be properly advertised.

The nature of said real estate is such that same be sold to a better advantage privately than if sold at public auction. Same can be done at a much lesser expense.

That she has been offered \$2750.00 at private sale the same being more than the appraised value thereof same having appraised at \$2700.00

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

F. LeRoy Allen, attorney for Plaintiff.

The State of Ohio, Union County.

F. LeRoy Allen, attorney of Record, for Sarah L. Reese Ex'r., 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 31-day of March, 1926. Not. Public, Probate Judge -

affidavit of Disinterested Person.

The State of Ohio, Union County.

affidavit of Disinterested Persons.

Arthur Fletcher, L. J. McCoy, & G. Zuppan 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 Sarah L. Reese as Ex'r. to sell said real estate at private sale than at public sale, as they verily believe.

Arthur Fletcher, L. J. McCoy, & G. Zuppan -

Sworn to before me, and signed in my presence this 31-day of March, 1926.

F. LeRoy Allen, Notary Public.

Probate Court, Union County, Ohio.

March, 31-1926.

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

fer to vol. 7° 45' land; to an W. 115 feet to corner of the a. duty land containing This Court Probate 1926. have caused, appear by appraisers. This in Co. D bring first estimate seven hundred L. Reese other appraised 1926. appra Sale. County, Ohio.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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petition or trust. That said Benjamin M. Reese, dec'd, did leave a widow entitled to dower in estate to be sold.

And the Court being satisfied that it is necessary to sell the real estate of said Benjamin M. Reese 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 further ordered that said Sarah L. Reese as such ex- 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, upon delivery of deed. 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 Dower. Probate Court.

Order

The State of Ohio, Union County
To Sarah L. Reese, executrix of the estate of Benjamin M. Reese, 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, where in you as executrix, of the estate of Benjamin M. Reese, deceased, are Plaintiff, and, Bert C. Reese, 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. Reese, widow of Benjamin M. Reese, deceased, the following described premises: to-wit:

Being the undivided one-half interest in the following and being situated in the County of Union in the State of Ohio, and in the village of Richmond and beginning at a point in the center of Franklin St. S 60° 50' N. 59 1/2 feet from the S. E. corner of a tract of land owned by James McAllister; thence with the center of said St. S. 6° 50' N. 59 1/2 feet to the S. E. corner of a tract of land formerly owned by W. F. Maslin; thence S. 76° N. 197 1/2 feet to a stone; thence N. 7° 45' W. 52 feet to a stone in Lantry's S. line; thence in an easterly direction 212 feet to the place of beginning, containing 26/100 acres, more or less.

Also, the following described premises in the same village and beginning at a stone N. W. corner to a small tract of land conveyed by Matilda W. Bearr, and husband to Albert C. Fout and Flora Fout March 1st 1915 (refer to Vol. of Deeds # 110 page 487) thence with said Fout's N. line S. 7° 45' E. 52 1/2 feet to a stone S. W. corner to said Fout's land; thence S. 76° W. 6 1/4 feet to a stone; thence

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Return

Report of Sale Private

Oath

Order approving
Confirming Sale.

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Final Record, Union County Probate Court.

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S. 24^{3/4} feet to a stake; thence N. 70^{1/2} feet to the S.W. corner of the Mary Dentz land; thence with the S. line of the said Mary A. Dentz land, N. 75° 55' E. 115 feet to the place of beginning.

containing 20/100 of an acre of land.

Said sale to be for of the dowry of Sarah L. Reece, and to be 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 Probate Court, at Marysville, Ohio, this 31 day of March, 1926.

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 1st day of April, 1926.

Sarah L. Reece, Executrix.

Report of Sale Private

Report of Sale Private

In obedience to the within order I sold said premises on the 1 day of April, 1926, to Adam E. Shuman and Lelah A. Shuman, for the sum of Twenty seven hundred fifty dollars, said sum being more than the appraised value of the same.

Dated the 1st day of April, 1926.

Sarah L. Reece.

Oath

The State of Ohio, Union County.

The above named Sarah L. Reece, 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.

Sarah L. Reece.

Sworn to before me and signed in my presence, this 1 day of April - 1926. Wm F. LeRoy Allen, Notary Public.

Order approving

Journal Entry: Order Approving Confirming Sale. Probate Court, Union County, Ohio. April 5th 1926.

Confirming Sale

This day this cause coming on to be heard on the report of Sarah L. Reece, Executrix of the estate of Benjamin M. Reece, deceased, of her proceeding 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

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Langhorst Brothers, Wapakonetta, Ohio.

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respects correct and being satisfied that said sale was fairly and legally made. It is ordered that the same be and hereby is approved, and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Benjamin M. Reese in said real estate to the purchaser to Adam E. Shuman and Selah A. Shuman.

It is further ordered, that this proceeding be recorded, and that said petitioners pay the costs \$13.00

Witness my hand and seal of the Probate Court of Union County, Ohio, this 25th day of January, 1926.

Petitioner to Sell Real Estate

In the Probate Court, Union County, Ohio,

no. 10690

10690
Jan. 25th 1926.
Miles L. Myers
attorney.

Odean Liggitt administrator
De Bonis now with the will
annexed of the estate of
Joseph Morrison deceased.
Plaintiff.

Clarence Morrison
Thayer Morrison
Ernest Morrison
Ethel Murphy
Martha Rogers
Ola Baxter.

Defendants.

Petitioner.

Petitioner

Petitioner

now comes Odean Liggitt and says that he is the duly appointed and qualified administrator de bonis non of the estate of Joseph Morrison deceased, and that he was appointed as such by the Probate Court of Union County, Ohio, on the 23rd day of October, 1925, and duly qualified therein by giving bonds on said day in the sum of \$10,000.00, and that he is still acting as such administrator.

and for a cause of action says that the said Joseph Morrison died on the 15th day of August, 1918, testate, and that his last will and testament was on the 26th day of August, 1918, admitted to probate in the probate Court of Union County, Ohio, and recorded in Will record B. page 400, and that by the provisions of said last will and testament the said deceased, willed all his property, including real estate, to his wife, Rirta Morrison, for life, and upon the death of his said wife he willed and devised \$125.00 of the residue thereof to his son, Clarence Morrison, and \$125.00 of the residue to his son, Thayer Morrison, and the remainder of his said estate he bequeathed and devised to all his children in equal shares, which provisions of said last will and testament reads as follows:

Final Record, Union County Probate Court.

10690

Clause I. It is my Will that all of my debts and funeral expenses be paid out of my estate.

Clause II. I give and bequeath to my beloved wife, Rietta all the residue of my property both personal and real after such debts and expenses shall have been paid.

Clause III. After the death of my said wife, it is my said wife, it is my request that our sons Clarence and Thayer shall each receive \$2500-- from the residue of my estate and that the remainder shall be equally divided among my children and, in equal shares.

Further the said plaintiff says, that the said Rietta Morrison, the widow of the said Joseph Morrison, deceased, died on the 14 day of October 1920; and, at the time of her death left no personal estate belonging to the said Joseph Morrison, deceased, and, there is no personal estate within the knowledge of the plaintiff belonging to said estate, but that at the time of the death of the said Joseph Morrison, he died seized in fee simple and owner of the following described real estate, to-wit:

Situated in the Township of Liberty, County of Union, State of Ohio, and, a part of Survey no. 12472, and,

Petition

Beginning at a stone and brick at the intersection of the Wheeler Road, and, the Deaw Road; thence with the center of the Deaw Road N. 80 1/2° N. 77.12 poles to a stone; thence N. 94° E. 60 poles to a stone in the center of the Bellefontaine and Decatur Railway right-of-way; thence with the center of said railway, right-of-way, S. 85 1/2° N. 76 poles to a stone; thence N. 94° E. 43.60 poles to a stone; thence S. 80 1/2° E. 151.80 poles to a stone in the center of said Wheeler Road; thence with the center of said Road, S. 9° N. 69.50 poles to the beginning. Containing 50 acres, more or less.

Further, the said plaintiff says, that the said defendants, Clarence Morrison, Thayer Morrison, and, Ernest Morrison, are children and sons of the said Joseph Morrison, deceased, and, that the defendants, Ethel Murphy, Mabel Rogers, Mr. Olan Lester, are children and, daughters of the said Joseph Morrison, deceased, and are entitled to inherit said estate under the provisions of the said last Will and testament, and, to make a division of said estate according to the provision and terms of said last Will and Testament, it is necessary to sell said real estate.

Wherefore, plaintiff prays, for an order directing them to sell said real estate, so that division or distribution may be made according to said last Will and Testament, and, for such other and further relief and orders, as may be just and equitable.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10690

Milo L. Myers, attorney for Plaintiff.

State of Ohio, Union County, ss.

Oath

Odell Liggatt being first duly sworn says that the facts stated and the allegations made and contained in the foregoing petition are true, as he believes.

Odell Liggatt

Sworn to before me, and signed in my presence, this 21 day of January, 1926. ^(Seal) Mand Myers, Notary Public.

In the Probate Court of Union Co., Ohio, January 23rd 1926.

Filing Petition to Sell Real Estate.

Filing Petition

This day came the Plaintiff, Odell Liggatt, adur. de bono non, of estate of Joseph Morrison, Dec. and presented to this Court, his petition, duly verified praying an order for the sale of real estate of the said Joseph Morrison deceased, to pay the debts, and the costs of administering the estate of the said decedent and for distribution according to Will.

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. Busted, Probate Judge

Waiver

Waiver of Summons on Petition to Sell Real Estate,

Probate Court, Union County, Ohio

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 consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

January 23rd A.D. 1926.

Mrs. Ola Carter

Waiver of Summons on Petition to Sell Real Estate,

Probate Court, Union County, Ohio

Summons or consent to sale

We, the undersigned parties defendant to the Petition in the above entitled action, do each of us hereby waive the issuing and service of Summons, and voluntarily enter our appearance as such defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

January 25th 1926.

Thayer Morrison

Marck Rogers

Ethel Murphy

Ernest Morrison

Clarence Morrison

Probate Court Union County, Ohio March 27th 1926.

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Order

for Private Sale.

Application to

sell Private Sale.

Final Record, Union County Probate Court.

10690

Odell Lyggett, administrator
of the estate of
Joseph Morrison, Decd.
v. Plaintiff

Order for Private Sale.

Clarence Morrison, et. al.
Defendants.

Order
for
Private Sale.

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

That said Joseph Morrison 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 Joseph Morrison,

described in the petition, to pay his debts and make distribution as set forth in petition, 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 described in the petition at private sale. It is therefore further

ordered, that said Odell Lyggett, as such administrator, proceed to sell said real estate, free of dower, at private sale for not less than \$4250⁰⁰ 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.

application
to
sell
Private Sale.

Application to sell Real Estate at Private Sale.
Probate Court, Union County, Ohio.
vs. 10690. 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 the petition in this case at private sale, for the following reasons:

First, that said premises can be sold for the appraised value thereof, as contained in the inventory or appraisement of the personal property, or at \$4250⁰⁰ and for cash.

Second:
That to sell at private sale will save time, costs and expenses of advertising and offering said

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10690

premises for sale, at public sale. And, he therefore asks for an order authorizing him to sell said real estate at private sale. Odell Liggitt, Adm. of estate of J. Morrison, Decd., the State of Ohio, Union County.

Oath

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

Affidavit

Sworn to before me, and signed in my presence, this 27 day of March, 1926. Mrs. L. Myers, Notary Public

of disinterested person.

Eber Dillon, and Lemuel 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 shown for the interest of the said estate to sell said real estate at private sale, than at public sale - as they verily believe. Eber D. Dillon, Lemuel P. Sherman.

Order

Sworn to before me, and signed in my presence, this 27 day of March, 1926. Mrs. L. Myers, Notary Public

of

Order of Sale. Free from Dower. Probate Court

of

To Odell Liggitt, Executor: In obedience to an order and decree of the Probate Court, within and for said county, made this day, in an certain cause, wherein you, as Adm. de bonis non with the Will annexed of the estate of Joseph Morrison, deceased, are Plaintiff and Clarence Morrison et al. are Defendants you are commanded to proceed according to law, to sell, at private sale, for not less than \$4250.00 the appraised value thereof, the following described premises, to-wit:

Situated in the Township of Liberty, County of Union, State of Ohio, and a part of Survey No. 12472, and

Beginning at a stone and brick at the intersection of the Wheeler Road, and the Dear Road; thence with the center of the Dear Road N 80 1/2° W. 77.12 poles to a stone; thence N 9 1/2° E. 44.60 poles to a stone in the center of the Bellefontaine and Delaware Railway right of way; thence with the center of said railway right of way S. 85 1/2° W. 76 poles to a stone; thence N. 9 1/4° E. 43.60 poles to a stone; thence S. 80 1/2° E. 151.80 poles to a stone in the center of said Wheeler Road; thence with the center of said road S. 9° W. 69.50 poles to the beginning,

Containing 50 acms. 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

10690

Return

Report

of

order

approving

confirming

of

Final Record, Union County Probate Court.

10690 Court, forthwith upon execution of this order.
 Witness my signature and the seal of said Probate Court at Mansfield, Ohio, this 27th day of March, 1926.
 Odell W. Husted, Probate Judge

Return
 To the Probate Court of Union County, Ohio.
 In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.
 Dated the 27th day of March, 1926.
 Odell Liggitt

Report of Sale. Private
 In obedience to the within order, I sold said premises, on the 27th day of March, 1926, to C. L. Rogers and March M. Rogers, for the sum of \$425.00⁰⁰ said sum being the appraised value of the same.
 Dated the 27th day of March, 1926.
 Odell Liggitt,
 The State of Ohio, Union County.

The above named Odell Liggitt 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 Liggitt
 Sworn to before me, and signed in my presence this 27th day of March, 1926.
 Mrs. L. Myers, Notary Public.

Journal Entry: Order approving and Confirming Sale-
 Probate Court Union County, Ohio,
 March 27th 1926.

This day this cause coming on to be heard on the report, by Odell Liggitt as Adm. etc. of the estate of Joseph Morrison 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 said Joseph Morrison, decd. in said real estate, to the purchasers, C. L. Rogers & March M. Rogers upon the said purchase, paying the purchase money, in full. It is further ordered, that this proceeding be

for estate Morrison, decd., various and true this 27th day of March, 1926.
 In my duty the application is no interest that it sell said as they are, this
 Probate day, in as his non Morrison, on that, according to 425.00
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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

recorded, and that said petitioner pay costs.

Witnessed, Probate Judge-

10744

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Kobfrock, atty.
Mar. 17-1926.

Petition To Sell Real Estate, to Pay Debts.
Probate Court, Union County, Ohio.

C. O. Coder, administrator
of the estate of
Kathryn J. Coder, deceased.
Plaintiff

vs.
Civil action

Cath

John Coder, ^{and}
Lynette Coder, now Parks,
Guardian of John Coder.
Defendants.

Petition to Sell Real Estate.

Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Kathryn J. Coder, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is six hundred fifty dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about one hundred dollars, and that the total value of the personal estate and effects of said deceased is but two hundred dollars, being wholly insufficient to pay the debts and costs aforesaid.

Filing Petition

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

Village of Marysville, Ohio.

Beginning at the north west corner of Eastmell lot and running north parallel with the East margin of Plum street 83 1/2 feet to a lot now owned by Phillip Vanderau; thence east to the west margin to an alley; thence south 83 1/2 feet parallel with the west margin of said alley to said Phillip Vanderau lot. thence west to the beginning. For a more particular description reference is hereby made the Union County record of deeds, Vol. 341, Pg. 239-241.

Travis

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 \$2600.00

appraising J
Bonds,

The said decedent, died leaving no widow that the defendants C. O. Coder, and John Coder, and Lynette (Coder) Parks, are the only heirs at law of said decedent, having the next estate of inheritance from said Kathryn J. Coder, deceased, in said premises; that the Defendants, C. O. Coder, and John Coder.

The Plaintiff therefore prays, may he fully

Final Record, Union County Probate Court.

10744

determined, adjusted and protected according to equity and, that your petitioner may be authorized and ordered to sell said real estate, at Public sale or Private, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.
b. O. Coder, adur.,

The State of Ohio, Union County, ss.
b. O. Coder, 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.
b. O. Coder, adur.

Sworn to before me, and signed in my presence, this 15th day of March, 1926.

W. H. Husted, Notary Public.

Journal Entry: Filing Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio.
March 17th 1926.

This day came the Plaintiff b. O. Coder and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Kathryn J. Coder, 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 -

Warrant of Summons, ^{vs.} Consent To Sell.

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, ^{vs.} consent to the sale of the real estate described in the petition in said action according to the prayer of the same.

March 1926

Lynette Parks Guardian of John Coder.

Journal Entry: orders approving Bond for Private Sale - Probate Court, Union County, Ohio.

April 20th 1926.

This day this cause came on further to be heard, and it appearing to the Court that the said b. O. Coder, the plaintiff above named, has given bond, as adur., in the sum of Three Thousand Dollars which is sufficient to cover the real estate

to Judge -

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Filing Petition

Waiver

approving
Bond,

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10744

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. O. Order do, such, administrator proceed to sell said real estate, free of down, at private sale, for not less than the appraised value thereof, on the following terms, to wit: cash in hand on day of sale.

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

W. H. Busted, Probate Judge

application to sell Real Estate at Private Sale

Probate Court, Union County, Ohio.

application

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sale

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:

That the price for which the real estate is to be sold is the appraised value, thereof

That is the highest price could be obtained for the same. That the real estate needs much repair, and he therefore asks, for an order authorizing him to sell said real estate at private sale.

C. O. Order admin.

The State of Ohio, Union County

Order

C. O. Order, admin. etc being duly sworn, says, that the various matters set forth in the foregoing application are true as he verily believes.

C. O. Order.

Sworn to before me, and signed in my presence, this 20 day of April, 1926.

cont.

A. B. Kalleprach, Notary Public

affidavit of Disinterested Person.

affidavit

of

Disinterested

Person.

The State of Ohio, Union County

Harmon Enix and Geo. M. Orshood, 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.

Harmon Enix.

Geo. M. Orshood.

Sworn to before me, and signed in my presence, this 20 day of April, 1926.

cont.

A. B. Kalleprach, Notary Public

Probate Court, Union County, Ohio.

April, 20th 1926.

This day this cause came on to be heard upon, the

10744

Order

of

Date.

Final Record, Union County Probate Court.

10744

petition, evidence and testimony B. O. Coder, admr., 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 Kathryn J. Coder deceased, did not leave a will or will entitled to honor 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 Kathryn J. Coder, 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 B. O. Coder admr. of estate of Kathryn J. Coder, 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 B. O. Coder admr. of the estate of Kathryn J. Coder, as such, admr., proceed to sell said real estate free of debt, at private sale for not less than \$2600.00 the appraised value thereof, for 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

Order of Sale, Free from Debt

of

The State of Ohio, Union County, Probate Court.

Sale.

To, B. O. Coder admr. of the estate of Kathryn J. Coder 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 Kathryn J. Coder, are Plaintiff and John Coder et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$2600.00 the appraised value thereof, the following described premises, to wit:

Situate in the village of Marysville Union County, Ohio, beginning at the northwest corner of Cortmills Lot, and running north parallel with the East margin of Plum Street 53 1/2 feet to a lot now owned by Phillip Vanderaw; thence, East to the West margin

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10744 of an alley; thence, South 83 1/2 feet parallel with the West margin of said alley to said Phillip Vanderan lot; thence West to the beginning. For a more particular description reference is hereby made to the Union County Records, of deeds, vol. 34, page 239-241.

Said sale to be private and, to be upon the following terms; Cash in hand. Date of making deed.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 20 day of April, 1926.

W. H. Busted, Probate Judge

Return

To the Probate Court of Union County, Ohio.

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

Dated the 21 day of April, 1926.

C. O. Coder.

Report

Report of Sales Private.

In obedience to the within order, I sold said premises on the 20 day of April 1926, to Amelia Coder, for the sum of \$2600 said sum being the appraised value of the same.

Dated the 20 day of April, 1926.

C. O. Coder.

The State of Ohio, Union County.

The above named, C. O. Coder, being duly sworn,

Oath

swears 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. O. Coder.

Sworn to before me, and signed in my presence, this 20 day April, 1926.

Journal Entry; Order approving and confirming sale.

Probate Court, Union County, Ohio, April, 21-1926.

approving

confirming

This day this cause coming on to be heard on the report of C. O. Coder Adm. of the estate of Kathryn J. Coder 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 Kathryn J. Coder, in said real estate to the

10760
April 2-1926
LeRoy Allen
Atty.

Petition

Final Record, Union County Probate Court.

purchaser Amelia Loder upon the said purchaser, paying the amount of \$2600-

It is further ordered, that this proceeding be recorded and, that said petitioner pay the costs herein taxed at \$13-

W.H. Husted, Probate Judge-

10760
April 2-1926
Le Roy Allen
att'y.

Petition for Sale of Real Estate To Pay Debts.

Probate Court, Union County, Ohio,

vs. 10760.

Civil action

Anne Hill, executrix
of the Estate of
H. D. Hill, Deceased.
Plaintiff

Margaret Francis, Mrs.
Walter G. Francis, Mrs.
Anne Hill,
Defendants.

Petition to Sell Real Estate

Petitioner.

The Plaintiff represents that she is the duly appointed and qualified executrix of the Estate of H. D. Hill late of Richmond, Union County Ohio, deceased; that the amount of debts due from the deceased is about Two Hundred and ^{no}100 Dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about seventy five Dollars, and that the total value of the personal estate and effects of said deceased is but - nothing - being wholly insufficient to pay the debts and costs aforesaid.

Petition

The plaintiff further represents that said H. D. Hill died seized in fee simple of one-half interest in 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 47 feet off the west side of In lot number 122, in said village of Richmond, and, being for a more definite description see recorded plat of said Village of Richmond, Ohio.

The said decedent died leaving the defendant Anne Hill his widow who, is not entitled to dower in said premises, for the reason of the Will; that the defendants Margaret Francis, and, Walter G. Francis are the only heirs at law and legatees of said decedent, having the next estate of inheritance from, said H. D. Hill, deceased, in said premises.

There are no liens of any kind or nature against said premises.

The plaintiff therefore prays, that your petition may be authorized and ordered to sell said real estate free from any said dower, according to the Statute

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10765

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

The State of Ohio, Union County, ss.

Annal Gill, executrix of the within named Plaintiff being duly sworn, says that the various matters and things set forth in said petition are true, to the best of her knowledge, and belief.

Annal Gill Executrix.

Sworn to before me, and signed in my presence, this 31-day of March, 1926. *Ferry Allen, Notary Public*

Filing Petition

Journal entry: In the Probate Court of Union County, Ohio, March, 31- 1926.

Annal Gill, executrix of the estate of H.D. Gill, Deceased, Journal entry.
Plaintiff

*Margaret Francis
Walter G. Francis
Annal Gill*

Filing Petition To Sell Real Estate

Defendants.

This day came the Plaintiff *Annal Gill* executrix of the estate of *H.D. Gill*, deceased, and presented to this court her petition, duly verified, praying an order for the sale of real estate of the said *H.D. Gill*, 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. *Ans.* This cause is continued.

W.H. Husted, Probate Judge.

Affidavit to obtain service by Publication, Probate Court, Union County, Ohio.

Affidavit to

Obtain service by Publication

The State of Ohio, Union County, ss.

F. Ferry Allen, attorney of record for the said Plaintiff, being sworn, says that the Defendant, *Walter G. Francis*, is a non-resident of Ohio, and that service of summons on him cannot be made in this State; that the residence of said *Walter G. Francis* is 506 Ontario Street, London, province of Ontario, Dominion of Canada, *Ans.* that service of summons on him cannot be made; and that the case is one of those mentioned in Section 5048 of the Revised Statutes of Ohio.

F. L. Roy, Allen.

Sworn to before me, and signed in my presence, this 2 day of April, 1926. *W.H. Husted, Probate Judge.*

10260

Service by Publication

Answer of

Final Record, Union County Probate Court.

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10260

Journal Entry: Order. Service by Publication
Probate Court, Union County, Ohio,
April. 2-1926.

Anne Hill, executrix
of the estate of H. D. Hill, deceased.
Plaintiff

Service
by
Publication

Margaret Francis et al,
Defendants:

Orders. 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, Walter G. Francis is a
non-resident of Ohio, that service of Summons on him
cannot be made in this State, that the residence
of said Walter G. Francis is 5-86 Ontario Street, London,
Province of Ontario, Dominion of Canada, and that service
of Summons on such defendants can not be made

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

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

W. H. Husted, Probate Judge

answer
of
widow

Answer of Widow.

Probate Court, Union County, Ohio,

And now comes Anne Hill one of the defendants in the
above entitled cause and voluntarily enters her appearance
herein, and for answer to the petition in this case filed, says
that she is the widow of said H. D. Hill deceased.

And as such is entitled to her dower in the premises
described in said petition because of the election by her
to take under the Will, 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.
Anne Hill.

The State of Ohio, Union County
Anne Hill being duly sworn, says, that the

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10760

Statements in the foregoing answer are true, as she verily believes.

Sworn to before me, and signed in my presence, this 23 day of April, 1926. F. Le Roy Allen, Notary Public.

Wainor

Wainor of Sursumma An. Consent to sell.

We the undersigned parties Defendant to the Petition in the above entitled action, do each of us, hereby waive the issuing of service of Sursumma 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 15th 1926.

Margaret Francis. M. G. Francis

10760

Application to

Application to call Real Estate at Private Sale.

Probate Court, Union County, Ohio, application.

In at

Private Sale.

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

To save expense of advertising

The nature of the property is such that a private sale can more advantageously be consummated.

An offer for said realty at private sale is made for the appraisement

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

Armed Hill, Ex. of the estate of H. D. Hill, decd,

The State of Ohio, Union County.

On the

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

Sworn to before me, and signed in my presence, this 22 day of April, A. D. 1926. F. Le Roy Allen, Notary Public.

The State of Ohio, Union County.

Percy H. Sanders, W. D. Sanders, and Floyd H. Cahill, being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached, that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate of H. D. Hill, deceased, to sell said real estate at private sale than at public sale, as they verily believe.

Percy H. Sanders, W. D. Sanders, Floyd H. Cahill, Sworn to before me, and signed in my presence, this 22 day of April, 1926. F. Le Roy Allen, Notary Public Union Co. Ohio.

10760

Order for Private Sale.

10760

Order of Sale.

Final Record, Union County Probate Court.

10760

Probate Court, Union County, Ohio.

April, 22, 1926.

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, have voluntarily entered their appearance herein, and are now properly before the court. That the statements and allegations in said petition are true. That said H. D. 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 H. D. Hill 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 Anne Hill 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. Husted, Probate Judge.

Order of Sale, Free from Dower.

10760

Order of Sale.

The State of Ohio, Union County.

Probate Court.

To Anne Hill, executrix of the estate of H. D. Hill, 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 H. D. Hill deceased, are Plaintiff and Margaret Francis 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 Anne Hill widow of H. D. Hill deceased, the following described premises, to wit: Being one-half interest in the following real estate.

Situated in the county of Union and the State of Ohio, and in the village of Richmond and bounded and described as follows:

Being forty-four (44) feet off the west side of In lot No. one hundred and twenty-two (122) in said village of Richmond (For a more definite description see Recorded Plat of said village of Richmond, Ohio).

Said sale to be upon the premises and to be upon the following terms: - Cash in hand on day of sale.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10760

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 27-day of April, 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 23-day of April, 1926.

Anne Gill, Executrix.

Report

Report of Sale, Private

In obedience to the within order, I sold said premises on the 23-day of April, 1926, to Lloyd Wenter for the sum of seven hundred twenty-five dollars, said sum being the appraised value of the same.

Dated the 23-day of April, 1926. Anne Gill, Executrix

The State of Ohio, Union County.

The above named Anne Gill 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.

Anne Gill, Executrix.

Known to before me, and signed in my presence, this 23-day of April, 1926. F. LeRoy Allen, Notary Public.

Journal entry: Orders, approving and confirming sale, Probate Court, Union County, Ohio, April, 23rd, 1926.

This day this cause coming on to be heard on the report of Anne Gill executrix of the estate of H. D. Gill, 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 reports and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made.

It is ordered, that the same be and hereby is approved, and confirmed.

It is further ordered, that said petitioner execute a deed of all the right, title and interest of the said H. D. Gill, in said real estate, to the purchaser Lloyd Wenter upon the said purchase, paying in cash the purchase money.

It is further ordered, that this proceeding be recorded, and that said petitioner pay the costs.

W. H. Husted.

Probate Judge.

10710

July, 12-1926
mrs. L. Myers
attorney

Petition

Final Record, Union County Probate Court.

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 July 12-1926
 Mrs. L. Myers
 attorney

Petition to Sell Real Estate
 In the Probate Court, Union County, Ohio.
 Ollie Patch, adix,
 of the Estate of,
 John Simpson, Deceased.
 Plaintiff

No. 10710

vs
 Pearl Mabry,
 Dora Brooks,
 Ollie Patch,
 William Grider
 John Grider
 Harold Simpson
 Pauline Shank
 Mabel Simpson,
 Clarence Simpson,
 The John Simpson
 Defendants

Petition

Petition

Now comes Ollie Patch and says, that she is the duly appointed, qualified and acting administratrix of the estate of John Simpson, deceased, and that she was appointed as such on the 22-day of December, 1925; by the probate court of Union County, Ohio.

That the value of the personal estate of the said John Simpson, deceased, is approximately \$1550.00 and that his debts, expenses, and costs of Administration will be approximately \$1500.00 or more, and the said personal property will be insufficient to pay said debts, expenses and costs of administration.

That the said John Simpson died the owner of and seized in fee simple of the following described real estate, to-wit:

Situated in the township of Taylor, County of Union, the State of Ohio, and a part of Survey No. 5507, and being part of Lot No. 4 of the subdivision of said survey as made by Levi Phelps, surveyor.

Beginning at an iron pin in the south line of said Survey No. 5507, and south-west corner of the lands of Elizabeth Amerine and in the center of the Marion State Road; thence with the center of said road N. 28° E. 84 poles to an iron pin; thence N. 62° W. 48.20 poles to a stake and stone; thence S. 28° W. 115.60 poles to a stone and brick in the south line of said survey; thence with said south line N. 85° E. 57.52 poles to the beginning, containing 30 acres, more or less.

Langhorst Brothers, Wapakonetta, Ohio.

10710

Also, the following described real estate situated in said township, county, state and survey and bounded and described as follows:

Beginning at a stone at the south-west corner of said survey and at the intersection of the township line and the Mastell Road; thence with the west line of said survey N. 2° 30' W. 38.60 poles to a stone at the South west corner of said land this day conveyed to Henry R. Lee; thence with the south line of said Lee's land N 85° 40' E. 79 poles to a stone in the west line of John Simpson's land; thence with said line S. 28° W. 36.20 poles to a stone in the south line of said survey and center of said township line road; thence with said survey line S. 85° 45' W. 79.80 poles to the place of beginning.

Containing 7.50 acs. more or less.

That the said John Simpson died intestate, leaving no widow entitled to dower in said premises.

That the said John Simpson died leaving the defendants Pearl Matery, Lura Brooks, and Ollie Patch, who is the plaintiff herein, his daughters; and defendants, William Brider and John Brider, his grand. sons and who are sons of Lura Brider, deceased, who was a daughter of the said John Simpson, deceased; and the defendants, Maud Simpson, Miedred Simpson, Laurence Simpson, John Simpson, and Pauline Shanks, who are children of Ora Simpson, deceased, who was a son of the said John Simpson, deceased; and that all of said defendants are the only heirs at law of the said John Simpson, deceased, having or entitled to the next estate of inheritance from the said John Simpson, deceased.

Wherefore, the plaintiff prays for an order of the Court, directing and authorizing her as such adx. to sell said real estate herein described for the purpose of paying the debts of the said John Simpson, deceased, and for such other and further relief in the premises as may be just and equitable.

Mrs. L. Myers, attorney for Plaintiff

State of Ohio, Union County ss.

Ollie Patch, being first duly sworn, says that the facts stated and the allegations made and contained in the foregoing petition are true as she verily believes.

Ollie Patch,

Sworn to before me, and signed in my presence this 10th day of February, 1926.

[Signature] Mand. J. J. P. Notary Public.

To the Court:

Petition

Oath

10710

Filing Petition

Summons on Petition

Final Record, Union County Probate Court.

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10710
Filing Petition

Issue. summons, in the above entitled cause, directed to the Sheriff of Union County, this for the defendants, Mildred Simpson, Clarence Simpson, and John Simpson, who are minors.
Indorse "action for sale of real estate to pay debts" and make returnable according to law.
Wm. L. Myers, Atty. for Plaintiff
In the Probate Court, Union County, this
Ollie Patch, Adm. of
the estate of
John Simpson, Deceased.
Plaintiff
vs.
Pearl Mackay et al.
Defendants.

Wm. L. Myers, Atty. for Plaintiff
In the Probate Court, Union County, this
No. 10710
Journal Entry

Filing Petition to Sell Real Estate.
On this 12 day of February, 1926, came Ollie Patch as Adm. of the estate of John Simpson, deceased, and presented to the Court her petition praying for an order directing her to sell certain real estate as in said petition described, and the Court on consideration thereof has hereby order said petition filed, and further orders that all the defendants named therein be notified of the pendency and prayer of said petition as provided by law.
W. H. Husted, Probate Judge.

Summons
or
Petition

Summons on Petition to Sell Real Estate
The State of this Union County. Probate Court.
To the Sheriff of said County:
You are hereby commanded to notify Mildred Simpson, Clarence Simpson and John Simpson, 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 minor or with whom they live; that on the 12 day of February, 1926, Ollie Patch Adm. of the estate of John Simpson, deceased, filed his petition in the Probate Court of said Union County, this, 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 20 day of March, 1926, the said petition will be taken as true, and an order granted accordingly.
Said Sheriff will make due return of this writ on the 1 day of March, 1926.
Witness my hand, and the seal of said

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10710

Court. this 15th day of July, 1926.

W. H. Husted, Probate Judge

Sheriff's Return

Sheriff's Return

The State of Ohio, Union County.

Received this writ July 15th 1926. at 3 P. M. and on the days and in the manner hereinafter named, I served the same, on the within named defendants, viz: July 16-1926, on John Simpson, Mildred Simpson, and Clarence Simpson, by leaving for each of them at their usual place of residence a true and certified copy for each of them and also as to the within named defendants who are minors on the 16th July, 1926, on their being no guardian of said minors and no father of the said within named minors, and I personally handed a true and duly certified copy of summons on July 16-1926, on Mrs Arville Miller the mother of the said minors John Simpson, Mildred Simpson and Clarence Simpson, the person having the care of - and with whom lives, John Simpson, Mildred Simpson, and Clarence Simpson.

F. S. Bager, Sheriff of Union Co. Ohio

Sheriff's Fee Service ⁱⁿ Return, 75 additional names, 75 Total \$ 15.00

Warrant

In the Probate Court, Union County, Ohio.

We, the undersigned defendants named in the above entitled cause, do hereby waive 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 the said real estate for the purpose and as prayed for, in the said plaintiffs petition.

John F. Cuder Ollie Patch

Warrant

In the Probate Court, Union County, Ohio.

We, the undersigned defendants named in the above entitled cause do hereby waive 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 the said real estate for the purpose and as prayed for in the said plaintiffs petition.

By us James Brooks, Mrs Lavered Simpson, Mrs Pauline Shanks, William Cuder: Real Matrons.

application for appointment of Guardian ad Litem.

Probate Court, Union County, Ohio, May 20th 1926.

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

The undersigned Ollie Patch makes application

application for Guardian ad Litem

10710

Journal entry appn of Guardian ad Litem

Answer of Guardian ad Litem

Final Record, Union County Probate Court.

10710

for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The defendants Mildred Simpson, and John Simpson are over the age of fourteen years old, and the defendant, Clarence Simpson, is under the age of 14 yrs. and have been duly served with summons herein, and that they and each of them have failed to apply for a guardian ad litem for more than thirty days after the return of the service of summons on them.

The undersigned suggests that C. W. Koopes, who is a suitable person be appointed as such Guardian ad litem.

Respectfully, Ollie Patch.

Journal Entry: on appointment of Guardian ad litem, Probate Court, Union County, O. May 25th 1926, vs. 10710.

Journal entry
appt. of
Gdn. ad litem

appointment of Guardian ad litem.

This day Ollie Patch 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 defendants Mildred Simpson, and John Simpson are over the age of 14 years, and that Clarence Simpson is under the age of fourteen years, and have been duly and legally served with summons, herein, and, more than thirty days have elapsed since the return thereof, and that they and each of them have neglected to apply for a guardian ad litem, it is ordered, that C. W. Koopes be, and he hereby is appointed Guardian for the suit, for said minor defendants.

And now comes the said C. W. Koopes and in open court, accepts said appointment.

W. H. Kusted, Probate Judge

Answer of Guardian ad litem.

Probate Court, Union County, Ohio.

vs. 10710.

Answer.

And now comes the said Mildred Simpson, John Simpson and Clarence Simpson, the minor defendants to the petition in said cause, by C. W. Koopes 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.

Answer
of
Gdn.
ad litem

Judge
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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10710

Dated this 25-day of May, 1926.

Mildred Simpson, John Simpson Clarence Simpson

By C. A. Hoopes, Esq. ad. litem.

Journal Entry: Order, on hearing, of appraisement.

Probate Court, Union County, Ohio,
May, 25 - 1926.

Order on
Hearing
of
Appraisement

This day this cause came on to be heard upon the petition evidence, and testimony, and the Court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance, herein, and are now properly before the Court, and that the statements and allegations in said petition are true. That said John Simpson did not leave a widow, entitled to dower in said real estate;

and the Court being satisfied that it is necessary to sell the real estate of said John Simpson described in the petition, to pay his debts.

It is ordered, that Norman C. Bown, C. D. Webb, and John Laird three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, Sr. 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 swear, 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 25-day of May, 1926. This cause is continued.

W. H. Husted, Probate Judge -
Order of appraisement.

The State of Ohio, Union County,
To Ollie Patch, 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 adx. of the estate of John Simpson, deceased, are Plaintiff and Pearl Mabry et al, are Defendants, you are commanded by the oaths of Norman C. Bown, C. D. Webb, and F. H. Kelloray, judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders of the County in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises, to wit:

Situated in the township of Taylor, County of Union and State of Ohio, and a part of Survey No. 55-07 and being part of Lot No. 4- of the subdivision of said Survey as made by Levi Phelps, Surveyor,

Beginning at an iron pin in the south

10710

Return

Oath
of
Appraisers

Final Record, Union County Probate Court.

10710

line of said Survey no. 5-5-07. and south-west corner of the lands of Elizabeth Amerine and, in the center of the Marion State Road; Thence, with the center of said road N. 28° E. 84 poles to an iron pin; Thence N 62° W. 48.20 poles to a stake and stone; thence S. 28° W. 115.60 poles to a stone and brick in the south line of said Survey; thence with said south line N. 85° E. 57.52 poles to the beginning.

Containing 30 acrs. more or less.

also the following described real estate:

Beginning at a stone at the south-west corner of said survey and at the intersection of the township line and the Maskell Road; thence with the West line of said survey N. 2° 30' W. 30.60 poles to a stone at the south-west corner of said land this day conveyed to Henry R. Lee; thence with the south line of said Lee's land, N. 85° 40' E. 49 poles to a stone in the west line of John Simpson's land; Thence with said line S. 28° W. 36.20 poles to a stone in the south line of said survey and center of said township line road; Thence with said survey S. 85° 45' W. 29.80 poles to the place of beginning.

Containing 7.50 acrs. more or less.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio. This 25th day of May 1926 ~~sent~~ ~~not attached~~, 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 25th day of May 1926.

Ollie Patch.

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.

Norman B. Bown, C. D. Webb, F. W. Galloway, Appraisers.

Sworn to before me, and signed in my presence this 25th day of May, 1926. ~~sent~~

~~sent~~ Mand Poyer, Notary Public

Appraisers Return.

In obedience to the foregoing order, after being

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10710

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 dollars.

Given under our hands, this 25th day of May, 1926.

Roman C. Bourn, C.D. Mbb. F.H. Gallaway, appraisers.

Fees of appraisers \$1.00.

Application to sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

Application 7.

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: That the said premises can be sold for \$2000.00 the appraised value, at once, and for cash.

Second: That \$2000.00 is all said real estate is reasonably worth, and the highest price she has been offered for same.

Third: To sell at private sale will save the expense of advertising and offering the same for sale at public sale.

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

Ollie Patch, ex. of the estate of John Simpson, Des

The State of Ohio, Union County.

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

Ollie Patch,

sworn to before me, and signed in my presence this 25th day of May, 1926, Mand Pyles, Notary Public, affidavit of Disinterested Person.

The State of Ohio, Union County.

Oath

E. C. Hammer and E. A. Spurrer 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 see said real estate at private sale than at public sale, as they verily believe.

E. A. Spurrer, E. C. Hammer,

sworn to before me, and signed in my presence this 25th day of May, 1926.

Mand Pyles, Notary Public, In the Probate Court, Union County, Ohio.

May 25 - 1926. No. 10710

Order confirming appraisement

Order confirming appraisement, and ordering sale. This day this cause came on further to be heard on the return of the plaintiff of the appraisement

10710

Final Record, Union County Probate Court.

10710

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 adx. 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 Ollie Patch, adx. as aforesaid, proceed to advertise and sell the real estate aforesaid, free of donor, 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 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 Donor, Probate Court.

Order of Sale

The State of Ohio, Union County,
To Ollie Patch, adx. Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as adx. of the estate of John Simpson deceased, are Plaintiff and Paul Mabry et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$2000.00 the appraised value thereof; the following described premises, to wit:

Situated in the township of Taylor, County of Union and State of Ohio, and a part of Survey No. 5-5-07, and being part of Lot No. 4, of the subdivision of said survey as made by Levi Phelps, Surveyor.

Beginning at an iron pin in the south line of said Survey No. 5-5-07, and south-west corner of the lands of Elizabeth Amerine, and in the center of the Marion State Road; thence with the center of said road N. 28° E. 84 poles to an iron pin; thence

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10710

thence N 62° W. 48.20 poles to a stake and Stone;
thence S 28° W. 115.60 poles to a stone and brick
in the south line of said survey; thence with said
south line N. 85° E. 57.52 poles to the beginning.

Containing 30 acres, more or less.

also the following described real estate.

Beginning at a stone at the south-west
corner of said survey and at the intersection of the
township line and the Market Road; thence with the
west line of said survey N. 2° 30' W. 30.60 poles to a
stone at the south-west corner of said land this
day conveyed to Henry R. Lee; thence with the south line
of said Lee's land N. 85° 40' E. 49 poles to a stone
in the west line of John Simpson's land; thence with
said line S. 28° W. 36.20 poles to a stone in the
south line of said survey and center of said township
line road; thence with said survey S. 85° 45' W. 29.80
poles to the place of beginning.

Containing 7.50 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 and the seal of said
Probate Court, at Mansfield, Ohio, this 25th day of May, 1926.

~~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, so will fully appear
by the proceedings hereto attached.

Dated the 25th day of May, 1926.

Ollie Patch.

Report of Sale

Report

In obedience to the within order, I sold said
premises on the 25th day of May, 1926, to Leo Brooks
and H. P. Brooks for the sum of Two Thousand Dollars,
said sum being the appraised value of the same.

Ollie Patch.

Dated the 25th day of May, 1926.

The State of Ohio, Union County.

Oath

The above named Ollie Patch 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.

Ollie Patch

Sworn to before me, and signed in my presence, this

10710

approving

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sale.

10733

Filed

Mar. 3-1926

F. DeRoy Allen
att'y.

Petition

Final Record, Union County Probate Court.

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25th day of May, 1926.
 In presence of Mand Piers, Notary Public,
 In, the Probate Court, Union County, Ohio,
 vs. 10710. Entry.
 approving and confirming Sale.
 This day this cause came on to be heard upon the
 report of the plaintiff of her proceedings under the
 former order of this Court, and upon motion of the
 said plaintiff to confirm the same, and 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 the said sale was fairly
 and legally made: it is ordered, that the same
 be and hereby is approved and confirmed.
 It is further ordered, that the said plaintiff
 as said adv., execute a good and sufficient
 deed for said premises, and deliver the same to
 the purchasers, Luce Brooko, and C.B. Brooko,
 upon their paying to her, the purchase price
 therefor in the sum of Two Thousand Dollars, in cash,
 and that it is further ordered that the said
 plaintiff, as such adv., pay the costs — and that
 this cause be recorded.
 W. Husted, Probate Judge.

10733
 Filed
 Mar. 3-1926
 Fide Roy Allen
 atty.

Petition for Sale of Real Estate to Pay Debts.
 Probate Court, Union County, Ohio.
 No. 10733
 J. B. Cahill, administrator
 of the Estate of
 Clarence Pomell, deceased,
 Plaintiff
 vs
 Pearl Pomell, Arthur Pomell,
 Lulu Cahill, Bertha Watkins,
 Ruby Tennant, Mary Price,
 Martha Price, Clyde Price,
 Helen Price, Donald La Vene,
 Mina Bates, Gladys Saunders,
 Elizabeth Plotner, Effie Darnell,
 Raef Pomell, Margaret Pomell,
 and Paul Pomell,
 Defendants.
 The Plaintiff represents that he is the duly
 appointed and qualified Adm. of the estate of
 Clarence Pomell, late of Columbus, Ohio, Franklin County,
 Ohio, deceased: that the amount of debts due

Civil action
 Petition
 vs
 Real Estate
 Petition

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10723

from the deceased is about Three Hundred ^{no} ^{no} Dollars as near as can be ascertained, that the charges of administration of said estate will amount to about \$75.00 and that the total value of the personal estate and effects of said deceased is but nothing - being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Clarence Powell 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 Charistown and bounded and described as follows: and in the Township of Leabury; Part of Survey No. 3693, and, Being part of Lots No. 25 and 26, and beginning at the N.E. Corner of Lot No. 26, twenty six in said village; thence running west thirty feet on the Delaware and Bellefontaine State Road, to a stone; this being the N.W. corner; thence running in a southerly course through the same lot to a stone in the south line of Lot No. 25 - this stone being west 30 feet from the S.E. corner of Lot No. 25 - the same being the south corner, thence east in the original line to the S.E. corner of Lot #25; thence N. on the original line to the place of beginning. Also Lots No. 23 and 24 in the town of Charistown, Ohio. For a more complete reference may be had to the recorded plat on record in the recorder's office, at Wapakonetta, Ohio.

Petition

The said decedent died leaving no widow and no children, the defendants Pearl Powell, Arthur Powell, Lulu Cahill, Bertha Watkins, Ruby Linnick, Mary Price, Martha Price, Clyde Price, Donald LaVene, Mina Bates, Gladys Saunders, Elizabeth Plotner, Effie Durnell, Ralph Powell, Margaret Powell, and Paul Powell, are the only brothers, sisters, nieces and nephews of said decedent, having the next estate of inheritance from said Clarence Powell deceased, in said premises.

The Plaintiff therefore prays that your petitioner may be authorized and ordered to sell said real estate free from any claim, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

D. B. Cahill, adur -

The State of Ohio, Union County, ss.

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

W. H.

D. B. Cahill.

Sworn to before me, and signed in my presence, this

10723

Entry: Filing

affidavit to obtain service by Publication

Final Record, Union County Probate Court.

10733

3rd day of March, 1926.

W. H. Husted, Probate Judge

read

In the Probate Court, Union County, Ohio,
March, 4th 1926. No. 10733

Journal Entry: Filing Petition to Sell Real Estate

Entry:
Filing

This day came the Plaintiff D. B. Cahill, Adm. of the estate of Clarence Powell, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Clarence Powell, 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

Affidavit to obtain Service by Publication

Probate Court, Union County, Ohio.

No. 10733.

affidavit

to

obtain service

The State of Ohio, Union County, ss.

by

F. Le Roy Allen, attorney for the said Plaintiff, being sworn, says that the Defendants Glenn Price, Bertha Watkins, Clyde Price, Arthur Powell and Mary Price, are non-residents of Ohio, and that service of summons on them cannot be made in this State; that the residence of said Glenn Price, Bertha Watkins and Clyde Price is Edmonton, Alberta, Canada, and that the residence of Arthur Powell and of Mary Price is 2312 Madison Street, Chicago, Ill., that the residence of the Defendants Paul Powell, Margaret Powell, and Ralph Powell, the children and heirs of Albert Powell, deceased, a brother of Clarence Powell, deceased, Defendants, are unknown to the Plaintiff, and cannot with reasonable diligence be ascertained; and that service of summons on them cannot be made; and that the case is one of those mentioned in Section 5-045 of the Revised Statute of Ohio.

F. Le Roy Allen.

Sworn to before me, and signed in my presence, this 17th day of March, 1926.

W. H. Husted, Probate Judge

Journal Entry: Orders Service by Publication

Probate Court, Union County, Ohio

March, 17th 1926.

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10733
Order on
Service by
Publication

This day came the Plaintiff and filed herein an affidavit under the statute in that behalf for the purpose of procuring service by publication; and, it appearing to the Court that the Defendants Glenn Price, Bertha Watkins, Clyde Price, Arthur Powell and Mary Price are non-residents of Ohio, that service of summons on them cannot be made in this State; that the residence of said Glenn Price, Bertha Watkins and Clyde Price is, Edmondston Alberta Canada, and that the residence of said Arthur Powell and Mary Price is 2312 Madison Street Chicago Ill. that the residence of said Defendants Paul Powell, Margaret Powell, Ralph Powell, are unknown to the Plaintiff and that defendants, are necessary parties and their names and residences are unknown to the Plaintiff, that the residences of such defendants so unknown to the Plaintiff, that the residences of such defendants so unknown to the Plaintiff cannot with reasonable diligence be ascertained, and that service of summons on such defendants cannot be made: it is ordered, that proceeding against said unknown heirs to had without naming them.

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

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

W. H. Husted, Probate Judge

Warrant of Summons, on Petition to Sell Real Estate,
Probate Court, Union County, Ohio,
no. 10733.

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.

March 18-1926.

Pearl Powell, Effie Mae Darnall, Mina Gates,
Elizabeth Plotner, Ralph Powell, Gladys Saunders.

10733
Order on
Hearing
of
appraisement

Legal
notice

Final Record, Union County Probate Court.

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Maryann Powell, Ruby Powell Tarrant, Lula Cahill,

Orders on
Hearing
of
appraisement

Journal Entry: Orders on Hearing, of appraisement, etc.
Probate Court, Union County, Ohio
April, 26 - 1926.

Order of appraisement for Public 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, 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 decedent, described in
the petition, to pay his debts.

Further appraisement is hereby dispensed with and
the appraisement of the estate in the appraisement
of the estate in the first instance is made a part
hereof. Further ordering said D. B. Cahill admr.,
to sell said real estate at public sale at not less
than two-thirds of the appraised value, thereof, and
upon the following terms: cash in hand on day of
sale.

Legal
notice

W. H. Hasted Probate Judge
Legal Notice,
Probate Court, Union County, Ohio.
Case No. 10733.

Glenn Price, Bertha Watkins, and Belyda Price, who resides
at Edmonton, Province of Alberta, Canada, and Arthur
Powell, and Mary Price, who resides at 2312 Madison Street
Chicago, Ills. and Paul Powell, Maryann Powell, and
Ralph Powell, whose residence is unknown, will take
notice that D. B. Cahill, admr. of the estate of Clarence
Powell, deceased, on the 5 day of March, 1926, filed his
petition in the Probate Court, of Union County, Ohio,
alleging that the personal estate of said decedent is
insufficient to pay his debts and the charges of
administering his estate; that he died in fee
simple of the following described real estate to-wit:
situated in the County of Union and State of Ohio
and in the Village of Pharisburg and bounded
and described as follows, viz: And in the township
of Leesburg, part of Survey No. 3993, and being part of
Lots No. 25 and 26, and beginning at the N.E. corner
of Lot No 26, in said Village.

Thence running west 30 feet on the Delaware
and Bellefontaine State Road to a stone, this being

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10733

the N.W. corner. Thence, running in a southerly course through the same lot to a stone in the south line of Lot no. 25. This stone being W. 30 feet from the S.E. corner of Lot no. 25. the same being the south corner. Thence E. in the original line to the S.E. corner of Lot no. 25. Thence N. on the original line to the place of beginning.

Also, in - lots No. 23 and 24, in the town of Pharisburg Ohio. (For a more complete description, reference may be had to the Recorded Plat on record in the Recorder's office in Marysville. Ohio)

The prayer of said petition is that said property be sold to pay the debts and charges aforesaid.

Bliss Price, Bertha Watkins, Clyde Price, Arthur Cornell, Mary Price, Paul Cornell, Margaret Cornell and Ralph Cornell, are hereby notified that they have been made parties defendant to said petition and that they are required to answer the same on or before the 26th day of April, 1926.

D. B. Cahill, admr.

F. LeRoy Allen, attorney,
State of Ohio, Union County.

Personally appeared before me, O. A. Kingley and made oath, that the notice, a copy of which is hereto attached, was published for 6 consecutive weeks, or, and after Mar. 18th 1926 in the Richmond Gazette, a newspaper of general circulation in the county aforesaid.

O. A. Kingley

known to before me, and, signed in my presence this 20th day of May, 1926.

Paul B. Van Winkle, Notary Public

Printers Fee. \$19⁰⁷

Public Sale.

Public Sale.

In pursuance of an order of the Probate Court, of Union County, Ohio, I will offer for sale at public auction on the 22nd day of May, 1926, on the premises the following described real estate.

Situated in the county of Union, in the State of Ohio, and in the township of Leesburg, and in the village of Pharisburg and on the Delmar and Bellefontaine State Road, and, being in lots numbers 23, 24, 25, 26, in all four lots and, the house thereon. (For a more complete description, reference may be had to the recorded plat of the said village of Pharisburg in the Recorder's Office at Marysville, Ohio)

appraised at \$700⁰⁰ Terms of cash:

Delmar B. Cahill, admr. of the
F. LeRoy Allen, atty. Estate of Clarence Cornell, deceased,

10733

Order of Sale.

Final Record, Union County Probate Court.

10733

State of Ohio, Union County,

Personally appeared before me, O. A. Kighly and made oath, that the notice, a copy of which is hereto attached, was published for 4 consecutive weeks, on and after April 29-1926, in the Richmond Gazette, a newspaper of general circulation in the County aforesaid.

O. A. Kighly.

Given to before me, and signed in my presence, this 20-day of May, 1926.

Paul B. Van Winkle, Notary Public.

Printer's fees \$6.50

Order of Sale.

Order of Sale - Free from Debt.

The State of Ohio, Union County, Probate Court,
To D. B. Cahill, admr. of the estate of
Clarence Cornell, deceased, 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 Clarence Cornell, deceased, are Plaintiff and Pearl Cornell, et al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than 2/3 of the appraised value, thereof the following described premises, to-wit:

Situated in the County of Union and in the State of Ohio and in the village of Pharisburg and bounded and described as follows:

Part of Survey No. 3693, and being part of Lots No. 25 and 26 and

Beginning at the N.E. corner of Lot No. 26, in said village; thence running N. 30 feet on the Delaware and Bellefontaine State Road to a stone, this being the N. W. corner; thence running in a southerly course through the same lot to a stone in the S. line of Lot No. 25; this stone being N. 30 feet from the S. E. corner of Lot No. 25; thence being the S. corner; thence E. on the original line to the S.E. corner of Lot No. 25; thence N. on the original line to the place of beginning.

less the lots No. 23 and 24 in the town of Pharisburg, Ohio. For a more complete description reference may be had to the recorded plat on record in the recorder's office in Marysville, Ohio.

Said sale to be upon the premises and to be 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.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10733

Witness my signature and the seal of said Probate Court, at Wapakonetta, Ohio, this 26-day of April, 1926.

~~Seal~~ D. B. Cahill, 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 22-day of May, 1926.

D. B. Cahill, Adm.

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 22-day of May, 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 one o'clock P.M. I attended upon the premises and offered said real estate for sale free from the dower estate of anyone therein, when William R. Ports bid to pay for the same, the sum of four hundred sixty seven 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 him for that sum.

D. B. Cahill, Adm.

Dated the 22-day of May, 1926.

Order

The State of Ohio, Union County

The above named D. B. Cahill, Adm., 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.

D. B. Cahill, Adm.

Shown to before me, and signed in my presence, this 22-day of May, 1926. ~~Seal~~ F. Leroy Allen, Notary Public

Petition

Confirming

Journal Entry: Confirming my approving Sale

approving Sale

Probate Court, Union County, Ohio, May, 22- 1926. Order

This day this cause coming on to be heard on the report of D. B. Cahill Adm. of the estate of Clarence Powell, Deceased, of his proceedings and sale

10770
April 13-
1926
Jacob Tucker
attorney

Final Record, Union County Probate Court.

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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 an
 deed of all the right, title and interest of the said
 Clarence Powell, deceased, in said real estate, to the
 purchaser, William R. Potts upon the said purchaser,
 paying the purchase price cash in hand.

It is further ordered that this proceeding
 be recorded, and, that said petitioner pay costs.

W. H. Husted, Probate Judge -

10770
 April 13-
 1926
 Jacob Tucker
 attorney

Guardian's Petition to sell Real Estate
 Probate Court, Union County, Ohio.
 No. 10770.
 Edgar H. Mc Mahan, Guardian
 of
 Fernina R. Bixler
 Belia M. Bixler
 Alfred Bixler.
 Plaintiff
 vs.
 Jamina R. Bixler (16 years)
 Belia M. Bixler (12 years)
 Alfred Bixler (10 years)
 Defendants.

Petition
 to
 Sell Real Estate

Petition

The Plaintiff represents that he is the duly appointed
 and qualified Guardian of the above named wards
 on the 7 day of April 1926, and, residing with
 Lena B. Mc Caray at Blairtown Township, Union County,
 Ohio.

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

Being part of survey no. 10938 in the name of Robert
 Dugan,

Being the undivided one third interest,
 Beginning at four Becher original north-east
 corner of said survey, and, the north-west corner of survey
 no. 10938, in the name of R. Davis in the line of
 Virginia Military District Survey No. 14629; thence S. 79°
 20' west 155 poles to the south-west corner of said
 military survey, no. 14, 629 and, in the line of survey

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10770

No. 14639, and, in the line of Survey No. 9897, the original north-west corner, of said Dugan Survey: thence S 10° 40' E, 231 poles to a stake in the Greenfield Treaty line; thence with said line N. 79° W. 20' east 80 poles to a stake in the line of Mary R. Bixler. Thence N. 10° 40' W. 213 and 13 poles to her north west corner: thence with her north line N. 79° 20' E, 75 poles to a stake in the east original line of said Dugan Survey: thence with said line N. 10° 40' W. 17, and 2/3 poles to the place of beginning.

Containing 123 acres, more or less.

also the following described land.

Being the undivided one-third interest

Situated in the County of Union, State of Ohio,

and Village of Richmond and bounded and described as follows:

Being all of lots No. 701, 702, 703 in Henry T. Marriott's Second Addition to the Village of Richmond, Union County, Ohio.

Same being conveyed by Albert J. Hickok, Executor of the estate of Mary C. McIntire, to A. F. Bixler.

For further description refer to Recorded Plat of said addition in Plat Book, Vol. 1, Page 135 of the Records of Union County, Ohio.

also the following described land:

Being the undivided one-sixth interest

Situated in the County of Union, State of Ohio,

and in the Village of Richmond and bounded and described as follows:

Being lots in Henry T. Marriott's Second Addition to the Town of Richmond in said County and State, numbered 713, 714, 715 and 716. For further particulars reference is hereby made to the Recorded Plat of said Second Addition of Richmond as shown by the records of the said County at the office of Recorder of said County.

Same being conveyed by Catherine Livingston to A. F. Bixler and Almira F. Bixler, his wife.

That the sale of said real estate is for the purpose of division of said property and for the purpose of investing the proceeds for the best interests of the said wards.

The Plaintiff therefore prays that said Almira F. Bixler, and Alfred Bixler may be made Defendants to this petition, and, notified of the pendency hereof, according to law, and, that Plaintiff may be ordered to sell said real estate for the reasons and purposes hereinbefore proposed, and, for other proper relief.

Edgar B. Mc Mahan

Guardian of

Petition

orders
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of hearing

Summons

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Final Record, Union County Probate Court.

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Jessima R. Bixler, belia m. Bixler, and Alfred Bixler all ^{minors,}

The State of Ohio, Union County, ss.

Edgar H. Mc Mahon, 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.

Edgar H. Mc Mahon.

Sworn to before me, and signed in my presence, this 13 day of April, 1926.

W. H. Husted, Probate Judge.

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y, T.
Richmond,
Executor

orders
fixing time
of hearing

Journal entry: Orders fixing time of hearing ^{tr.} for notice, Probate Court, Union County, Ohio, April, 13-1926.

This day Edgar H. Mc Mahon, Guardian of Jessima R. Bixler, belia m. Bixler, and Alfred Bixler, appeared in open court and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his said wards for the purpose set out in the Petition by the said Guardian.

It is ordered that the time of hearing said petition tr. and hereby is fixed for the 28 day of April, 1926, at 10 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 Jessima R. Bixler, belia m. Bixler and Alfred Bixler, his wards, and to Otto Bixler of Shilo, Ohio, and Arthur Bixler of Ashtabula, Ohio.

all persons entitled to the next estate of inheritance in such real estate, Defendants; in writing to be served upon them personally, and by leaving copies thereof at the usual place of residence of each of those who can not be served personally, -- days before said day of hearing, and this cause is continued.

W. H. Husted, Probate Judge

Summons

Summons on Petition to Sell Real Estate

The State of Ohio, Union County, Probate Court.

To the Sheriff of said County:

You are hereby commanded to notify Lena (Bixler) Mc Gray mother of Jessima R. Bixler, belia m. Bixler, and Alfred Bixler, and the following named who are minors, to wit:

Jessima R. Bixler, belia m. Bixler, and Alfred Bixler, 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-

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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day of April, 1926. Edgar B. Mc Mahon, guardian of said 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 re-investing it, being to the best interest of said wards, and that unless they answer by the 28. day of April, 1926. said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 20th day of April, 1926.

Witness my hand, and the seal of said Court, this 15th day of April, 1926.

W. H. Husted, Probate Judge - Sheriff's Return

Return

The State of Ohio, Union County

Received this writ April, 15th 1926, at 10 o'clock A.M. and on the day, and in the manner herein after named. I served the same, on the within named defendants, viz:

April 16- 1926. Alfred Bixler, Belia Bixler, and Jennina Bixler minors, by leaving at their place of residence a true and certified copy of this writ. April 16- 1926. on Lerra (Bixler) Mc Crary, the mother of the said Alfred Bixler, Belia Bixler and Jennina Bixler minors by personally handing to her a true and certified copy of this writ with all the endorsements thereon.

F. S. Hager Sheriff M. E. C. Deputy

Journal Entry: Orders on Hearing of appraisement Probate Court, Union County, Ohio, May, 5th 1926.

Orders on Hearing of appraisement

This day this cause came on to be heard upon the petition, evidence and testimony produced, 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 to the best interest of his said wards to sell the real estate described in the petition to re-invest.

It is ordered, that O. H. Bolenbaugh, William Stahl and C. A. Wiley, three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, do, and they hereby are appointed

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Order of appraisement

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Final Record, Union County Probate Court.

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to appraise said lands, at their true value in money. It is further ordered, that said appraisers be sworn as required by law, and afterward, upon actual view perform the duties required of them, and make return of their proceedings in writing to this Court, on, or before the 10- day of May, 1926. and, this cause is continued.

W.H. Husted, Probate Judge

Order of appraisement.

Order of appraisement

The State of Ohio, Union County ss. Probate Court. To Edgar W. McMahon, Guardian, of Jennina R. Bixler, belia M. Bixler, and Alfred Bixler, 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 Jennina R. Bixler, belia M. Bixler and Alfred Bixler are Plaintiff and Lewis B. McCarry et al, are Defendants, you are commanded that by the oaths of O. G. Colenbaugh, William Stahl, and C. O. Wiley 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 Glenora F. Bixler therein to wit: Situated in Washington Township Union Co. O.

Undivided one-third interest

Being part of Survey no. 10938 in the name of Robert Dugan.

Beginning at four brches original north-east corner of said Survey and the north-west corner of Survey no. 10938 in the name of R. Davis in the line of Virginia Military District Survey no. 14639; thence S. 79° 20' west 15.5 poles to the south-west corner of said Military Survey no. 14639 and in the line of Survey no. 9827, the original north-west corner of said Dugan Survey; thence S. 10° 41' E. 231 poles to a stake in the Greenville Treaty Line; thence with said line N. 79° 20' east 50 poles to a stake in the line of land of Mary R. Bixler; thence N. 10° 40' W. 213 1/3 poles to her north-west corner; thence with her north line N. 79° 20' E. 75 poles to a stake in the east original line of said Dugan Survey; thence with said line N. 10° 40' W. 17 1/3 poles to the place of beginning, containing 123 acres, more or less, also, the following described land:-

One sixth undivided interest

Situated in the County of Union, State of Ohio and, Village of Richmond and bounded as described

Final Record, Union County Probate Court.

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Journal Entry: Order approving appraisement for Bond. Probate Court, Union County, Ohio, May 8th 1926.

approving appraisement for Bond

This day came the said Plaintiff, by his attorney, and produced to the Court, the report of an appraisement herein made by O. G. Bolenbaugh, William Stahl and C. A. Wiley 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 Edgar H. McMahon execute within -- days, to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the Court, in the sum of \$7000 - conditions according to law, and this cause is continued. W. H. Husted, Probate Judge - Guardian's Bond.

Know all men, by these Presents:

Bond

That we, Edgar H. McMahon John McMahon, and Guy McMahon, are held and firmly bound unto the State of Ohio, in the sum of \$7000 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 8th day of May, A. D. 1926.

The condition of the above obligation is such, that whereas, the above bound, Edgar H. McMahon was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Jemima R. Bixler, Lelia M. Bixler and Alfred Bixler and whereas, the said Edgar H. McMahon 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 Three thousand six hundred and eight ³³/₁₀₀ Dollars.

And whereas, said Court, on, the 8th day of May, 1926: made an order requiring said Guardian to execute a bond, according to the statute in such cases made and provided

Now, if the said Edgar H. McMahon 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.

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Edgar H. W. Mahan, John H. W. Mahan, Guy W. Mahan
executed in presence of P. S. Hill, Debbie Hill.

Edgar this Bond approved in open Court, this 8 day
of May, 1926. ~~W. H. Husted~~ W. H. Husted, Probate Judge
(This bond approved, in open Court, this 8. day
of May, 1926. ~~W. H. Husted~~ W. H. Husted, Probate Judge)

Application

Application to Sell Real Estate at Private Sale.

to sell

Probate Court, Union County, Ohio.

Real Estate

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:

at

1. To pay all debts of the estate

2. To preserve the estate of said wards

Private Sale.

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

Edgar H. W. Mahan.

Guardian of Jessima R. Bixler et al.

Order of
Sale.

Oath

The State of Ohio, Union County.

Edgar H. W. Mahan, Guardian of Jessima R. Bixler et al. being
duly sworn, says that the various matters set forth in
the foregoing application are true, as he verily believes.

Edgar H. W. Mahan, Guardian.

Sworn to before me, and signed in my presence, this
6- day of May, 1926. ~~W. H. Husted~~ Jacob P. Fackler, Notary Public.

Affidavit of Disinterested Persons.

Affidavit

The State of Ohio, Union County.

of

R. C. Peck, and L. S. Fox being duly sworn, says, that
Disinterested they know the facts set forth in the application to which
Persons. 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 wards
to sell said real estate at private sale than at
public sale, as they verily believe.

R. C. Peck.

L. S. Fox.

Orders on
approving
Bond

Sworn to before me, and signed in my presence, this
6- day of May, 1926. ~~W. H. Husted~~ Jacob Fackler, Notary Public
Your sub Entry: Orders approving Bond, for Private Sale,
Probate Court, Union County, Ohio,
May, 8th 1926.

for
Private Sale

This day this cause came on further to be heard,
and it appearing to the Court, that the said
Edgar H. W. Mahan, the plaintiff above named,
has given bond, as heretofore ordered, in the sum
of \$ 7000- with John W. Mahan and Guy W. Mahan
freeholders, as sureties, it is ordered that said

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Handwritten notes on the right margin of the page, including the number 10770 and various illegible characters.

Final Record, Union County Probate Court.

10770.

bond &c. 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 Edgar H. McMahon as such Guardian proceed to sell said real estate free of dower Glenna Bixler, at private sale for not less than all the appraised value thereof, on the following terms, to wit: full amount of sale to be paid in five years, at the rate of six per cent; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. and said petitioner is ordered to make return to this Court immediately after such sale, is made, and, this cause is continued. W.H. Husted, Probate Judge.

Order of Sale Free of Dower.

The State of This Union County, Probate Court.

To Edgar H. McMahon, Guardian of, Jennie R. Bixler, Belia M. Bixler and Alfred Bixler. Meeting:

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 above mentioned guardian and Plaintiff and, Jennie R. Bixler, Belia M. Bixler and Alfred Bixler 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 the dower of Glenna Bixler widow of Alfred F. Bixler deceased, the following described premises, to wit:

Situated in the County of Union, and, in the State of This, and, in the Township of Washington and bounded and described as follows: Being part of Survey No. 10938 in the name of Robert Dugan. Beginning at four beeches original north-east corner of said Survey and the north-west corner of Survey No. 10938. In the name of R. Davis in the line of Virginia Military District Survey No. 14639; thence S. 79° 20' west 15.5 poles to the south-west corner of said Military Survey No. 14639, and in the line of Survey No. 9877, the original north-west corner of said Dugan Survey; thence S. 10° 40' E. 231 poles to a stake in the Greenville Treaty line; thence with said line N. 79° 20' East 80 poles to a stake in the line of land of Mary R. Bixler; thence N. 10° 40' W. 213 ¹/₃ poles to her north-west corner; thence with her north line N. 79° 20' E. 75 poles to a stake in the East original

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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line of said Dugan Survey; thence with said line N. 10° 40' W. 17 2/3 poles to the place of beginning, containing 123 acres, more or less.

Also the following described tract of land.

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

Being lots in the Henry T. Marriott Second Addition to the town of Richmond in said county and State, numbered seven hundred thirteen (713) 714 - 715; 716.

For further particulars reference is hereby made to recorded plat of said second addition of Richmond as shown by the records of the said county, at the office of Recorder of said county.

also the following described property.

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

Being all of Lots numbered 701, 702, 703, in Henry T. Marriott's second addition to said Village of Richmond.

For further description refer to Recorded plat of said Addition in Plat Book, No. 1, page 135 of the records of Union County, Ohio.

Ward's interest in First tract of land, herein mentioned sold to Otto A. Bixler and Arthur C. Bixler for \$3,666⁶⁶ payable by 5-year notes bearing 6% interest payable semi-annually January 1st and July 1st said notes secured by first mortgage on said land.

Second and Third parcels of land sold to Emma F. Bixler, same being the value of her dower out of the Estate of her deceased husband, Alfred F. Bixler.

Said sale to be free of dower, and to be upon the following terms: five years from date of sale at the rate of six per cent interest.

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 8 day of May, 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 hereto attached.

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Reports

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Sale

order

approving

confirming

Sale

Final Record, Union County Probate Court.

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Report
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Dated the 19-day of June, 1926 Edgar H. Mc Mahan Esq.,
Report of Sale.
In obedience to the writen order, I sold said premises
on the 20-day of May, 1926, at Otto A. Bixler, and Arthur
C. Bixler, Jr. the sum of three thousand, one hundred and
sixty-six and ⁶⁶/₁₀₀ Dollars, said sum being above
the appraised value of the same.
Edgar H. Mc Mahan,
Dated the 20-day of May, 1926.
The State of this Union County.
The above named Edgar H. Mahan, 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
Edgar H. Mc Mahan,
Sworn to before me, and, signed in my presence,
this 20th day of May, 1926.
W. H. Husted, Probate Judge
Journal Entry: orders approving and confirming sale,
Probate Court, Union County, this,
May, 20th 1926.
This day this cause coming on to be heard on the
report of Edgar H. Mc Mahan, Guardian of Jemima
R. Bixler and Celia M. Bixler, and Alfred Bixler, minors
of his proceedings and sale under the former order
of this Court; and, upon the motion of said petitioner
to confirm the sale made in 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 Jemima R. Bixler, Celia M. Bixler, and Alfred Bixler
in said real estate to the purchaser, Otto A. Bixler,
Arthur Bixler, and Glenn F. Bixler 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 \$13-
W. H. Husted
Probate Judge-

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In-lots numbers 294 and 297 of the revised numbers of said city.

In-lots 484 of the revised numbers of said city.

Fifty feet (50) of land off the east side of In-lots 223, and, 277 of the revised numbers of said city. Said strip to be fifty feet in width and extending the entire width of said In-lots and more particularly described as follows: Commencing at the north east corner of said In-lot 223, thence south along the east line of said In-lots 223, and, 277 to the south east corner of said In-lot 277; thence west along the south line of said In-lot 277 fifty feet; Thence north parallel with the east line of said In-lots 223, and, 277, to the north line of said In-lot 223; thence east along the north line of said In-lot 223 fifty feet to the place of beginning.

In lot number 2564 of the revised numbers of said city.

In lots numbers, 4200; 4201; 4202; 4203; 4204; 4205;

of the revised numbers of said city.

The south part of out-lot number Two hundred and sixty-one (261) of the revised numbers of said city and more particularly described, as follows:

Petition

Commencing at the south point (south west corner) of said out-lot 261; thence north along the west line of said out-lot 330, 25 feet; thence east 259.87 feet to the east line of said out-lot abutting on Marion Street in said city; thence in a south westerly direction along the east line of said out-lot to the place of beginning, a distance of about 418.89 feet.

Part of the south part of out-lot number two hundred and fifty-nine (259) and the north part of out-lot number two hundred and sixty-two (262) of the revised numbers of out-lots of said city, and more particularly described as follows: Beginning on the south line of Charlotte Street at a point 115.15 feet west of the west line of Sandusky Avenue in said city; thence south parallel with the west line of said Sandusky av., 155.25 feet; thence west parallel with Charlotte Street 15.5 feet; thence south parallel with the west line of Sandusky av., 103.5 feet; thence east parallel with Charlotte Street 170.65 feet to the west line of said Sandusky Avenue; thence south on the west line of Sandusky Avenue, 25.875 feet; thence west parallel with Charlotte Street 894.17 feet to the east line of Marion Street in said city; thence north easterly on the east line of said Marion Street 358 feet to the south line of Charlotte Street; thence east on the south line of Charlotte Street 582.15 feet to the place of beginning, Containing 4.25 acres, more or less.

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County, Ohio,

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Langhorst Brothers, Wapakonetta, Ohio.

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Out-lot 264 and the south part of the west part of out-lot 263 of the revised numbers of out-lots of said city, and more particularly described as follows: Beginning at the intersection of the south line of out-lot # 264 of said city with the east line of Marion Street in said city; thence north east waddy on the east line of said Marion Street 372 feet; thence east 623 feet to a point on the division line of out-lot 263; which point is 67.3 feet north east waddy from the north east corner of said out-lot 264; thence south west waddy on said division line of out-lot 263, and the east line of out-lots 264, 349, 4 feet to the south east corner of said out-lot 264; thence west on said south line of out-lot 264 a distance of 689 to the place of beginning. Containing 4.44 acms. more or less.

Comp. Lumber Co.

Situate in the City of Bucyrus, County of Crawford, and State of Ohio, to-wit:

In-lots numbers 223, and 277 of the revised numbers of said City, except a strip of land off the east end thereof fifty feet in width and extending the entire width of said In-lots. Said fifty foot strip excepted off the east end of said In-lots is more particularly described as follows: Commencing at the north east corner of said In-lot 223; thence south along the east line of said In-lots 223 and 277 to the south east corner of said In-lot 277; thence west along the south line of said In-lot 277 fifty (50) feet; thence north parallel with the east line of said In-lots 223, and 277 to the north line of said In-lots 223; thence east along the north line of said In-lot 223 fifty (50) feet to the place of beginning.

Petitioner

In-lot # 1119 of the revised numbers of said City.

In-lots # 4188; 4189; 4190; 4191; 4192; 4193; 4194 and 4199 of the revised numbers of said City:

a part of the south part of out-lot # 261 of the revised numbers of said city, and more particularly described as follows: Commencing at a point on the west line of said out-lot at a point 330.65 feet north of the south point (south west corner) of said out-lot which is the place of beginning; thence north along the west line of said out-lot (150 feet); thence east 377.75 feet to the east line of said out-lot abutting on Marion Street in said city; thence in a south waddy direction along the east line of said out-lot a distance of about 189.75 feet to a point 418.89 feet from the south point of said out-lot; thence west 259.87 feet to the west

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Petitioner

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line of, said out-lot at the place of beginning. The south part of out-lot # 262 and the north part of the west part of out-lot # 263 of the revised numbers of said city, and more particularly described as follows:

Beginning at a point on the west line of Sandusky Avenue, in said city, 284.625 feet south of the intersection of said west line of Sandusky Avenue, with the south line of Charlotte Street in said city; Thence south on the west line of Sandusky Avenue 25,875 feet; Thence west parallel with the south line of Charlotte Street 170.65 feet; Thence south parallel with the west line of Sandusky Avenue, 258.75 feet; Thence east parallel with Charlotte Street 170.65 feet to the west line of Sandusky Avenue; Thence south on the west line of Sandusky Avenue, 89.5 feet to the intersection of said west line of Sandusky Avenue, with the north line of out-lot 263; Thence north-westwardly on the north line of said out-lot 263, 472.26 feet to the division line of said out-lots 263; Thence south westwardly on said division line of out-lot 263, 404 feet to a point on said division line 62.3 feet north eastwardly from the north east corner of said out-lot 264; Thence west 623 feet to a point on the east line of Marion Street in said city, which point is 45.3 feet north of the north line of said out-lot 264; Thence north eastwardly on the east line of said Marion Street 781.15 feet; Thence east, parallel with Charlotte Street 894.17 feet to the place of beginning containing 9.68 acres, more or less.

Petitioner

That the defendants Edward A. Schaumb Jr., George H. Schaumb, Marion P. Schaumb, Dorothy Rogers and Margaret D. Schaumb, brother and sisters of said minor, are all the persons entitled to the next estate of inheritance of the interest of said minor in such real estate.

That all the real estate above described, consisting of tracts one and two, and of which the said Mary D. Fisher died seized, descended and passed by inheritance as follows:

One half thereof to her son William A. Ber, and one third thereof each to the said Edward A. Schaumb Jr., George H. Schaumb, Marion P. Schaumb, Dorothy Rogers, Margaret D. Schaumb and George H. Schaumb.

Your petitioner has not as yet received any

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rents from said premises.

The annual value of the interest of said Ward on said real estate is as follows: of Group One \$120.⁰⁰ and of Group No. Two \$120.⁰⁰

That the sale of the interest of said Ward in the real estate including in Group #1 is necessary for the education of said Ward, and your petitioner believes it will be for the best interest and benefit of said Ward to sell said real estate included in Group Number One and reinvest the money arising therefrom in the real estate included in Group Number Two and that thereby a better investment of the value of said Ward's real estate can be made; that the brothers and sisters of said minor and owners of the undivided five twelfths of the real estate included in Group Number One, have sold and conveyed their said interest in the real estate included in said Group Number One, to the said William C. Beer who in turn and in consideration thereof, has sold and conveyed to said brothers and sisters of said minor an undivided five twelfths part of the real estate included in said Group Number Two, and that it will be for the best interest and benefit of said minor, by Mrs. W. Schaumb to sell his one twelfth interest in the real estate included in Group Number One, and purchase with the proceeds thereof the remaining one twelfth interest from the said William C. Beer in the real estate included in said Group Number Two.

Petition

Your petitioner therefore, prays that said Mrs. W. Schaumb, Edward A. Schaumb, Jr., George W. Schaumb, Marion P. Schaumb, Dorothy Rogers, and Margaret D. Schaumb, be made defendants to this petition and notified thereof as the Court may require, and that your petitioner may be ordered to sell the interest of said minor in the real estate included in said Group Number One and to reinvest the money arising therefrom by the purchase from said William C. Beer of his remaining one twelfth interest in the real estate included in said Group Number Two, as hereinbefore proposed, and for all other proper relief to which your petitioner may be entitled.

Edward A. Schaumb, Guardian of Mrs. W. Schaumb, a minor

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Oath

Filing Petition

Warrant

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The State of Ohio,
Union County, ss.

Oath

Edward A. Schaumb, being duly sworn, deposes, and says, he is the guardian of said Cyrus W. Schaumb, and that the facts stated and allegations contained in the foregoing Petition are true as he truly believes.

Edward A. Schaumb,

sworn to and subscribed to before me, this 17-day of February, 1926. ~~W. H. Husted~~ W. H. Husted, Probate Judge -

Filing
Petition

In the Probate Court of Union County, Ohio,
Filing Petition to Sell Real Estate,
February 17th 1926.

This day came Edward A. Schaumb as guardian of the person and estate of Cyrus W. Schaumb, a minor heretofore appointed as such by this Court, and filed herein his petition to sell certain real estate of his said ward and more particularly described in said petition and to re-invest the proceeds thereof in lands also described therein.

Wherefore it is ordered, by the Court, that said petition be for hearing on the 17-day of March 1926 at 9 o'clock a. m. and that said guardian give notice of the filing and demand of said petition and of the time of hearing thereof to his said ward, Cyrus W. Schaumb, and to Edward A. Schaumb Jr., George H. Schaumb, Marion P. Schaumb, Dorothy Rogers, and Margaret D. Schaumb, all of whom are hereby made defendants to said petition, at least 9 days before said time of hearing. This cause stands continued.

W. H. Husted, Probate Judge -

In the Probate Court of Union County, Ohio,
waiver and consent.

Waiver

We the undersigned, Edward A. Schaumb Jr., Marion P. Schaumb, Dorothy M. Rogers, Margaret D. Schaumb, and George H. Schaumb, defendants herein, hereby waive the issuing and service of summons or notice upon them of this action and voluntarily enter their appearance herein and consent to the granting of the prayer of said petition, and that said petition may be heard immediately.

Edward A. Schaumb, Jr., George H. Schaumb, Marion P. Schaumb,
Dorothy Rogers, Margaret D. Schaumb.

Summons on Petition to Sell Real Estate,
To Albert F. Ames.

The State of Ohio,
Union County,

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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You are hereby commanded to notify Cyrus W. Schaub, a minor making service of this summons upon said minor, that on the 17 day of February A.D. 1926, Edward W. Schaub, Guardian of the said Cyrus W. Schaub, filed his petition in the Probate Court of said Union County, Ohio, against him 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 and re-investing in real estate and, that unless they answer by the 17th day of March, 1926, said petition will be taken as true, and, an order granted accordingly.

The server will make due return of this writ on the 5th day of March, 1926.

This writ to be served on each of said defendants by copy personally.

Witness my hand and the seal of said Court, this 25th day of Feb. 1926. W. H. Husted, Probate Judge.

Return of Service

Return

of Service

Received this writ on the first day of March, 1926, at 12 o'clock, A.M. and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: March 1st 1926, on Cyrus W. Schaub, by handing to him, personally a true and certified copy hereof, with all the endorsements thereon and as to the within named defendants who are minors.

Albert F. Arner.

Commonwealth of Mass. County of Middlesex

Oath

The above named Albert F. Arner 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 1st day of March, 1926.

Albert F. Peffer, Notary Public

(My Commission expires Sept. 26-1930)

In the Probate Court of Union County, Ohio.
Order for appraisement.

Order

for Appraisement

This day this matter came on to be heard upon the petition of Edward W. Schaub, guardian of Cyrus W. Schaub, guardian of Cyrus W. Schaub, a minor, for an order of this Court, authorizing said guardian to sell the undivided interest of his said ward, in the premises in his petition described as group one; and the same was submitted to the Court, upon the evidence and the pleadings in the case.

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Whereupon, after due consideration, the Court finds that all parties defendant are now before the Court; that all the defendants, other than said minor, have waived the issuing and service of notice upon them and voluntarily entered their appearance herein and consented to the sale as prayed for; that said Ward, by Mrs. W. Schaub, has been served with notice as required by law, and the former order of the Court; that said guardian received his appointment in the Probate Court of this County; that it is necessary to sell the premises of said Ward, in the petition described and set forth in Group One therein as alleged in said petition; that the allegations of said petition are true, and that it is for the best interest of said Ward, to sell his undivided interest in said premises known as Group One in said petition and re-invest the proceeds thereof in the premises known as Group Two, in said petition. There is no one entitled to dower in the premises of said Ward.

It is therefore ordered that William Blicke, Dudley Sears, and George Kiker, three judicious freeholders, of the County in which said real estate is situate who are not of kin to said guardian, appraise said real estate at its fair cash value, and return the same to the Court for confirmation.

W. H. Husted, Probate Judge

application
ad litem

application for appointment of guardian ad litem Probate Court, Union County, this April, 8-1926.

ad litem

To The Hon. W. H. Husted, Judge of said Court.

The undersigned attorney for Plaintiff herein makes application for the appointment of a Guardian ad litem for the minor defendant, in the above entitled case.

The defendant by Mrs. W. Schaub, a minor, over the age of fourteen years, and has been duly served with Summons, herein.

The undersigned suggests that O. H. Kennedy who is a suitable person to be appointed as such Guardian ad litem.

Respectfully,
Charles F. Schaber, Atty for Plaintiff

Probate Court, Union County, O., April, 8-1926.

Entry.

This day Charles F. Schaber attorney for plaintiff appeared in open Court, and made application for the appointment of a Guardian ad litem for the minor defendants in this case, and, it appearing to the Court, that the

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Langhorst Brothers, Wapakonetta, Ohio.

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defendant, by Mrs. W. Schaub, a minor over the age of fourteen years, and has been duly and legally served with summons herein, it is ordered, that O.W. Kennedy be and he hereby is appointed Guardian for the suit, for said minor defendant.

and now comes the said O.W. Kennedy and in open court accepts said appointment.

W.H. Husted, Probate Judge.

Answer

Answer of Guardian ad litem.

Guardian ad litem

Probate Court, Union County, Ohio.

And now come the said by Mrs. W. Schaub, the minor defendant, to the petition in said cause, by O.W. Kennedy, his Guardian ad litem, heretofore appointed in said cause by said court, and for answer to said petition, deny all the material allegations herein contained, prejudicial to said minor defendant. He further says, that he is of tender years, and not acquainted with the law in such cases, and therefore pray the Court, to protect his rights in this case, and for such relief as may be just.

Dated this 8th day of April, 1906.

By Mrs. W. Schaub.

By O.W. Kennedy, Gd. ad litem.

Order

Order of appraisement.

of appraisement

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

To Edward A. Schaub, as Guardian of the person ^{and}.

Estate of Byron W. Schaub, a minor. Meeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause, wherein you as guardian of Byron W. Schaub, a minor, are Plaintiff and your said ward, et. al. are Defendants, you are commanded that by the oaths of William Blicke, Dudley Sears, and George Fisher, judicious disinterested men of the vicinity not of kin to the petitioner, who are freeholders, of the county in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law, of the following described premises free of any dower estate therein to wit:

The undivided one twelfth part of the following described real estate situated in the city of Bucyrus, County of Crawford, and State of Ohio, to wit:

In lots nos. 294, and 297 (the interest therein of which Mary D. Fisher died seized)

In lots no. 484.

Fifty feet off east end of In-lots 223 ^{and} 297.

In-lot 2564

In-lots, 4200; 4201; 4202; 4203; 4204; ^{and} 4205.

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Return

Oath of appraisers

Appraisers Return

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The South part of out-lot, 261, as, more fully described in the petition herein.

Part of the south part of out-lot 259, and north part of out-lot 262 as, more fully described in the petition herein.

out-lot and the south part of the west part of out-lot 263 as more fully described in the petition herein.

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 March, 1926. *W.H. Hodsted*, 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 23-day of April, 1926.

Edward A. Schaub, Guardian.

Oath of appraisers.

Oath.

The State of Ohio, Crawford 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.

Geo. J. Kehrer, M. A. Blicher, J. D. Sears & appraisers known to Informer, and signed in my presence.

This 22-day of April, 1926.

Robert Charles F. Schaber, Notary Public.

appraisers

appraisers Return

In obedience to the foregoing order, after which first being duly sworn, and upon actual view of the premises therein described, we, the undersigned appraisers, estimate the value of said ward's real estate at Thirteen hundred and sixty Dollars, arrived at as follows:

One twelfth of the following values:

In lots 294 - 297	2750. ⁰⁰
In lots 484	2850. ⁰⁰
Fifty feet off East end	
In lots 223 and 277.	500. ⁰⁰
In lot 2564	650. ⁰⁰
-do. 4200	500. ⁰⁰
" 4201	500. ⁰⁰
" 4202.	320. ⁰⁰

Return

... age of ... served with ... and he said ... and in ... this ... the ... appointed ... to said ... He ... acquainted ... the Court ... relief ... ad litem ... court ... Probate ... day ... your said ... that by ... the vicinity ... the county ... on actual ... described ... to wit: ... following ... Bucyrus ... therein ... 277 ... 205.

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	" 4204	180. ⁰⁰	
	" 4205	180. ⁰⁰	
	St. Pt. out lots 261 as described	300.	
	Pt. Spt. " 237 + Spt. out lot 262 as described in petition	1560. ⁰⁰	
	out-lot 264 and Spt. of Spt. out-lot 263 as described in petition	1710. ⁰⁰	
		<u>\$16320.⁰⁰</u>	Total

Given under our hands this 22 day of April 1926.
 Geo. J. Keller, W. A. Blicher, J. D. Sears & appraisers.

Order approving appraisement ^{and} ordering Bond.

This day came Edward A. Schaumb, guardian of byrnes W. Schaumb and filed herein a report of the appraisement of the property in trust on in his petition described and heretofore found necessary to sell, 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 orders of this Court, the same is hereby confirmed.

It is further ordered by the Court that said Edward A. Schaumb give an additional bond in the sum of Twenty-seven hundred Twenty Dollars, double said appraisement, conditioned and securities thereon as provided by law.

W. W. Husted, Probate Judge -
Guardian's Bond.

Know all men by these Presents, that we, Edward A. Schaumb, principal, and Harry B. Schaumb, are held and firmly bound unto the State of Ohio, in the sum of Twenty seven hundred and Twenty Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and admors.

Signed by us, and dated at Mansfield, Ohio this 4 day of May, 1926.

The condition of the above obligation is such, that, whereas the above bound Edward A. Schaumb was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Byrnes W. Schaumb ^{minor} and whereas the said Edward A. Schaumb, 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,

ordering
(Sale)

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has been appraised at the sum of Thirteen Hundred and Sixty Dollars.

and whereas said Court on the 23 day of April 1926. made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now if the said Edward A. Schaub. as Guardian aforesaid shall faithfully discharge his duties as such 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.

Edward A. Schaub.

George K. Schaub

Executed in Presence of

Ed. A. Schaub, Jr.

Syda Gardner.

This Bond approved in open Court this 4. day of May, 1926. W. H. Husted, Probate Judge -

ordering

(Sale)

Journal Entry: Ordering Sale.

In the Probate Court of Union County, Ohio.

Edward A. Schaub

as Guardian of the

Person^{al} Estate of

Byrus W. Schaub, minor.

Plaintiff

v.

Ordering Sale -

His said Ward, Byrus W. Schaub,

a minor, et al.

Defendants

This day this cause came on further to be heard; the Court finds that said guardian, plaintiff herein has given bond, in this proceeding in the sum of \$2720⁰⁰ conditioned according to law, with George K. Schaub and Edward A. Schaub Jr. as sureties, in accordance with the former order of this Court and the same appearing in all respects regular and the sureties sufficient said bond is hereby approved; and it further appearing to the Court that it will be for the best interest of said Ward, and his estate to sell the undivided interest of said Ward in the premises known as Group one in said petition described at private sale, it is hereby ordered that said guardian sell said real estate at private sale, for not less than the appraisement thereof for cash; that the proceeds of said sale be by said guardian re-invested by purchase of all interest in

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Langhorst Brothers, Wapakonetta, Ohio.

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real estate described in said petition known as Group Trs: the Court finding it to be for the best interest of said ward, and his estate so to do. said guardian to make due return of his said sale for confirmation by the Court, and this cause is continued.

W.H. Stusted, Probate Judge
Order of Sale.

Order

of

sale.

The State of Ohio, Union County, Probate Court,
To Edward A. Schaub, guardian of Cyrus W. Schaub
Minor. Petitioner;

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you (as Guardian of Cyrus W. Schaub, now Plaintiff and Cyrus W. Schaub 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:

Undivided one twelfth interest; Situated in the City of Bucyrus, County of Crawford, and State of Ohio, to-wit:

In lot Two Hundred and ninety-four (294) and Two Hundred ninety seven (297) of the revised numbers of said City.

In lot number four hundred Eighty-four (484) of the revised numbers of the said City.

Fifty feet (50) of land off the east side of In lot no: Two hundred and ninety three (293) and Two Hundred and seventy seven (277) of the revised numbers of the said City. Said strip to be fifty feet in width and extending the entire width of said In lot and more particularly described as follows:

Commencing at the north east corner of said In lot 223; thence south along the east line of said In lot 223; thence south along the east line of said In lot 277, to the south east corner of said In lot 277; thence west along the south line of said In lot 277 fifty feet; thence north parallel with the east line of said In lot 223, and 277; to the north line of said In lot 223; thence east along the north line of said In lot 223 fifty (50) feet to the place of beginning.

In lot number Twenty five hundred and sixty four (2564) of the revised numbers of said City.

In lots number Forty two Hundred (4200) Forty two hundred and one (4201) Forty two Hundred ^{and} Two (4202) Forty two hundred and three (4203) Forty two Hundred ^{and} four (4204) Forty two Hundred ^{and} Five (4205) of the revised numbers of said City.

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Order
of
Sale.

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The South part of out lots number two hundred and sixty one (261) of the revised numbers of said City and more particularly described as follows: Commencing at the south point (south west corner) of said out lot 26; thence north along the west line of said out lot 330.65 feet; thence east 259.87 feet to the east line of said out-lot abutting on Marion Street in said city; thence in a south-westerly direction along the east line of said out-lot to the place of beginning, a distance of about 418.89 feet.

Order of Sale.

Part of South part of out lot number Two hundred and fifty nine (259) and the north part of out lot number Two hundred and sixty-two (262) of the revised numbers of out lots of said city, and more particularly described as follows:

Beginning on the south line of Charlotte Street at a point 115.15 feet west of the west line of Sandusky Ave. in said city; thence south parallel with the west line of said Sandusky Avenue 158.25 feet; thence west parallel with Charlotte Street 15.5 feet; thence south parallel with the west line of Sandusky Avenue 103.5 feet; thence east parallel with Charlotte Street 170.65 feet to the west line of said Sandusky Avenue; thence south on the west line of Sandusky Avenue 25.875 feet; thence west parallel with Charlotte Street 894.17 feet to the east line of Marion Street in said City; thence northeastwardly on the east line of said Marion Street 358 feet to the south line of Charlotte Street; thence east on the south line of Charlotte Street 582.15 feet to the place of beginning, containing 4.25 acres more or less.

Out lot number Two hundred and Sixty-four (264) and the south part of the west part of out lot number Two hundred and sixty three (263) of the revised numbers of out-lots of said city, and more particularly described as follows:

Beginning at the intersection of the south line of out lot # 264 of said city with the east line of Marion Street in said city; thence north eastwardly on the east line of said Marion Street 372 feet; thence east 623 feet to a point on the division line of out-lots 263 which point is 62.3 feet north eastwardly from the north east corner of said out-lot 264; thence south westwardly on said division line of out-lots 263 and

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10724 and the east line of out-lob 264. 349. 4 feet to the south east corner of said outlob 264; thence West on said south line of outlob 264 a distance of 659 feet to the place of beginning, containing 4.44 acres more or less.

Said Sale to be upon the following terms: Cash in hand on day of Sale.

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

Witness my signature, and the seal of said Probate Court at Marysville, Ohio, this 5 day of May, 1926. ~~W. H. Stusted~~ W. H. Stusted, 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.

Dated the 14 day of May, 1926

Edward A. Schaub, Esq.

Report of Sale

Report

In obedience to the within order, I sold said premises on the 7th day of May, 1926, to William C. Beer,

for the sum of Thirteen hundred ^{no.} sixty Dollars. (\$1361.⁰⁰) said sum being the appraised value of the same

Edward A. Schaub, Guardian of Person, W. Schaub, Minor.

Dated the 7th day of May, 1926.

The State of Ohio, Union County:

The above named, Edward A. Schaub Guardian being duly sworn, says that the sale above reported was made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

Edward A. Schaub.

Known to before me, and signed in my presence, this 14 day May, 1926.

~~W. H. Stusted~~ W. H. Stusted, Probate Judge

Confirming sale and ordering deed.

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

Edward A. Schaub, Guardian of the person and estate of by Mrs. W. Schaub, a minor. Plaintiff

Journal Entry: Confirming sale and ordering deed.

vs. His Ward, by Mrs. W. Schaub, a minor, et al. Defendants.

re-investment of funds.

This day came the Edward A. Schaub, guardian of the person and estate of Mrs. W. Schaub, a minor, plaintiff herein, and made report of his sale of

10606
May 7th
1926

Final Record, Union County Probate Court.

the premises of his said ward heretofore ordered sold herein, and, the court, upon examination thereof, and, being fully advised in the premises, and, being satisfied that said sale has been made in all respects according to law and in accordance with the former orders of this court, do hereby approve and confirm the same, and, said guardian is ordered to execute and deliver to the purchaser, William C. Beer a good and sufficient deed, for the premises so sold, and, further that said guardian immediately re-invest the proceeds of said sale in accordance with the former orders of this court, by purchasing an interest in the real estate set forth in Group Two as described in his petition herein.

It is further ordered that said guardian, out of the funds of his ward in his hands, pay the costs of this proceeding taxed at \$ -- Further ordered that this proceeding be recorded in the record of land sales of this court.

W. H. Husted, Probate Judge -

10606
May 7th
1926

In the matter of the Estate of Firding Taylor, Deceased.
Petition to Sell Personal Property at Private Sale,
Probate Court, Union County, Ohio,
no. 10606.

Petition

To the Judge of said court:

The undersigned F. J. Kahler and M. W. Taylor, administrators of the estate of Firding Taylor 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 all 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 estate filed in said court,

and, the petitioner alleges that said sale would be for the advantage of said estate, for the following reasons:

This property consists of corn and oats which have been prepared for market since the appraisement and for which there is a regular market that fetches prices and it would bring as much at private sale, as at public sale, without the additional expense.

F. J. Kahler, M. W. Taylor, Adms. Dated May 7th 1926.

The State of Ohio, Union County

F. J. Kahler, being duly sworn, says that the various matters and things contained in the

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

following application, as true, as he verily believes.

F. J. Kahler, M. W. Taylor, adms.

Brave to before me and signed in my presence this 7th day of May, 1926. W. H. Husted, Probate Judge.

Schedule.

- 33 500 bushel of oats mor. or. less. 165.⁰⁰
- one half interest in 56 a. of standing corn. 650.⁰⁰

Probate Court, Union County, O. May 7th 1926, 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 F. J. Kahler, and M. W. Taylor, as adms. 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 administrators make return of their proceedings herein within 30 days from this date, and forthwith after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge.

Order of Private Sale, Personal Property.

Probate Court, Union County, Ohio, No. 10606.

To F. J. Kahler, and M. W. Taylor.

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:

- 33 500 bushel of oats, mor. or. less. 165-
- one half interest in 56 a. of standing corn. 650.

Said sale to be on the following terms: Purchases, cash in hand at time of sale.

You will make return of this order within - months from this date, and forthwith upon the execution of the

Final Record, Union County Probate Court.

same together with your report thereon endorsed,
Witness my hand, and the seal of said Court this
7 day of May, A.D. 1926.

~~Witness~~ W.H. Husted, Probate Judge.

Return

Probate Court, Union County, Ohio.

Report of Sale of Personal Property

The undersigned administrator of said estate, says,
that in obedience to the order of said Court, hereto
attached, they sold, said personal property on the
7th day of May, 1926, for the sum of \$1145.⁷¹ (said
sum being not less than the appraised value
of the same.

A detailed Bill of said sales is hereto attached.

Dated this 7th day of May, 1926.

F. J. Kahler, M. W. Taylor.

33	500 bu. of oats more or less, 165.00	B. E. Thomas & Co.	168.44
	one half of 562. of		
	standing corn, 68.00	J. B. Campbell.	649.77
		B. E. Thomas & Co.	334.50

The State of Ohio, Union County,

F. J. Kahler and M. W. Taylor, adms., of the
Estate of Firding Taylor, 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.

F. J. Kahler, M. W. Taylor.

Sworn to before me, and signed in my presence.

this 7th day of May, 1926. ~~Witness~~ W.H. Husted, Probate Judge.

Journal Entry: Probate Court, Union County, O. May 7-1926.

The adms. of the above named decedent
having filed their return of the order heretofore
issued for private sale of the personal property
of said decedent, and the Court, having carefully
examined the same, find said proceedings in all
respects regular and in accordance with law,
and therefore approves and confirms the same.

W.H. Husted, Probate Judge.

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10697
May, 13th
1926

In the matter of the Guardianship of Dorris Potter ^{and} Orm Potter
Guardians Petition to borrow money
and mortgage Real Estate,
Probate Court, Union County, Ohio.

No. 10697.
Petition.

Ethel Miller, Guardian of
Dorris Potter ^{and} Orm Potter
Plaintiff
v.

Her Wards, and
Helen Wagner, and
Barley Wagner,
John Potter,
Defendants.

The plaintiff represents that she is the duly appointed
and qualified Guardian of Dorris Potter, aged 16 years, on the
26 day of July, 1925 and Orm Potter of the age of
10 years on the 24 day of April, 1925, and residing at
Marysville Ohio, with said guardian, Ethel Miller.

The following are the names and residences of the
next of kin of said Wards, residing in this State, to wit:
Ethel Miller, sister Marysville, Ohio
Helen Wagner, sister Xenon Ohio, John Potter, deceased, Ohio
father.

That said Wards, are the owners in fee simple of the
following described real estate, situated in the
County of Hardin State of Ohio, and in the Township
of Lynn, to wit:

Petition

Being the undivided one-half interest,

Being part of Military Survey # 4180 and 10919
and bounded and described as follows:

Tract No. 1. Beginning at a stake in the center of the
Bailey Road at Sargent's north west corner; thence South
10° E 176.50 poles to a stake and two soft maples;
thence South 50° West 72.40 poles to a stake, hickory
and red oak in Wickins East line; thence north 10°
West 67.71 poles to a stake and two limes; thence north
50° East 44 poles to a stake Red oak and sugar tree;
thence South 10° West 109/09 poles to a stake in the
center of said road; thence north 80° East 28.40 poles
to the beginning, containing 5.0 acres, more or less

Tract No. 2. Being part of Virginia Military Survey No.
4180 and 10919 on the waters of the Scioto, bounded
and described as follows: Beginning at a point in the
north line of said Survey Number 4180 South 80° West 45.29
poles from the northeast corner thereof and in the
center of the Bailey road; thence South 10° East 221 poles,

10697

Final Record, Union County Probate Court.

10697

To a stake at the South west corner of a tract of 56.34 acres conveyed by William R. Srigel and Lillie Srigel his wife, to Jesse W. Edington by deed dated March 28, 1898; thence South 85° West 20.91 poles to a stake, southeast corner to Loris M. Bradley; thence north 10° West 221 poles to the center of the said Bailey road, and north line of said Survey number 4188; thence with said line and the center of said road, north 85° East 20.91 poles to the place of beginning, containing 28.16 acres of land, more or less, and being the West one third of the premises, and conveyed by Hudson Hanson L. Penn and wife to said William R. Srigel by deed dated April 3-1888 and recorded in Volume 152 page 276 of the deed record of Hardin Co. Ohio.

That the following is the nature and amount of the encumbrances upon said real estate, described above, showing when the same become or will become due, and the rate of interest thereon, together with the names and residences of all persons holding such liens, to-wit: - none -

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

\$209.01 taxes due Hardin Co. Ohio \$200.00 to Sheriff of Hardin County, Ohio, in payment of life estate of John Wagner.

That the following is the character of repairs and improvements proposed to be made upon said real estate and the necessity therefor.

Re building fences so that land can be farmed and pastured in a husbandry manner.

That the amount required for said repairs and improvements is Two Hundred Dollars.

That the income from said real estate is about \$160.00 per annum.

The following is a statement of said ward's personal property and the income therefrom as personal property.

That the amount probably necessary to maintain said wards being maintained by guardian at this time free of charge.

The Plaintiff therefore prays, that said wards may be made parties defendant to this Petition, that they be notified of the pendency and prayer hereof in such way as the Court shall direct, and that he may be authorized to borrow the sum of Seven Hundred and fifty Dollars, to pay such

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10697

mortgages, debts, legacies and judgments and such additional sum as the Court shall deem necessary to make said repairs and improvements on said real estate and to maintain said roads, and to mortgage so much of said roads land as may be necessary to secure such loan, and for other proper relief;

Mrs Ethel Miller Guardian of Doris Potter and Owen Potter.

The State of Ohio, Union County ss.

Ethel Miller, Guardian, the Plaintiff named in the foregoing petition being duly sworn, says that she believes the facts stated in said petition are true.

Mrs Ethel Miller

Sworn to before me, and signed in my presence, this 13-day of May, 1926. W. W. Husted, Probate Judge.

Journal Entry: Orders fixing time of hearing and for notice, Probate Court, Union County, Ohio.

May, 13-1926. Order for Notice.

This day Ethel Miller Guardian of Doris Potter and Owen Potter, appeared in open Court and filed her petition, duly verified, praying for authority to borrow money and to mortgage real estate therein described, belonging to her said wards. It is ordered, that the time of hearing said petition be and hereby is fixed for the 14 day of June, 1926, 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 Helen Wagner, Doris Potter, Owen Potter and Emmett Potter, Defendants, in writing to be served upon them personally, and by leaving copies thereof at the usual place of business of each of those who cannot be served personally - - days before said day of hearing, and this cause is continued.

W. W. Husted, Probate Judge -

Probate Court of Union County, Ohio
Petition to Borrow Money.

Warrant

We, the undersigned, defendants, each hereby waive the issuing and service of process herein, and voluntarily enter our appearance and consent to the prayer of the petition.

May, 19-1926.

Mrs Helen Wagner. B. A. Wagner. Floyd Miller

Notice

Notice to Defendants.
The State of Ohio, Union County, ss.
To Emmett Potter, Helen Wagner, Doris Potter, Owen Potter, and Ethel Miller, Guardian of Doris Potter

affidavit of Service

order to investigate

Final Record, Union County Probate Court.

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you are hereby notified, that on the 13th day of May 1926, the undersigned as Guardian, filed in the Probate Court of Union County, Ohio, a petition, the object and prayer of which is that she may be authorized by said court to borrow money said mortgage real estate belonging to the said Dorris Potter and Omer Potter, situated in the County of Hardin in the State of Ohio, and in the Township of Lynn and described as follows, to-wit: see description in application.

Said petition will be for hearing by said court, on the 14th day of June, 1926, at 10 o'clock A.M. at which time unless you show cause to the contrary, an order will be asked, as prayed for in said petition.

Dated this 13 day of March, 1926.

Ethel Miller Guardian of
Dorris Potter, and Omer Potter et al.
Affidavit of Service

The State of Ohio, Union County, ss.

I, Floyd Miller, being duly sworn say, that on the 13th day of March, 1926, I served this writ by delivering a true copy thereof personally to the following named persons, to-wit:

Ethel Miller, Guardian of Dorris Potter and Omer Potter and upon Dorris Potter and Omer Potter and upon the 20th day of May, 1926, I personally served the said Emmett Potter by personally handing him a true copy of said writ.

Floyd Miller

Known to before me, and in my presence, this 20 day of May, 1926. John W. Daily, Notary Public.

Order to Investigate.

order to
investigate.

The State of Ohio, Union County, ss. Probate Court,
To J. M. Edginton, John Lloyd, and Ray Potter, Executors;

Whereas, Ethel Miller, Guardian of Dorris Potter and Omer Potter, has petitioned this court for authority to mortgage real estate of his said ward for the purpose of borrowing money to make repairs or improvements for the benefit of the estate of said wards, said proposed repairs or improvements being described as follows:

Repairing and rebuilding fences on said premises and repairing buildings on said land.

Therefore said court has appointed you as three disinterested freeholders, to fully investigate the question as to the necessity for, and the advisability of making said repairs or improvements, and the probable cost thereof. And you are required

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

to report the same, to the Court, under oath forthwith upon the execution of this order.

Witness my signature and the seal of said Probate Court, at Mansfield, Ohio, this 14 day of June, 1926.

W. H. Husted, Probate Judge -

Return of Order

Return of order.

To the Probate Court of Union County. In obedience to the foregoing order, we hereby respectfully report that we repaired to the premises as described in the petition, and we find that for the proper maintenance of said premises it is necessary that fences thereon be rebuilt and repaired.

That the probable expense of such repairing and rebuilding will amount to \$250.00

Oath.

Oath

The State of Ohio, Hardin County, ss.

We the undersigned, solemnly swear that the foregoing report is just and true according to the best of our judgement and belief.

J. M. Edgington, J. W. Lloyd, Ray Potter.

Sworn to and subscribed in my presence, and sworn to before me, by each subscriber, this 23 day of March, 1926.

G. E. Minge, Justice of the Peace

Probate Court, Union County, Ohio

Ordering Warrants

In the matter of The Guardianship of Dorris Potter, by Dorris Potter, minor

No. 10697

June 14 - 1926.

Enter

Ordering Warrants.

Tract 2,

This day this cause came on to be heard upon the petition, evidence, and testimony, and the Court being fully advised in the premises, finds that all the defendants herein have been duly and legally notified of the pendency and prayer of the petition and are now properly before the Court. And that the statements and allegations in said petition are true. It is therefore ordered, that J. M. Edgington, John Lloyd, and Ray Potter three disinterested freeholders be and are hereby appointed to fully investigate as to the necessity of placing a mortgage on said real estate for the purpose outlined in said petition, and that they make report of their proceedings in writing to this Court, on or before June 21 - 1926.

W. H. Husted, Probate Judge -

Final Record, Union County Probate Court.

Probate Court, Union County, O., June 21 - 1926.
 This day this cause came on further to be heard upon the Report of the freeholders heretofore appointed herein and it appearing to the court to be for the best interest of the estate of said Ward that the prayer of the petition be granted, the court hereby fixes the amount necessary to be so borrowed to be the sum of Seven Hundred and Fifty Dollars, and directs that the preceding described lands of said Ward be encumbered by mortgage to secure the same, to-wit:

Being the undivided one-half interest situate in the Township of Lynn, County of Hardin and State of Ohio, and described as follows:
 Being a part of Military Survey no. 4180 and 10919 and bounded and described as follows:

Tract 1.

Tract no. 1. Beginning at a stake in the center of the Bailey Road in Brigle's northwest corner; thence South 10° East 176.80 poles to a stake and two soft maples; thence South 80° West 72.40 poles to a stake, hickory and red oak in McKins East line; thence North 10° West 67.71 poles to a stake and two Lynces; thence North 80° East 44 poles to a stake, red oak and sugar tree; thence South 10° West 109.59 poles to a stake in the center of said road; thence North 80° East 28.40 poles to the beginning containing 50 acres more or less.

Tract 2.

Tract no. 2.
 Being a part of the Virginia Military Survey no. 4180 and 10919 in the waters of the Scioto, bounded and described as follows:
 Beginning at a point in the north line of said Survey number 4180 South 50° West 45.29 poles from the northeast corner thereof and in the center of the Bailey Road; thence South 10° East 221 poles to a stake in the southwest corner of a tract of 56.34 acres conveyed by William R. Brigle and Julie Brigle, his wife, to Jess W. Edington by deed dated March 28 - 1895; thence South 80° West 20.91 poles to a stake, southeast corner to Lewis M. Bradley; thence North 10° West 221 poles to the center of the said Bailey Road, and North line of said Survey # 4180; thence with said line and the center of said road 80° E. 20.91 poles to the place of beginning, containing 28.16 acres of land, more or less, and being the West one-third of the premises and conveyed by Hansaw D. Pence and wife to said William R. Brigle by deed dated

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

April 3, 1926 and recorded in Vol. 57 page 276. of the deed record of Hardin County, Ohio.

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

W. H. Husted, Probate Judge

Writ to Guardian.

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

To Ethel Miller, Guardian of Dorris Potter and Orms Potter

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

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

Witness my signature and seal, of said Probate Court, at Marysville Ohio, this 21st day of June, 1926

W. H. Husted, Probate Judge

Report of Guardian as to terms of Loan.

Probate Court, Union County, Ohio.

In obedience to the order of said Court, the copy of which is herewith returned, I have made full and diligent inquiry and find that the best terms obtainable in making the loan on behalf of my said Ward, are as follows, for the sum of Seven Hundred fifty dollars, bearing interest at the rate of 7%.

Dated this 21st day of June, 1926.

Mrs Ethel Miller, Guardian.

The State of Ohio, Union County, ss.

Ethel Miller being duly sworn, says that the statements in the foregoing report are true, so she verily believes

Sworn to before me, and signed in my presence, this 21 day of June, 1926. W. H. Husted, Probate Judge

Journal Entry: Orders on confirming and authorizing Loan, Probate Court, Union County, Ohio. June 21 - 1926. Orders.

This day this cause came on to be heard on the report of said Ethel Miller Guardian, of the rate of interest and time for which he can borrow the amount

Report as to terms of loan

oath

Confirming

authorizing loan

order to Gen. to mtg. ward's real estate

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Final Record, Union County Probate Court.

heretofore found necessary to be borrowed, and the Court, having carefully examined said report, finds the terms proposed satisfactory to the Court.

It is ordered, that the same be accepted, and is hereby confirmed, and said Guardian is authorized and ordered as such Guardian, to execute a note or notes for said amount, and to execute a mortgage on the lands designated in the former order herein.

It is further ordered, that this proceeding be recorded, and that said Guardian pay the costs at \$1--.

Witness my hand, Probate Judge -

Order to Guardian to Mortgage Wards Real Estate, The State of Ohio, Union County, ss. Probate Court.

To Ethel Miller Guardian of Dorris Potter and Mrs Potter

Meeting: The proceedings required by law, having all been had, for obtaining an order from this Court to borrow money and mortgage real estate of your said ward for the certain purposes designated in the order, and the said Court, having duly made said order upon its journal, you are hereby commanded in pursuance of said order, to execute as such guardian a note or notes for seven hundred and fifty Dollars, and to execute a mortgage on the following described lands of said ward, to wit:

Being the undivided one half interest, Situate in the Township of Lyman, County of Hardin, State of Ohio, and described as follows: Being a part of Military Survey # 4155 and 10919, and bounded and described as follows:

Tract no. 1. see description in application 107th & 109. Said note to bear interest at the rate of 7% to be paid as follows, \$22.75 to be paid every six months, interest to be paid out of this amount and the balance applied on the principal.

And you are further commanded that the fund so obtained you distribute as follows:

- 1st Taxes are due Hardin County, this amounting to \$260⁰⁰
- 2nd Court costs herein, including attorney fee to John W. Dailoy \$ 35⁰⁰
- 3rd The residue, amounting to \$455⁰⁰ to be applied for the support and maintenance of said wards or repairing said premises.

And you are required to report to the Court, forthwith for its approval the execution of said notes and mortgages and your distribution of said fund.

Witness my signature and the seal of said

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Probate Court at Marysville, Ohio, this 10th day of April, 1926.
W. T. Husted, Probate Judge -
Return of Order.

Return of
order.

To the Probate Court of Union County,
I have made distribution of the fund so realized as follows:
Fees \$290.⁰⁰ attorney fee \$25.⁰⁰ court cost \$10.⁰⁰
Turned over to guardian to pay debts etc. \$435.⁰⁰
all of which report is hereby respectfully submitted for the
approval of the court. Ethel Miller. Edu -

oath

The State of Ohio, Union County, ss.
Ethel Miller, being duly sworn, says the statements
contained in the foregoing report are true, as he verily
believes. Ethel Miller

Sworn to before me, and signed in my presence.
this 21st day of June, 1926.

W. T. Husted, Probate Judge

10762

April 5-4

1926

Richard Small
attorney

Dora E. Wood, Guardian of
Lenna Wood ^{and}
Glenna Southwick
Plaintiff
vs.

Petition to Sell Real Estate
Guardian's Petition to Sell Real Estate
Probate Court.

No. 10762.
Petition
to
Sell Real Estate

Her said wards,
Lenna Wood, and
Glenna Southwick ^{and}
Dora E. Wood, as widow of
Frank E. Wood, deceased, ^{and}
Samuel Southwick,
Defendants.

Petition

The Plaintiff represents that she is the duly
appointed and qualified Guardian of Lenna Wood ^{and}
Glenna Southwick of the age of 16 years on the 23
day of January, 1926, and residing with
Lenna Wood residing with plaintiff at Magnetic Springs,
^{and} Glenna Southwick, with her husband, at Richmond, O.
That said wards 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
Leisure, to wit:

First Tract:

Beginning at a stone at the south east corner
of a 5.10 acre tract of land owned by F. E. and
D. E. Wood; Thence north 11° 30' east 34.30 poles to a
stake in the center of an unimproved road ^{and}

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Petition.

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Final Record, Union County Probate Court.

10762

at the northeast corner of a two acre tract of land owned by Miles Ripes: thence with the center of said road South 77° 50' East 30 poles to a stake at the north east corner of a 35-acre tract of land owned by Effie M. Harris; thence South 11° 55' West 34.30 poles to a stone in the north line of Margaret R. Wood's heirs land; thence with the north line of said land, North 78° 10' West 29.23 poles to the beginning. (Part of Survey no. 1139) containing 6.38 acres of land, more or less.

This title subject to the dower of Dora E. Wood, widow.
Second tract:

Being an undivided one-half interest in the following tract subject to the dower of Dora E. Wood widow.

In Survey no. 1139 v. m. District

Beginning in the west line of Survey # 1139 in Virginia Military District at the southeast corner of the land and farm of James Mills, running Easterly with said Mills South line and parallel with the South line of said Survey 127 1/2 poles to a stake; then running southerly parallel with the west line of said Survey 34 poles to a stake; thence running westerly, parallel with the South line of Survey # 1139 aforesaid to the west line of said Survey; thence northerly on the west line of said Survey to the place of beginning.

Containing 27. and 1/10 acres, excepting a square piece off of the northeast corner containing two acres heretofore conveyed to Lydia E. Harris, also excepting 20 acres off of the West end heretofore conveyed to James Bleninger, & others; the amount of land hereby conveyed being 5 and 1/10 acres.

Said real estate is worth annually nothing that said Plaintiff has received two cents from the real estate of her wards.

That the sale of said real estate is advisable for the reasons, that said real estate cannot be rented for a paying amount and also that said property is in need of repair, that said land had hardly been earning taxes, that said plaintiff could invest the profits by sale and receive a steady income therefrom, that part of the price of said land is necessary to buy necessaries for said wards.

The Plaintiff further says, that the defendant Small Southnick is the husband of Glenna Southnick and has no contingent right of dower in her interest. The defendant

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Dora E. Wood is widow of Frank E. Wood, from whom the above described land descended, he dying intestate so that said Dora E. Wood has voted down in said real estate.

The Plaintiff therefore prays, that said Lenna Wood, Glenna Southnick, Sewell Southnick and Dora E. Wood may be made Defendants to this petition, and notified of the pendency hereof according to law, and the Plaintiff may be ordered to sell said real estate for the reasons and purposes hereinafter proposed, and for other proper relief.

Dora E. Wood, Guardian

The State of Ohio, Union County, ss.

Dora E. Wood, being duly sworn, says, that she is the Plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, so she truly believes.

Dora E. Wood, Guardian

Sworn to before me, and signed in my presence this 5th day of April, 1926. ~~Seal~~ Richard C. Thrall, Notary Public, Union Co., Ohio.

Order
Fixing
Time

Journal Entry: Order Fixing Time of Hearing for notice Probate Court, Union County, Ohio, April 5th 1926.

This day Dora E. Wood Guardian of Lenna Wood and Glenna Southnick appeared in open Court and filed her petition duly verified, asking for the sale of real estate therein described, belonging to her said wards Lenna Wood and Glenna Southnick.

It is ordered, that the time of hearing said petition be and hereby is fixed for the 22 day of April 1926, at 9:00 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 Lenna Wood and Glenna Southnick her wards to Sewell Southnick husband of said ward, and to Glenna Southnick and Dora E. Wood, 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, 114 days before said day of hearing. This cause is continued.

W. H. Husted, Probate Judge

Summons.

Summons, on Petition to Sell Real Estate
The State of Ohio, Union County Probate Court,
To the Sheriff of said County:

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Final Record, Union County Probate Court.

10762

you are hereby commanded to notify Lenna Wood
Mrs. (Lenna Wood) Southwick, and Dora E. Wood,
Guardian of Lenna Wood and Lenna Wood
Southwick 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 persons having the care
of said minors, or with whom they live; that on the
5 day of April, 1926, Dora E. Wood (guardian of the
said 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 minors, in said petition described, for the
purpose of investing in funds, avoiding waste and
providing necessities for said minors. That unless
they answer by the 22 day of April, 1926, said
petition will be taken as true, and an order granted
accordingly.

Said Sheriff will make due return of this writ on the
19 day of April, 1926.

Witness my hand and the seal of said Court,
this 5 day of April 1926.

W. H. Husted, Probate Judge
Sheriff's Return

Sheriff's
Return

The State of Ohio, Union County.

Received this writ April 6 - 1926,

at 1 P.M. and on the day and in the manner
hereafter named. I served the same on the within
named defendants viz: April 5 - 1926 on Lenna Wood
and Lenna (Wood) Southwick, minors, by personally
handing to each of them a certified copy of this writ
and also, April 5 - 1926, on Dora E. Wood the guardian
of the said Lenna Wood, and, Lenna Wood Southwick
by personally handing to her a certified copy of this writ.

F. B. Hager Sheriff - M.C.C.

Sheriff's Fee.

Service M. Ret. 75

2 additional names 50

60 mi. at 87. 4.50 Total \$6.05

Train

Train of Summons.

Probate Court, Union County, Ohio,

No. 10762.

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. We do
hereby consent to sale of Real Estate, April 8, 1926 Lenna Southwick

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10762

Answer of Widow of Frank E. Wood.

Dora E. Wood, Sdm. of
Gemma Wood ans.

Probate Court, Union County, Ohio.

no. 10762

Answer

Gemma Southwick

Proceedings re. Sale Real Estate.

of Widow

Plaintiff

Her heirs et al.

Defendants.

Now comes Dora E. Wood, as an individual and waives the issuing and service of summons, and voluntarily enters her appearance herein, consenting to the sale of the real estate as prayed for, in this petition.

Said Dora E. Wood says that she as widow of Frank E. Wood, deceased, father of Gemma Wood and Gemma Wood Southwick present owners of said real estate is the owner of a dower interest in said real estate as described in said petition filed herein. That said dower has now been set off to her, by metes and bounds, or its value ascertained by appraisement.

That she waives the setting off of said dower by metes and bounds and asks that said real estate be sold free from her dower, and that she be allowed the value thereof in money from the proceeds of said sale.

That she is aged 52 years.

Dora E. Wood.

State of Ohio, Union County, ss.

Subscribed and sworn to my presence, this 18 day of April 1926, by said Dora E. Wood, who says that she is the defendant filing said answer and that the facts stated therein are true as she verily believes.

Richard C. Thall, Notary Public

Journal Entry: Orders on Hearing, of appraisement.

Probate Court, Union County, Ohio,
April 27 - 1926.

Order
on
Hearing
of
Appraisement

This day this cause came on to be heard upon the petition, evidence, and testimony. 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 Dora E. Wood, widow of Frank Wood is entitled to her dower in said real estate. That said Dora E. Wood by her answer herein waives the assignment of dower in said premises by metes and bounds, or in rents and profits, and consents to the sale of said

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Order
of
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Final Record, Union County Probate Court.

10762

premises free from her said dower estate therein, and the Court being satisfied that it is necessary to sell the real estate of said wards described in the petition, to save said estate from waste and to properly invest the funds thereof and provide necessaries for said minors.

It is ordered that H. M. Haines, Elbow Mather ^{Junr.}, Eber H. Dillon 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 free dower estate of said Dora E. Wood, therein.

It is further ordered, that said appraisers be sworn, as required by law, and afterwards, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, on, or before the 26-day of April, 1926. ^{am.} This cause is continued.

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

Order of appraisement

The State of Ohio, Union County ss. Probate Court,
To Dora E. Wood, Adm. of Lenna Wood ^{am.}, Glenn Southerick
Executors:

In Audience to an order and decree of the Probate Court, within and for the said County, made this day in a certain cause, wherein you as Guardian, are Plaintiff ^{am.} your wards et al. are Defendants, you are commanded that by the oaths of H. M. Haines, Elbow Mather and Eber H. Dillon 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 Dora E. Wood, therein, to-wit:

Situated in the Township of Luster, County of Union ^{am.} State of Ohio, and being a part of Survey No. 1129.
First Tract:

Beginning at a stone at the southeast corner of a 5.10 ^{am.} acre tract of land; owned by F. E. ^{am.} D. E. Wood; thence N. 11° 30' E. 34.30 poles to a stake in the center of an unimproved road and at the northeast corner of a two acre tract of land owned by Mrs. Pipes; thence with the center of said road S. 77° 50' E. 30 poles to a stake at the north east corner of a 35-acre tract owned by Effie M. Harris; thence S. 11° 55' W. 34.30 poles, to a stone in the

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Langhorst Brothers, Wapakonetta, Ohio.

10762

North line of Margaret R. Wood's heirs lands; thence with the North line of said land N. 78° 10' W. 29.33 poles to the beginning.

Containing 6.38 acres of land, more or less. Second Tract.

Beginning in the West line of Survey no. 1139 at the southeast corner of the land, and corner of James Wells, running easterly with said Wells South line and parallel with the South line of said Survey 127 1/2 poles to a stake; thence running southerly parallel with the West line of said Survey 34 poles to a stake; thence running westerly parallel with the South line of said Survey to the West line of said Survey no. 1139; thence northerly on said West line of said Survey to the place of beginning, containing 27 1/10 acres. Excepting a two acre tract off of the N.E. corner conveyed to Lydia Harris, and also twenty acres off of the West end, conveyed to James Blumeyer.

Containing in the part conveyed 5.10 acres. (said tracts having an undivided one-half interest in the second tract)

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 Wapakonetta this 22 day of April 1926. W. H. Stusted, 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 26th day of April, 1926. Doris C. Wood, 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.

H. M. Haines, Elba Mather, Eler N. Dillon & appraisers, Brown to before me, and signed in my presence this 26th day of April, 1926.

Richard C. Thrall, Notary Public Union Co. Ohio.

Appraisers Return In obedience, to the foregoing order, after being

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application 25 Sale at Private

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Final Record, Union County Probate Court.

10762

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 April 1926.

G. M. Haines, Eber N. Dillan, Elba Mathers & appraisers.

Journal Entry: Orders approving appraisement for Bond, Probate Court, Union County, this April, 26 - 1926.

order approving appraisement

order for Bond -

This day came the said Plaintiff, by her attorney, and produced to the court the report of an appraisement herein made by G. M. Haines, Elba Mathers and Eber N. Dillan 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 Dora E. Wood 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 One Thousand Dollars, conditioned according to law, and this cause is continued. W. H. Husted, Probate Judge -

application

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

to sell at Private

no. 10762, application.

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. The delay and expense of public sale may be avoided
2. The land must sell for a higher figure at private sale.
3. A purchaser for the appraised price is at hand, and she therefore asks for an order authorizing her to sell said real estate at private sale.

Dora E. Wood, Edu -

Oath

The State of Ohio, Union County, Dora E. Wood, Edu, being duly sworn, says that the various matters set forth in the foregoing Application are true as she truly believes.

Dora E. Wood,

Sworn to before me, signed in my presence, this 25. day of April, A. D. 1926. Richard C. Thrall, Notary Public.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10762

affidavit of Disinterested Persons
 the State of Ohio. Union County.
 G.M. Haines, Elba Mather and Eber N. Dillon 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 minors to sell said real estate at private sale, than at public sale, as they verily believe.
 G.M. Haines Elba Mather Eber N. Dillon
 Sworn to before me, and signed in my presence this 28. day of April, 1926. Richard C. Thrall Notary Public

Bond.

Guardian's Bond.

Know all men by these Presents, that Mr. Dora E. Wood of the Fidelity and Deposit Company of Maryland, are held and firmly bound unto the State of Ohio, in the sum of One Thousand Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 28. day of April, A.D. 1926.

The condition of the above obligation is such, that whereas, the above bound Dora E. Wood was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Lenna Wood, and, Glenna Southwick

and, whereas, the said Dora E. Wood, 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 Five Hundred Dollars.

and, whereas, said Court, on the 26. day of April, 1926, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now, if the said Dora E. Wood, as Guardian aforesaid shall faithfully discharge her duties as such 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.

Dora E. Wood
 Fidelity & Deposit Company of Maryland.
 By Richard C. Thrall
Trustee Attorney in fact

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This bond approved in open court, this 28 day of April, 1926. *W.H. Husted, Probate Judge*

orders approving Bond for Private Sale.

Journal Entry: Orders approving Bond, for Private Sale - Probate Court, Union County, Ohio, April, 28-1926.

This day this cause came on further to be heard, and it appearing to the court that the said Dora E. Wood, Adm., the plaintiff above named, has given bond as heretofore ordered, in the sum of one thousand dollars, with the Fidelity and Deposit Co. of Maryland, 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 Dora E. Wood, as such Guardian proceed to sell said real estate free from dower at private sale, for not less than the appraised value thereof on the following terms to-wit: cash in hand on day of sale.

and, said petitioner is ordered to make return to this court, immediately, after such sale is made, *W.H. Husted, Probate Judge*

Order of sale free from dower.

The State of Ohio, Union County, Probate Court, To Dora E. Wood, Adm. of Luma Wood & Germa Southwick, 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, are Plaintiff and your wards, et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than the appraised value thereof free from the dower of Dora E. Wood, widow of Frank E. Wood, deceased, the following described premises, to-wit: application page 113 also page 117, see description. - (said minors owning a one-half interest in second tract).

Said sale to be free from the dower and to be upon the following terms: Cash 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 Marysville, Ohio, this 1 day of May A.D. 1926. *W.H. Husted, Probate Judge*

Final Record, Union County Probate Court.

1075-5
Mar. 29-1926
John W. Dailey
attorney.

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

W. P. Hutchisson, Administrator
of the estate of
Luther H. Hutchisson, deceased,
Plaintiff

no. 1075-5-
civil action

H. O. Hutchisson.
William Kellin,
Clara Porschel,
Frank Hutchisson
O. L. Hutchisson
E. C. Hutchisson
Floyd Hutchisson
The Plain City Loan ^{and}
Savings Company,

Petition
to
Sell Real Estate

Petition.

Defendants.

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of Luther H. Hutchisson late of Union County, Ohio, deceased; that the amount of debts due from the deceased is about five 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 ^{and} thirty dollars, being wholly insufficient to pay the debts and costs aforesaid.

Petition

The plaintiff further represents that said Luther H. Hutchisson died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio to wit:
Being situate in the village of Plain City, Ohio, and being part of Lot No. 5-3 in the Shaffer addition to said village,
Beginning at the south east corner of said lot # 5-3 and, with the south line of said lot in a westerly direction 100 feet to a stake; thence with the west line of said lot no. 5-3-40 feet in a westerly direction to a stake; thence in a easterly direction parallel with the south line of said lot 100 feet to a stake in the East line of said lot; thence with said east line 40 feet to place of beginning, containing 4000 square feet. also 5-foot off of north side of Lot number 5-2 in said Addition, as the same is known, measured ^{and} designated on the Recorder's Plat of said Addition in the Recorder's office at Mansville, Ohio.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1075-5-

W. O. Hutchisson, Nellie Kellin, Clara Porschet, Frank Hutchisson, O. L. Hutchisson, E. C. Hutchisson, and Floyd Hutchisson, are the only children of said decedent, having the next estate of inheritance from said father W. Hutchisson, deceased, in said premises; that the Defendants the Plain City Loan and Savings Company of Plain City, Ohio, claim some interest in said premises by reason of a mortgage thereon, the exact amount of which plaintiff does not know.

Plaintiff therefore prays that said Plain City Loan & Savings Company be required to set up any claim that they might have on said premises or that they be forever barred from exercising and firm on said land, 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.

W. P. Hutchisson

The State of Ohio, Union County ss.

Oath

W. P. Hutchisson 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. P. Hutchisson

Subscribed and sworn to before me, and signed in my presence, this 25th day of March, 1926. John A. Daily Notary Public

Filing Petition

Journal entry: In the Probate Court of Union County, Ohio, March 29 - 1926.

Filing Petition to sell Real Estate.

This day came the Plaintiff W. P. Hutchisson, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said father W. Hutchisson, 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

1075-5-

affidavit

Entry affidavit to obtain service

train

W. O. Hutchisson, Nellie Kellin, Clara Porschet, Frank Hutchisson, O. L. Hutchisson, E. C. Hutchisson, and Floyd Hutchisson, are the only children of said decedent, having the next estate of inheritance from said father W. Hutchisson, deceased, in said premises; that the Defendants the Plain City Loan and Savings Company of Plain City, Ohio, claim some interest in said premises by reason of a mortgage thereon, the exact amount of which plaintiff does not know. Plaintiff therefore prays that said Plain City Loan & Savings Company be required to set up any claim that they might have on said premises or that they be forever barred from exercising and firm on said land, 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. W. P. Hutchisson. The State of Ohio, Union County ss. W. P. Hutchisson 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. P. Hutchisson Subscribed and sworn to before me, and signed in my presence, this 25th day of March, 1926. John A. Daily Notary Public Journal entry: In the Probate Court of Union County, Ohio, March 29 - 1926. Filing Petition to sell Real Estate. This day came the Plaintiff W. P. Hutchisson, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said father W. Hutchisson, 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

Final Record, Union County Probate Court.

W.P. Hutchinson
Defendants
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affidavit

Probate Court, Union County, Ohio,
affidavit

W.P. Hutchinson, being first duly sworn, says, that
O. L. Hutchinson, residing at Hutchinson, Kansas,
573 East 6th St., E. C. Hutchinson, Wichita, Kansas,
321 So. Estelle Street, and Floyd Hutchinson or R. L.
Hammond, residing at 517 Greenup Street, are necessary
parties to the above cause of action and are not
residents of the State of Ohio, and that said cause
of action is one of which is defined and designated
in Section 11292 of the General Code of Ohio. To secure
service of summons, by publication.

W. P. Hutchinson

known to before me, and subscribed in my presence
this 8 day of April, 1926. John W. Dairry, Notary Public

Entry
affidavit
to
obtain
service

Entry: Probate Court of Union County, Ohio,
affidavit to obtain service by Publication,
This day this cause came on for hearing, and, it
appearing to the Court that O. L. Hutchinson
E. C. Hutchinson and Floyd Hutchinson or R. L. Hammond
are necessary parties to the above cause of action
and that they are non-residents of the State
of Ohio and that said cause of action is one
as defined by Section 11292 of the General Code of
Ohio.

It is therefore ordered that said plaintiff
proceed with service of publication on the above
designated parties as provided by the statute in
such cases made and provided.

NOTTasted, Probate Judge -

Waver

Probate Court of Union County, Ohio.

We, the undersigned defendants herein waive the
issuing and service of summons, and enter
our appearance herein and consent to the
sale of the premises as described in the petition
as prayed for therein.

H. O. Hutchinson, Clara Porschke, Nellie Kelling,
Frank Hutchinson,

Waver

waiver

We undersigned party defendant, to the Petition in the
above entitled action, hereby waive the issuing and
service of summons, and voluntarily enter appearance
as such defendant, and consent to the sale
of the Real Estate described in the petition.

April 9-1926. O. L. Hutchinson,

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1075-5

Answer, ^{ans.} Cross-Petition of The Plain City Co.,
In Probate Court, Union County, Ohio

M.P. Hutchisson, Adm.
of the estate of
Luther W. Hutchisson, dec'd,
Plaintiff

In re - estate of
Luther W. Hutchisson, dec'd

v.
H. O. Hutchisson, et al.
Defendants.

Answer ^{ans.} Cross-Petition of
The Plain City Home, and
Savings Company.

Answer
^{ans.}
Cross-Petition
of
The Plain
City Home
& Savings
Company.

Now comes the defendant The Plain City Home and Savings Company and for its answer admits that it is a corporation, duly organized and existing under the laws of State of Ohio. Admits that it has a lien upon the property described in plaintiff's petition by virtue of a mortgage and for lack of information and knowledge denies the other averments therein.

Cross-Petition.
First Cause of action.

There is due the said The Plain City Home and Savings Company the sum of One Hundred Thirty eight and 01/100 Dollars (\$138.01) which it claims with interest at the rate of twenty-four (24%) per ann. from April 10th 1926 upon a certain promissory note in form of a receipt as authorized by law in loans made by Building and Loan Associations in the State of Ohio, a copy of which is herewith set forth, and upon which at said April 10th 1926 there is due the said sum of One Hundred Thirty eight and 01/100 Dollars (\$138.01) which said copy is as follows:

" 200⁰⁰ Plain City, Ohio, February 11-1926:

Received of the Plain City Home and Savings Co., of Plain City, O. Two Hundred Dollars as a loan on 2 Shares of stock owned by me in said company.

I agree to pay to said company weekly not less than 74/100 Dollars which shall be applied as follows:

First:

To the payment of fines, insurance, taxes, or any other assessments made against me, in pursuance of the by-laws of said company.

Second:

To the payment of interest due on said loan at the rate of seven cents per week upon each share of stock upon which said loan is made.

Third:

To the payment of dues due on said loan

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Final Record, Union County Probate Court.

1075-6-

at the rate of twenty-five cents per week upon each share of stock upon which said loan is made. Said payment shall be continued until dues so credited on said stock, together with the dividends declared thereon shall equal the amount loaned. Borrowers may at any time pay up in full one or more shares of stock on which said loan has been taken and have such shares and proportionate amount of the loan cancelled. Should I fail for eight weeks to pay said weekly payments, then the whole amount of said loan shall at once become due and payable.

Signed L. W. Hutchisson.

Second cause-

Second Cause of action:
 at the time of delivering said receipt or note described in the first cause of action herein to secure payment of the same, the said L. W. Hutchisson, duly executed and delivered to this cross-petitioner his mortgage deed conveying the property described in petition in this cause - to-wit:
 Being part of lots # 5-2 and 5-3 Shaffer Addition to the village of Plain City, Union County, Ohio, as the same is known, numbered, and designated on the recorded plat in the recorder's office of said county, at Marysville, Ohio bounded as described as follows, to-wit:
 Beginning at the S. E. corner of lot # 5-3; thence with south line of said lot in a westerly direction 100 feet to a stake; thence with the west line of said lot # 5-3 forty feet in a westerly direction to a stake; thence in an easterly direction, parallel with the south line of said lot, 100 feet to a stake in the E. line of said lot; thence with said E. line 40 feet to the place of beginning, containing 4000 square feet; also five feet off of the north side of said lot # 5-2 of said addition, which said mortgage was also signed by L. W. Hutchisson.

This cross-petitioner is now the owner and holder of said receipt or note.

Said mortgage was conditioned upon the payment of interest at the rate of twelve (12%) cents per week, and the payment of twenty five (25%) per week, each week upon the principal, and because of the death of the said L. W. Hutchisson and the petition herein filed by said administrator to sell said property for the payment of debts, said condition is broken.

On the 13. day of February, 1925, at 9.50 o'clock A.M.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1075-5- paid morty agn was duly left, for record, at the recorders office of Union County, Ohio, and was duly recorded in Book 91, page 5-91, of his records.

Wherefor, the defendants The Plain City Home and Savings Company, prays, that its mortgage lien upon the real estate described in the petition herein may be found to be a valid and subsisting lien thereon; that the priority of all liens may be determined; and that said real estate may be sold as prayed for in the petition and the liens thereon be paid in the order of their priority and for such other and further relief as may be proper.

Howard C. Black, attorney for the Plain City Home and Savings Co.,

The State of Ohio Madison County ss.

Oath

J. R. Woods, being first duly cautioned and sworn says that he is the Secretary of the defendant, The Plain City Home and Savings Company of Plain City, Ohio, and that the facts and statements contained herein are true, as he verily believes.

Sworn to before me, and subscribed in my presence this 14 day of April, A. D. 1926.

James W. Bowers, Notary Public

To the clerk: charge 40¢ Notary fee.

Probate Court of Union County, Ohio.

W. P. Hutchisson, admr. of Est. of Luther W. Hutchisson Plaintiff

H. O. Hutchisson et. al. Defendants.

The Plain City Home and Savings Company hereby enters their appearance in the above entitled cause of action and waives the issuance and service of process.

The Plain City Home and Savings Co. By J. R. Woods, Secretary.

Legal notice, Case # 1075-5.

Legal

notice Probate Court of Union County, Ohio.

O. L. Hutchisson, residing at 514 East 6th street Hutchisson, Kansas. E. C. Hutchisson, residing at 321 S. Estelle street, Wichita, Kans., and Floyd Hutchisson or R. L. Hammond residing at 517 Greenup st., Covington Ky., will take notice that W. P. Hutchisson, admr. of the estate of L. W. Hutchisson, deceased, on the 29 day of March 1926, filed his petition in the Probate Court of

1075-6-

Mrs. said cha. sig. tom. him. said of 2 in with 40. liv. lin. to. con. of L. m. Ad. The. Pla. ju. ill. lin. det. Hu. an. def. to a. Joh.

Proof of Publication

Copy. Com. of J. ju. Jun. Pr. application to sell Real Estate at Private Sale.

Final Record, Union County Probate Court.

1025-6-

Union County, Ohio, 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: Being situate in the village of Plain City, Ohio, and being part of Lot No. 5-3 in the Shepper addition to said village. Beginning at the south east corner of said lot no. 5-3, and with the south line of said lot in a westerly direction 100 feet to a stake; thence with the westerly line of said lot. Lot. no. 5-3, - 40 feet in a westerly direction parallel with the south line of said lot 100 feet to a stake in the east line of said lot; thence with said east line 40 feet to the place of beginning. Containing 4000 square feet also 5 feet off of north side of Lot no. 5-2 in said Addition, as the same is known numbered, and designated on recorder's Plat of said Addition in the Recorder's office, at Mansville, Ohio. That the Plain City Loan and Savings Company of Plain City, Ohio, claims to hold a mortgage on said premises for \$-- The prayer of said petition being that said Loan Co. be required to set up their mortgage lien thereon, and that said property be sold to pay the debts and charges aforesaid. O. L. Hutchisson, E. C. Hutchisson and Floyd Hutchisson, or R. L. Hammond, are hereby notified that they have been made parties defendant to said petition and that they are required to answer to the same on, or before, the 8-day of May, 1926.

W. P. Hutchisson Plaintiff
 John W. Dairly, attorney for Plaintiff April, 15th 1926 67.

Proof of Publication

Proof of Publication, State of Ohio, Union County.
 The undersigned, being duly sworn, says that a copy of the annexed notice was published for 6 consecutive weeks in the Milford Center Ohio a newspaper of general circulation in the County of Union, said publication beginning with issue of April, 15th 1926.
 H. L. Agner Hon.
 Sworn to and subscribed before me, this 1st day of June, 1926. John A. Pennington, Notary Public.
 Printer's fee \$ 18⁹⁷

Application to

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

Sell Real Estate 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1075-5-

private sale, for the following reasons.

1. That said sale can be made at once and without any further costs.
 2. That said sale is at the appraisement and is all that said land is reasonably worth.
 3. That said land might not sell for the amount of the appraisement if the same was sold at public sale.
- And he therefore asks for an order authorizing him to sell said real estate at private sale.

W. P. Hutchisson, Adm.

The State of Ohio, Union County.

Each

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

W. P. Hutchisson

Sworn to before me, and signed in my presence, this 2. day of July, 1926. ~~at~~ John W. Dailly, Notary Public.

Affidavit of Disinterested Person.

The State of Ohio, Union County.

L. H. Miller, 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 matters therein referred to, and that it will be more for the interest of the said estate of L. W. Hutchisson to sell said real estate at private sale than at public sale, as he verily believes.

L. H. Miller

Sworn to before me, and signed in my presence this 5. day of June, 1926. ~~at~~ John W. Dailly, Notary Public.

Probate Court, Union County, Ohio.

July 5th 1926.

Order for Private Sale, etc.

Order

of

Private

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

That the statements and allegations in said petition are true. That said L. W. Hutchisson 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 L. W.

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Final Record, Union County Probate Court.

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Hutchisson, 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 W.P. Hutchisson as such administrator proceed to sell said real estate, free of down, at private sale for not less than the appraised value thereof, on the following terms, to wit, cash in hand on day of sale.

And said 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 no down.

Order of Sale

The State of Ohio, Union County, Probate Court.
To W.P. Hutchisson, 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 L.W. Hutchisson are Plaintiff and H.O. Hutchisson et al. are Defendants, you are commanded to proceed according to law to sell at private sale, for not less than the appraised value thereof, the following described premises to wit:

Being situated in the Village of Plain City, Ohio, and being part of lot no. 53, in the Sheffer addition to said village, Beginning at the southeast corner of said lot in a westerly direction 100 feet to a stake; thence with the west line of said lot no. 53-40 feet in a westerly direction to a stake; thence in an easterly direction parallel with the south line of said lot 100 feet to a stake in the east line of said lot; thence with the said east line 40 feet to place of beginning, containing 4000 square feet, also 5 feet off of north side of lot no. 52 in said addition, or the same, is known, numbered and designated on the Recorder's Plat of said addition in the Recorder's office at Marysville, Ohio.

Said sale to be private and to be upon the following terms: cash upon delivery of deed, you will make return of your proceedings to this Court upon execution of this order.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 5 day of June, 1926.

W.H. Husted

W.H. Husted

Probate Judge

1075-5-

L.H.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1075-5-

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 more appear by the proceedings hereto attached. Dated the 5th of June, 1926.
W. P. Hutchisson.

Report

Report of Sale

In obedience to the within order, I sold said premises on the 5th day of June, 1926, to Henry Porschet for the sum of Seventeen Hundred ^{and} fifty dollars, said sum being the appraised value of the same.
Dated June 5th 1926.
W. P. Hutchisson

The State of Ohio, Union County

The above named W. P. Hutchisson 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. P. Hutchisson.

Shown to before me, and signed in my presence, this 5th day of June, 1926. ~~W. P. Hutchisson~~ John H. Dailey, Notary Public

Journal Entry: Order approving and confirming Sale,
Probate Court, Union County, Ohio.
June 5th 1926.

Order approving and confirming

Order approving and Confirming Sale,

This day this cause coming on to be heard on the report of W. P. Hutchisson, adm^r of the estate of L. H. Hutchisson, 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 W. P. Hutchisson in said real estate, to the purchaser, Henry Porschet upon the said purchase, paying the purchase price

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

W. H. Thisted, Probate Judge

10703,

June 16-

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Final Record, Union County Probate Court.

10703,
June 16-
1926.

In the matter of the Estate of John Hamann, Deceased.
Petition to Sell Personal Property at Private Sale -
Probate Court, Union County, Ohio,
no. 10703.

Petition

To the Judge of said Court:

The undersigned - Adm. of the estate of John Hamann, late of said County, deceased, respectfully makes application for authority to sell at private sale and at its appraised value, the part of the personal property of said estate which is enumerated in the schedule attached hereto, and which is also enumerated in the inventory of said estate filed in said Court.

and the petitioner alleges that said sale would be for the advantage of said estate, for the following reasons: That there is not enough property for a public sale and the cost would be too great.

Dated June 16-1926.

Arthur Hamann, adm.

The State of Ohio, Union County.

Arthur Hamann being duly sworn, says that the various matters and things contained in the foregoing application, are true, as he truly believes.

Arthur Hamann.

Sworn to before me, and signed in my presence this 16th day of June 1926 ^{at} W.H. Husted, Probate Judge

375 bu. corn in crib	206.25-
Hay in mow	30. total \$236.25-

Journal entry:

Probate Court, Union County, O. June 16- 1926.

Authorizing Private Sale

This day this cause came on to be heard upon the petition herein filed and the Court being duly 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 Arthur Hamann 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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 30 days, from this date, and, forthwith after such sale is made, and this cause is continued.

W. H. Husted, Probate Judge
Order of Private Sale, Personal Property,
Probate Court, Union County, Ohio,
No.

Order of Sale of Personal Property
To Arthur Hannanck, Adm. of the estate of John Hannanck, 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 not less than the appraised value thereof, the following goods and chattels belonging to said estate, to wit:
37 1/2 bu. corn 206.25 Hay in mow, 30 - Total, \$236.25

Said sale to be on the following terms
Cash in hand at time of sale.
You will return this order within one month from from this date, and, forthwith upon the execution of the same, together with your report thereon endorsed
Witness my hand, and the seal of said Court,
this 16-day of June, A. D. 1926.

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 on the 16-day of June, 1926, for the sum of \$221.25 - said sum being not less than the appraised value of the same.

A detailed Bill of said Sales is hereto attached.
Dated this 17-day of June, 1926.

Arthur Hannanck,
27 1/2 bu. Corn in crib 206.25 - to C. C. Davis & Son. 191.25
Hay in mow, 30. " G. D. Clement. 30.
Total 221.25

That the corn was sold for 60 cents per bu. but did not hold out in weight.

The State of Ohio, Union County,
Arthur Hannanck, Adm. of the estate of John Hannanck 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

Final Record, Union County Probate Court.

obtain the best price for the property, and that the sale reported is for the highest price. He covered yet for the property.

Arthur K. Mansueti.

Brought to before me, and signed in my presence, this 17-day of June, 1926.

W. H. Husted, Probate Judge

Journal Entry: Probate Court, Union Co. O., June 17th 1926

Sale of Personal Property Confirmed.

The Adm^r of the above named Decedent having filed his return of the previous order of said Court authorizing 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

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Mar. 12-

1926.

John H. Daily
Attorney

Petition for Sale of Real Estate to Pay Debts.
Alice Hall, adv.
of the estate of
Frank Hall, deceased.
Plaintiff.

John Hall, Vina Dirhl.
Ralph Hall, French Hall,
Myrtle Shelton,
Helen Primer,
Francis Person, Mrs.
Harold Beltz.
Defendants.

Probate Court, Union County, Ohio.
No. 10741.

Civil action
Petition to Sell Real Estate.

Petition.

The Plaintiff represents that she the duly appointed and qualified adv. of the estate of Frank Hall late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is \$260- 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 Forty Dollars, being wholly insufficient to pay the debts and costs aforesaid.

Petition

The plaintiff further represents that said Frank Hall 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. 540 of Sunny Side Park addition to the village of Mansville, Ohio which includes then William Robinson addition to said village.

The said decedent died leaving the defendant Alice Hall his widow, who is entitled to dower in said premises; that the defendants John Hall, Vina Dirhl, Ralph Hall, French Hall, Myrtle Shelton, Helen Primer, Francis Person and Harold Beltz, are the only heirs at law, of said decedent, having the next estate of inheritance from said Frank Hall, deceased, in said premises.

The plaintiff therefore prays, that the dower of said Alice Hall in said premises, may be assigned and set off to her; and that your petitioner may be authorized and ordered to sell said real estate without said dower, according to the statute in such cases made, and provided, and for all other proper orders, and relief in the premises.

Alice Hall.

The State of Ohio, Union County, ss.

Alice Hall, adv. the within named Plaintiff, being

10741

Filing
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Final Record, Union County Probate Court.

10741

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

Alice Hall. John W. Dailly

Born to before me, and signed in my presence, this 10-day of March, 1926. John W. Dailly, Notary Public.

Filing Petition

In the Probate Court of Union County, Ohio, March, 10-1926.

Journal Entry.

Filing Petition to Sell Real Estate

This day came the Plaintiff Alice Hall and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said Frank Hall, 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

Warrant of Summons.

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.

March, 29-1926.

Mrs. Vera Dirl, Ralph R. Ball, Mrs. Helen Primmer,

Mrs. Frances Primmer, Mrs. Myrtle Shelton,

Warrant of Summons.

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.

March, 22 A. D. 1926.

John Hall. Ida Hall.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10741

Waiver 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 20- 1926.

French H. Hall.

Mrs French H. Hall.

Summons.

on

Petition

Summons on Petition to Sell Real Estate

The State of Ohio, Union County, Probate Court.

To the adms. of the estate of Frank Hall, Deceased.

You are commanded to notify Harold Beltz, and his father, Grant Beltz that on the 12 day of March, 1926, Alice Hall, adm. of the estate of Frank Hall, 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 decedent and that unless they answer by the 8 day of May, 1926, said petition will be taken as true and an order granted accordingly.

Said adms. will make due return of this writ on the - - day of May, 1926.

Witness my hand and the seal of said Court.

This 10 day of April, 1926. ~~Seal~~ W. H. Husted, Probate Judge.

The State of Ohio, Union County.

I, Alice Hall, being duly sworn, say that on the - - day of April, 1926, I served this writ by delivering a copy thereof personally to the following named persons, to wit:

Harold Beltz, a minor, and to his father, Grant Beltz said Harold Beltz residing with his father and there being no guardian of the person or estate of said minor.

Alice Hall.

Sworn to before me, and signed in my presence, this 12 day of April 1926. ~~Seal~~ John H. Dailay, Notary Public.

Application for appointment of Guardian ad litem, Probate Court, Union County, Ohio, July, 22- 1926.

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

The undersigned Alice Hall, makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case.

The defendant Harold Beltz the age of 14 years, and has been duly served with summons, herein.

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San. ad. litem

Application to Bill at Private Sale.

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Final Record, Union County Probate Court.

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and have neglected to make application herein.

The undersigned suggests that Milo L. Myers who is a suitable person be appointed as such Guardian ad litem.

Respectfully, Alice Hall.

Journal Entry: on appointment of Guardian ad litem.

Probate Court, Union County, O. July 22 - 1926.

Edw.

ad. litem

This day Alice Hall, appeared in open court and made application for the appointment of a Guardian ad litem for the minor defendant in this case.

and, it appearing to the court that the defendant, Harold Beltz the age of 14 yrs. and has been duly and legally served with summons herein, and that said Harold Beltz has neglected for twenty days after the return of the summons served upon him to apply for a guardian. It is ordered that Milo L. Myers, be

and hereby is appointed Guardian for the suit, for said minor defendant.

And now comes the said Milo L. Myers, and in open court accepts said appointment. W. H. Buckled, Probate Judge

Alice Hall, ady. of
Frank Hall, deceased.
Plaintiff

J. L. Bell et al.
Defendants.

Now comes Harold Beltz, minor defendant herein, by his attorney and guardian ad litem heretofore appointed by this court in this cause and to answer to the petition deny all the allegations therein contained prejudicial to said defendant, and further says that said defendant is of tender years, and not acquainted with the law in such cases, and asks the court to protect his rights in this case, and for such other relief as may be just.

Milo L. Myers, Guardian ad litem,

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio,

No. 10741

Application

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 this case at private sale for the following reasons:

That said appraisement is all that said property is reasonably worth, and that said property can be sold at the appraisement.

That said property is small and that costs

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10741

exp. expenses of public sale would take a great part of the purchase price and that it is doubtful if said property could be sold at public sale for the sum of \$1500 and she therefore asks for an order authorizing her to sell said real estate at private sale.

Alice Ball.

The State of Ohio Union County.

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

Sworn to before me and signed in my presence this 22 day of July 1926. John H. Daily, Notary Public.

affidavit of Disinterested Person.

The State of Ohio Union County.

Wm A. Faun. 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 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 he verily believes.

Wm A. Faun.

Sworn to before me and signed in my presence this 22 day of July 1926. John H. Daily, Notary Public.

Probate Court, Union County, Ohio.

July 22 - 1926.

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 Frank Ball, 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 Frank Ball 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 Alice Ball 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

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 Alice Ball 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

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Order of Sale

Return

Report of Sale

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Final Record, Union County Probate Court.

10741

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 - Exec of Decease.

The State of Ohio, Union County, Probate Court.

To Alice Hall, adx., of Frank Hall, 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 adx., of Frank Hall, are Plaintiff and, John Hall et. al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than the appraised value, thereof, free of the debt of Alice Hall widow of Frank Hall, deceased, the following described premises, to wit:

Being Lot no. 5-40 of Sunny Side Addition to the village of Marysville, Ohio, which includes the William Robinson addition to said village.

Said sale to be free of the debt of Alice Hall and to be upon the following terms: Cash on delivery of deed.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 22 day of July, 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 hereto attached.

Dated the 22 day of July, 1926.

Alice Hall.

Report of Sale

Report of Sale, Private.

In obedience to the within order, I sold said premises on the 22 day of July, 1926, to Carl Graham, for the sum of One Hundred Fifty Dollars, said sum being the appraised value of the same.

Dated the 22 day of July, 1926.

Alice Hall.

The State of Ohio, Union County.

The above named Alice Hall 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.

Alice Hall.

Sworn to before me, signed in my presence, this 22 day of July, 1926. John W. Dairry, Notary Public.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10741

Journal Entry: Order approving ^{and} confirming Sale.
Probate Court Union County, Ohio.
July 22- 1926.

This day this cause coming on to be heard on the report of Alice Hale, adx. of Frank Hall, 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; this 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 right, title and interest of the said Frank Hall, in said real estate to the purchaser Carl Graham upon the said purchaser paying the purchase price of said property.

It is further ordered that this proceeding be recorded and, that said petitioner pay the costs taxed at \$13.00
W. H. Husted, Probate Judge.

10848

10848
Aug. 18-1926

Petition for Sale of Real Estate to Pay Debts
Probate Court, Union County, Ohio.
No. 10848.

By
Eva Mordock, adx.
Eva Mordock, adx.
Annamary Mordock, adx.
of the Estate of
Charles A. Mordock, deceased.
Plaintiff

Civil action

Eva Mordock
Charles S. Mordock, minor
George A. Mordock, minor
Blanche S. Mordock, mother
of said minors.
Defendants.

Petition
To
Sell Real Estate.

Petition.

Petition

The Plaintiff represents that they are the duly appointed and qualified Administrators of the Estate of Charles A. Mordock, late of Mansville Union County, Ohio, deceased; that the amount of debts due from the deceased is Nine Hundred Dollars, as near as can be ascertained, that the charges of administrator 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 - none - being wholly insufficient to pay the debts and costs aforesaid.

Filing
Petition

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Final Record, Union County Probate Court.

10848

The plaintiff further represents that said Charles A. Monrook died seized in fee simple of the following described real estate, situate in the County of Union ^{Co.} State of Ohio, to-wit:

Undivided one-half interest in part of In lot number thirty-four (34) in the town of Marysville Union Co. Ohio. Described as follows:

Beginning twenty feet north of the original south-west corner of said lot at Luttrell White's north-west corner and running north twenty feet (20) thence east to the alley; thence south twenty feet (20) to Luttrell White's north east corner, twenty feet (20) from the original south east corner of said lot, thence west to the place of beginning on main street.

The said decedent died leaving the defendant Eva Monrook, his widow, who is entitled to dower in said premises; that the defendants Eva Monrook, a minor, Blanche S. Monrook, mother of Charles S. Monrook, a minor, George A. Monrook, a minor

are the only heirs of said decedent, having the next estate of inheritance from said Charles A. Monrook, deceased, in said premises;

The Plaintiff therefore pray that the dower of said Eva Monrook in said premises may be assigned and set off to her; that the rights, interests and liens of the said Defendants may be fully determined, adjusted, and protected according to equity ^{tho.} 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. Eva Monrook, Annamary Monrook, adx.

The State of Ohio, Union County, ss. Annamary Monrook, ^{Co.} Eva Monrook, the within named Plaintiffs, being duly sworn, say that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Eva Monrook, Annamary Monrook.

Sworn to before me, and signed in my presence, this 18 day of Aug. 1926.

~~Seal~~ W. H. Trustad, Probate Judge

Filing Petition

Eva Monrook, ^{Co.} In the Probate Court, Union County, Ohio. Annamary Monrook Aug. 18 - 1926. Adm. of Est. of No. 10848. Journal Entry. C. A. Monrook Plaintiff Filing Petition to Sell Real Estate vs. Eva Monrook, et al. Defendants

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10848

This day came the Plaintiffs Eva Morlock, and Anna Mary Morlock, and presented to this Court their petition, duly verified, praying an order for the sale of real estate of the said Charles A. Morlock, 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, Probate Court.

To the administrator of the Estate of Charles A. Morlock, Deceased, you are commanded to notify Charles S. Morlock, and George A. Morlock, minors, and Blanche Morlock, mother of said minors that on the 18. day of August A. D. 1926. Eva Morlock and Anna Mary Morlock, Administrators of the estate of Charles A. Morlock, 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 costs of administration, and that unless they answer by the 18. day of September 1926, said petition will be taken as true, and an order granted accordingly.

Said admin^s will make due return of this writ on the 30th day of August, 1926.

Witness my hand and the seal of said Court, this 18th day of August, 1926. ~~W. H. Husted~~ W. H. Husted, Probate Judge.

Oath.

The State of Ohio, Union County.
I, Eva Morlock, being duly sworn, say that on the 18. day of August, 1926. I served this writ by delivering a copy thereof personally to the following named persons, to-wit:

George A. Morlock, Charles S. Morlock, minors, and Blanche Morlock mother of said minors.

Eva Morlock,

Sworn to before me, and signed in my presence, this 30th day of August, 1926. ~~W. H. Husted~~ W. H. Husted, Probate Judge

Application

Application for Appointment of Guardian Ad Litem, Probate Court, Union County, Ohio, September 18- 1926.

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Final Record, Union County Probate Court.

10848

Eva Monlock.
Annamary Monlock.
Plaintiffs

Gdu.

ad litem Charles S. Monlock.
George A. Monlock
Defendants

application

To the Hon. W.H. Husted, Judge of said Court:
The undersigned Eva Monlock, and Annamary Monlock, make application for the appointment of a Guardian ad litem, for the minor defendants in the above entitled case.

The defendant's Charles S. Monlock age 10
George A. Monlock age 8,
under the age of fourteen years, and, have been duly served with summons herein, and have neglected.

The undersigned suggests that Mabelle Newlove who is a suitable person to be appointed as such Gdu. ad litem.

Respectfully, Eva Monlock, Annamary Monlock

Entry.

Journal Entry, on appointment of Guardian ad litem,
Probate Court, Union County, O., Sept. 18-1926.
no. 10848 vs. 10848.

Eva Monlock.
Annamary Monlock.
Plaintiffs

Charles S. Monlock.
George A. Monlock.
Defendants.

This day Eva Monlock, appeared in ^{open} court, and made application for the appointment of a Guardian ad litem for the minor defendants in this case, and it appearing to the Court that the defendant Charles S. Monlock, and George A. Monlock under the age of fourteen years, and, have been duly and legally served with summons herein, it is ordered, that Mabelle Newlove be and she hereby is appointed Guardian for the suit, for said minor defendants.

And now comes the said Mabelle Newlove and in open Court accepts said appointment.

W.H. Husted, Probate Judge -
Answer of Guardian Ad litem,
Probate Court, Union County, Ohio.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10848

Eva Morlock, ^{wid.}
Annamary Morlock,
ad^r of the estate
of Chas. A. Morlock.
Plaintiff

No. 10848.

10848.

Chas. S. Morlock et al.
Defendants.

answer of minor Defendants.

application
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Defendants.

And now comes the said Charles S. Morlock and
George A. Morlock, the minor defendants to the petition in
said cause, by makee knowen their Guardian ad litem
heretofore appointed in said cause by said court, and for
answer to said petition, deny all the material allegations
herein contained, prejudicial to said minor defendants. They
further say, that they are of tender years, and not acquainted
with the law in such cases, and, therefore pray the court
to protect their rights in this case, and, for such relief
as may be just.

Dated this 18th day of September, A.D. 1926.

Charles S. Morlock, George A. Morlock.

By makee knowen, Guardian ad litem

Order,

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Answer of Widow.

Probate Court, Union County, Ohio.

And now comes Eva Morlock, 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 Chas. A.
Morlock, deceased, and, as such is entitled to widows
dower in the premises described in said petition, that her
age is 61 years, and she freely consents to said sale as
prayed for, and, waives the assignment of dower in
said premises by metes and bounds, or in rents and
profits and asks the court, that said premises may be
sold free from her dower estate therein, and that
the value of such 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.

Eva Morlock.

The State of Ohio, Union County.

Eva Morlock, being duly sworn, says, that the
statements in the foregoing answer are true, as she
truly believes.

Eva Morlock.

Sworn to before me, and, signed in my presence,
this 18th day of September, 1926.

seal

W. H. Husted, Probate Judge

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Final Record, Union County Probate Court.

10 848.

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

Application
to
sell at
Private Sale.

No. 10 848. Application

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

To avoid expense of public sale, and, having a good offer at private sale, and they therefore ask for an order authorizing them to sell said real estate at private sale -
Eva Monrook, one of the adms. of Chas. A. Monrook, et al.

Oath.

The State of Ohio, Union County.
Eva Monrook, being duly sworn, says that the various matters set forth in the foregoing Application are true as she verily believes.
Eva Monrook.

Sworn to before me, and signed in my presence, this 18. day of Sept. A.D. 1926.

W.H. Husted, Probate Judge -
affidavit of Disinterested Person.

The State of Ohio, Union County.
Maher Newlon, Ober N. Dixon, Clara Huber.

Sworn to before me, and signed in my presence, this 18. day of September, 1926.

W.H. Husted, Probate Judge,
Probate Court, Union Co., Ohio,
Sept. 18 - 1926.

Order
for
Private Sale.

This day this cause came on to be heard upon the petition, evidence and testimony Eva Monrook, and Anna Mary Monrook 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 Chas. A. Monrook, 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 Charles A. Monrook described in the petition, to pay his debts, and it being made to appear to the Court upon satisfactory

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10848. 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 Eva Monrook, and Anna Mary Monrook, as such Advs., proceed to sell said real estate, free of down, at private sale for not less than \$2100 - the appraised value thereof, on the following terms, to wit: Cash in hand on day of sale.

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

W. H. Fusted, Probate Judge -
Order of Sale, Free of Down.

Order

of

Sale.

The State of Ohio, Union County, Probate Court.

To Eva and Anna Mary Monrook, Advs. of the Charles W. Monrook Estate. 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 Advs. of the estate of Charles W. Monrook are Plaintiffs and Charles S. Monrook et al are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$2100 (the appraised value thereof free of the down of Eva Monrook, widow of Charles W. Monrook, deceased, the following described premises, to wit:

D. part of, In lot 34 - 20 x 132 feet, situated on W. Main St. Marysville, O. for more complete description see Record of Deeds Vol. 44, P. 31.

Said sale to be private and to be upon the following terms: Cash in hand on day of sale.

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

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 18 day of Sept. 1926. W. H. Fusted, 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 18 day of September 1926.

Eva Monrook, Anna Mary Monrook.

Report

of Sale.

Report of Sale, Private

In obedience to the within order, I sold said premises on the 18 day of September 1926, to Susan Otte, for the sum of Twenty-two hundred and fifty Dollars, said sum being more than the

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Final Record, Union County Probate Court.

10848

appraised value of the same.

Dated the 18. day of September, 1926.

Eva Monrook, Anna Mary Monrook,

The State of Ohio, Union County,

Ordn

The above named Eva and Anna Mary Monrook, 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.

Eva Monrook, Anna Mary Monrook.

Sworn to before me, and signed in my presence.

This 18. day of September, 1926.

W.H. Husted, Probate Judge.

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aw.

Journal Entry: orders approving & confirming sale.

Probate Court, Union County, Ohio.

Sept. 18. 1926.

confirming
sale

This day this cause coming on to be heard on the report of Eva Monrook and Anna Mary Monrook, Advt^s of the estate of Charles W. Monrook deceased of their proceedings and sale under the former order of this court; and upon the motion of said petitioner to confirm the sale made in obedience to said order; the court having carefully examined said report and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made.

It is ordered, that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right title and interest of the said Charles W. Monrook, in said real estate, to the purchaser Susie Otte upon the said purchaser paying the sale price for same.

It is further ordered, that this proceeding be recorded, and that said petitioner pay the costs at \$13.00

W.H. Husted, Probate Judge.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10797
 May 24-1926
 R.B. Bohney, ^{Att.}
 Lister M. Cheney, executors,
 -attorney of the estate of
 Mary M. Perry, deceased,
 Plaintiffs.

Petition for Sale of Real Estate to Pay Debts.
 Probate Court, Union County, Ohio
 vs. 10797.
 Civil action

Emory Perry,
 Millard Perry,
 Millie (Perry) Webb,
 Ellen Hughes,
 Myrtle (Perry) Braz,
 Fred Perry,
 Defendants.

Petition to Sell Real Estate
 Petition

The Plaintiff represent that they are the duly appointed and qualified executors of the estate of Mary M. Perry late of Union County, Ohio, deceased; that the amount of debts due from the deceased is about Three Thousand and ^{no}/₁₀₀ Dollars, as near as can be ascertained (a schedule of which debt is hereto attached, marked Exhibit A.) that the charges of Administration of said estate will amount to about Two Hundred Dollars; and, that the value of the personal estate and effects of said deceased is but Sixty ^{no}/₁₀₀ Dollars, being wholly insufficient to pay the debts and costs aforesaid.

Petition

The Plaintiff further represents that said Mary M. Perry 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 town; Being In-lot number 312 in Norris First addition to the village of Richmond, Ohio.

For a more specific description of said lot see the plat of the said addition in the Recorder's office of Union County, Ohio.

Also, the following described real estate situated in the village of Richmond, Union County, Ohio, and, being all of Lot 378 in Beatty's addition to the town of Richmond Union County, Ohio.

For a more specific description reference is hereby made to the plat of said addition on record in the Recorder's office at Marysville, 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 Three Thousand fifty ^{no}/₁₀₀ Dollars.

The said decedent died leaving the

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Petition

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Final Record, Union County Probate Court.

10297

defendants
 Willard Perry, Willie (Perry) Wood, Elmore Perry, Ella Hughes,
 Fred Perry, and Myrtle (Perry) Boaz, and the plaintiff
 Lulu M. Cheney and the next legal heirs at law and
 next of kin, of said decedent, having the next estate
 of inheritance from said Mary M. Perry deceased, in said
 premises, that the Plaintiff R. B. Cheney, has a claim
 secured by mortgage against said real estate for
 \$1500.00 and interest. That said estate is free
 from dower.

Petition

The Plaintiff therefore prays, that, the rights, interests
 and liens of, the said R. B. Cheney, may be fully
 determined, adjusted, and protected according to
 equity, and that your petitioners 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.
 F. Le Roy Allen, attorney for Plaintiff;

The State of Ohio, Union County.

Oath

R. B. Cheney one of the within named Plaintiff
 being duly sworn, says, that the various matters and
 things set forth in said petition are true
 to the best of his knowledge and belief.
 R. B. Cheney, Executor.

Sworn to before me, and signed in my presence,
 this 20th day of May, 1926. F. Le Roy Allen, Notary Public.

Filing
Petition

In the Probate Court, of Union County, Ohio,
 May, 24 - 1926.

Journal entry, Filing Petition to Sell Real Estate.
 This day came the Plaintiff R. B. Cheney, and Lulu
 M. Cheney and, presented to this Court their petition
 duly verified, praying an order for the sale of real
 estate of the said Mary M. Perry, 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
 Affidavit to obtain Service by Publication,
 Probate Court, Union County, Ohio.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10797

The State of Ohio, Union County, ss.

R. B. Cherry, one of the said Plaintiffs, being sworn, says that the Defendants Millard Perry, Ella Hughes, Myrtle (Perry) Boaz, and Fred Perry, are non-residents of this State, that service of summons on them cannot be made in this State; that the residence of said Millard Perry is Detroit Michigan, and of said Ella Hughes and of Myrtle (Perry) Boaz is Terra Haute, Indiana; that the residence of the Defendant Fred Perry is unknown to the Plaintiff, and cannot with reasonable diligence be ascertained; and, that service of summons on them cannot be made; and that the case is one of those mentioned in Section 5-045 of the Revised Statutes of Ohio.

R. B. Cherry, Executor.

Sworn to before me, and signed in my presence, this 20-day of May, 1926. ~~sent~~ F. Le Roy Allen, Notary Public.

Service by Publication

Journal Entry: Orders. Service by Publication Probate Court, Union County, Ohio, May, 24-1926.

This day came the Plaintiff and filed herein an affidavit under the Statute in that behalf for the purpose of procuring service by publication; and, it appearing to the Court, that the Defendants Millard Perry, Ella Hughes, Myrtle (Perry) Boaz, and Fred Perry are non-residents of Ohio, that service of summons on them cannot be made in this State; that the residence of said Millard Perry, is Detroit Michigan, and of Ella Hughes, and Myrtle (Perry) Boaz, are Terra Haute Indiana, that the residence of said Defendants Fred Perry, is unknown to the Plaintiff, are necessary parties and their names and residences are unknown to the Plaintiff; that the residences of such defendants so unknown to the Plaintiff cannot with reasonable diligence be ascertained, and, that service of summons on such defendants cannot be made; it is ordered that proceedings against said unknown heirs be had without naming them.

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

And, it is further ordered that immediately after the first publication, the party making the service deliver to the Clerk of this Court copies of the publication, with the proper postage, that said

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Appointing Bond.

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Final Record, Union County Probate Court.

10797

Clerk mail a copy to each of said Defendants whose residence is known, to their residence named therein, and make an entry thereof on the proper docket.

W. H. Husted, Probate Judge
Waiver of Summons,
Probate Court, Union County, Ohio,
No. 10797. Waiver

waiver

We the undersigned parties Defendant to the Petition in the above entitled action, do each of us hereby waive the issuing and service of Summons and voluntarily enter our appearance as such Defendants. And we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

June 16 - A.D. 1926.

Millie (Perry) Mt. Elmore L. Perry.

Journal entry: Orders approving Bond, for Public Sale, etc.
Probate Court, Union County, Ohio.

Approving Bond.

July 19 - 1926.

This day this cause came on further to be heard, it appearing to the Court that the said R. B. Cheney and Lulu M. Cheney, executors the plaintiff above named have given bond, as heretofore ordered, in the sum of one thousand and ⁰⁰/₁₀₀ Dollars, with H. S. Cheney and H. S. Allen, freeholders as sureties; it is ordered that said bond be and hereby is approved.

It is therefore further ordered, that R. B. Cheney and Lulu M. Cheney as such executors proceed according to law to sell the real estate described in the petition, free from dower, at public auction upon the premises, for not less than two-thirds the appraised value thereof, on the following terms, to-wit:

Cash in hand on day of sale.

It is further ordered, that said petitioners give notice four weeks, consecutively of the terms and time and place of sale, prior thereto, in some newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate. Upon good cause shown on motion of plaintiffs advertisement in a German newspaper is hereby dispensed with.

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

W. H. Husted, Probate Judge.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10797

Order of Sale. Free from down.

The State of Ohio, Union County, Probate Court,

vs. R. B. Cherry, and Lulu M. Cherry, executors of the estate of Mary M. Perry, deceased. Sreeting;

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 executors of the estate of Mary M. Perry, deceased, are Plaintiffs and Elmore Perry, 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, free from the down the following described premises to-wit:

Situate in the County of Union in the State of Ohio, and in the Village of Richmond and being in-lot No. 312, in Norris' First Addition to the village of Richmond, Ohio.

Also, the following real estate situate in the County of Union in the State of Ohio, and in the Village of Richmond and being all of in-lot No. 378 in Beatty's addition to the town of Richmond, Union County, Ohio:

(For a more specific description of said real estate reference is hereby made to the Recorded Plat of Beatty's Addition, and of Norris' First Addition to said Village in the Recorder's office of Union County).

Said sale to be upon the premises and to be 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 Probate Court, at Marysville, Ohio, this 19th day of July, 1926. R. B. Cherry, 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 16th day of August, 1926,

R. B. Cherry, et. Lulu M. Cherry, Executors, Report of Sale, Public.

Report of Sale.

In obedience to the within order, we 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 four weeks consecutively prior to the 14th day of August, 1926, the day of sale therein mentioned: stating in the notice the time, place and terms of sale: and on this day at the hour of 1 o'clock P.M. we attended upon the premises and offered said real estate for sale free from down

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Final Record, Union County Probate Court.

10797

when C. S. Cheney bid to pay for the same \$2034.00 which bring the highest and best bid that was offered, and, bring the only bid therefor. we did not sell said premises, for said bid was the fact that we consider said bid wholly inadequate and, that if same were re-advertised that said property will sell for more money.

Dated August 16th 1926.

R. B. ^{Jun}. Lulu M. Cheney, Executors

State of Ohio, Union County, ss.

Cath

The above named Rusb. B. Cheney and Lulu M. Cheney bring duly sworn say that the above report is true, and, that the above price is the best offer after diligent endeavor to sell the same.

R. B. ^{Jun}. Lulu M. Cheney, Executors.

Sworn to before me, and, signed in my presence, this 16th day of August, 1926.

seal F. LeRoy Allen, Notary Public Union Co. Ohio

Legal notice

Legal notices.

State of Ohio, Union County,

Personally appeared before me, O. A. Krigley, and, made notice, a copy of which is hereto attached, was published for 6 consecutive weeks, on, and after, May 27, 1926, in the Richmond Gazette, a newspaper of general circulation in the county aforesaid.

O. A. Krigley

Sworn to before me, and, signed in my presence, this 14th day of August, A. D. 1926.

Paul W. Van Winkle, Notary Public

Printers Fee \$ 15.00

notice

notice.

Probate Court, Union County, Ohio, Case No. 10797.

Millard Perry, who resides at Detroit Michigan, Ellen Hughes and Myrtle (Perry) Boag, who resides at Terre Haute, Indiana, and Fred Perry, whose residence is unknown, here take notice that R. B. Cheney and Lulu M. Cheney Executors of the estate of Mary M. Perry, deceased, filed their petition in the Probate Court of Union County, Ohio on the 24 day of May 1926, alleging that the personal estate of said decedent is insufficient to pay her debts and, the charges of administering her estate; that she died seized in fee simple of the following described real estate, to-wit:

Situated in the county of Union and State of Ohio and in the village of Richmond and being all of Lot Number Three hundred seventy-eight (378) in Beatty's addition to the town of Richmond, Union County, Ohio.

Also, the following real estate situated in the same village, county and state and being lot

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10797

312 in Norris' First addition to village of Richmond. (For more specific description, reference is hereby made to the Plat of Beatty's addition and of Norris' First Addition to said village in the Recorder's office of Union County).

The prayer of said petition is that said property be sold to pay the debts and charges aforesaid.

Millard Perry, Ellen Hughes, Myrtle (Perry) Boag and Fred Perry, are hereby notified that they have been made parties defendant to said petition and that they are required to answer same on or before the 10th day of July, 1926.

R. B. Cherry and Lulu M. Cherry, Executors.
F. LeRoy Allen, Atty. 5-27-1926 6 t.

notice of Public Sale.

State of Ohio, Union County

oath

Personally appeared before me, O. A. Krigley and made oath that the within, a copy of which is hereto attached, was published for 4 consecutive weeks, on and after July 22-1926, in the Richmond Gazette, a newspaper of general circulation in the county aforesaid. O. A. Krigley.

Sworn to before me, and signed in my presence, this 14 day of August, 1926. Paul D. Van Winkle, Notary Public
Circuit's fees \$8.55.

notice

notice of Public Sale

7

Public Sale

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction on Saturday, the 14th day of August, 1926, at 1.00 o'clock P.M., on the premises described herein, the following described real estate, to-wit:

Situate in the County of Union in the State of Ohio, and in the Village of Richmond, and being all of Lot 378 in Beatty's addition to the town of Richmond, Ohio.

Also, the following real estate situate in the same County, village and state and being in lot no. 312 in Norris' First addition to the Village of Richmond, Ohio. (For more specific description, reference is hereby made to the Plat of Beatty's addition, and of Norris' First Addition to said village in the Recorder's office of Union County, Ohio).

First property above described located on Beatty Avenue and second property above described being on the N.E. corner of Beatty Avenue and East Ottawa street, with two houses thereon.

First property appraised at \$1050.

Second property appraised at \$1200.

for one house and \$800- for house no. 2.

Terms of sale: cash.

R. B. Cherry, and Lulu M. Cherry executors

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Final Record, Union County Probate Court.

10797 F. Le Roy, attw., attorney, 7-27-26 4t.
Notice of Public Sale.

State of Ohio, Union County.
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 Sept. 9th 1926, in the Richmond Gazette, a newspaper of general circulation in the county, aforesaid. O. A. Kingley.

Given to before me, and, signed in my presence this 23rd day of October, A. D. 1926.

Paul B Van Winkle, Notary Public.

Printer's Fees \$5⁰⁰.

Notice of Public Sale.

Pursuant to an order of the Probate Court of Union County, Ohio, I will offer for sale, at Public Auction on Saturday, the second day of October 1926, at 2^o clock P. M. on the premises described herein, the following described real estate, to-wit:

Situate in the County of Union in the State of Ohio, and, in the Village of Richmond and, being all of Lot 378, in Beatty's addition to the town of Richmond, Ohio.

also In lot no. 312 in Norris' First addition to the village of Richmond Ohio (For a more specific description reference is hereby made to the Plat Book in the Recorder's office in Mansfield Ohio).

First property appraised at \$1050⁰⁰

Second property appraised at 2000⁰⁰

Items of safe: cash.

R. B. and Helen M. Cheney, Executors of the estate Mary M. Perry, deceased.

F. Le Roy attw., attorney, 9-9-1926 4t.

Order of Sale - From from DORR.

The State of Ohio, Union County. Probate Court.
To R. B. Cheney, and Helen M. Cheney, as Executors of the estate of Mary M. Perry, deceased. Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as executors of the estate of Mary M. Perry, deceased, are Plaintiff and, Elmon Perry et. al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than 2/3 of the appraised value thereof free from any dower, the following described premises, to-wit:

Situated in the County of Union and, the State of Ohio, and, in the village of Richmond and being all of Lot No. 378 in Beatty's addition to the town of Richmond, Union County, Ohio:

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10797

Also. In lot # 312 in Norris' List addition to the village of Richmond, Union County, Ohio. (For more specific description thereof reference is hereby made to the Plat Book of the village of Richmond at Marysville, Ohio, in the Recorder's office).

Said sale to be upon the premises and, to be upon the following terms: Cash in hand on day of sale ^{and} 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 Marysville, Ohio, this 7th day of Sept. 1926.

W. H. Keasted, 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 2nd day of October, 1926.

R. B. Cherry, Lulu M. Cherry, Executor.

Report of Sale - Public

Report

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 4 consecutive weeks prior to the 2nd day of October 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 2 o'clock P.M., I attended upon the premises and offered said real estate for sale, from down therein, when Marion Winter bid to pay for the same the sum of Twenty Three Hundred Dollars, which being the highest and best bid offered, and being more than 75% of the appraised value of said premises I then and there sold the same to him for that sum.

Dated the 2nd day of October 1926.

R. B. ^{and} Lulu M. Cherry, Executor.

The State of Ohio, Union County,

Sub

The above named R. B. Cherry, and Lulu M. Cherry 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.

R. B. ^{and} Lulu M. Cherry, Executor

Sworn to before me, and signed in my presence this 2nd day of October, 1926.

F. LeRoy Allen, Notary Public

10797

Journal

orders of Confirmation

This report of estate and upon sale having the legal and

It is approved and recorded

The 7th day of October 1926 Probate Court Union County Ohio

Final Record, Union County Probate Court.

10797

Journal Entry: Orders approving and confirming sale - Probate Court, Union County, Ohio. October 13 - 1926.

Orders approving and confirming sale -

orders of confirmation

This day this cause coming on to be heard on the report of R. B. Cheney and Luke M. Cheney executors of the estate of Mary M. Perry deceased of their 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 Mary M. Perry deceased in said real estate to the purchaser Marion Hunter upon the said purchaser paying in full the purchase price of Twenty three hundred dollars.

It is further ordered that this proceeding be recorded and that said petitioner pay costs.

W. H. Husted, Probate Judge

Order of appraisement.

The State of Ohio, Union County, Probate Court. To Mary E. Shelton (Vaugler) Guardian of the estate of Lewis Lee Vaugler a minor, residing.

In obedience to an order and decree of the Probate Court, within and for said County, made this day in a certain cause wherein you as Guardian are Plaintiff and your Ward et al. are Defendants, you are commanded that by the oath of Norman C. Bourw, Elva Mather, and G. M. Haines 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 down estate of Mary E. Shelton (Vaugler)

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10784

May 3-1926

J. R. Fackler,
attorney

Petition for Sale of Real Estate to Pay Debts.
Probate Court, Union County, Ohio.
No. 10784
Jacob R. Fackler, Administrator
of the estate of
Frank O. Penny deceased
Plaintiff

Civil Action

Sarah S. Penny.
Dora Slemmons
C. B. Penny
William O. Penny.
H. E. Penny.
Defendants.

Petition to
Sell Real Estate
Petition

The Plaintiff represents that he is the duly appointed and qualified Adm. of the estate of Frank O. Penny late of Union County, Ohio, deceased; that the amount of debts due from the deceased is --- Dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about --- Dollars; and, that the total value of the personal estate and effects of said deceased, is but --- Dollars, being wholly insufficient to pay the debts and costs aforesaid.

Petition

The Plaintiff further represents that said Frank O. Penny died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio to-wit:

Said Real Estate being located in the Village of Richmond and bounded and described as follows:

Beginning at a stake in the center of the Richmond ^{and} Essex Grant Road N.E. corner to land formerly owned by Charles E. Gunder; thence with said Gunder's north line S. 78° 30' West 32 poles to a stake N.W. corner to said Gunder land in the line of lands of George T. Hamilton; thence with two consecutive lines of said Hamilton land N. 7° E. 10.56 poles to a stone and thence N. 78° 30' E. 32 poles to a point in the center of the said grant road (witness a stone in the West line of said grant road); thence with the center of said road, S. 7° W. 10.56 poles to the beginning, containing two acres, 1.25-acres, being in Richmond School District, and .75-acres in Richmond Corporation.

The said decedent died leaving the defendant Sarah S. Penny, his widow, who is entitled to dower in said premises; that the defendants Dora Slemmons, C. B. Penny, William O. Penny and H. E. Penny, are the only heirs of said decedent, having the next estate of

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Final Record, Union County Probate Court.

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inheritance from said Frank O. Penney, deceased, in said premises: that the Defendants, Dora Stemons, C. B. Penney, William O. Penney, and H. E. Penney, voluntarily enter their appearance, and consent to the sale of the property set out in this petition.

The Plaintiff therefor prays that the dower of said Sarah B. Penney, in said premises may be assigned and set off to her; that the rights, interests and liens of the said parties defendants, may be fully determined, adjusted and protected according to equity, and, that your petitioners may be authorized and ordered to sell said real estate free of said dower, according to the premises.

Jacob R. Fackler, adur.

The State of Ohio, Union County ss.

Jacob R. Fackler, adur., estate Frank O. Penney, 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. Jacob R. Fackler, adur.

Done to before me, and signed in my presence, this 3rd day of May, 1926. W. H. Husted, Probate Judge.

In the Probate Court of Union County, Ohio, May 3rd, 1926, case no. 10784.

Journal entry, Filing Petition to Sell Real Estate.

This day came the Plaintiff Jacob R. Fackler, adur., of the estate of Frank O. Penney, deceased, and presented to this Court his petition duly verified, praying an order for the sale of real estate of the said Frank O. Penney 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.

Wairor

Probate Court, Union County, Ohio, no. 10784.

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

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10784

in the petition in said action according to the prayer of the same.

May 3-1926. Sarah S. Penny, Dora & Lemmons
William O. Penny.
Widow.

Widow

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 3-1926. Harry E. Penny, C. B. Penny,
Ancient of Widdow.

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of
Widow

Probate Court, Union County, Ohio.
No. 10784

and now comes Sarah S. Penny one of the defendants in the above entitled cause, and voluntarily enters her appearance herein, and for answer to the petition in this case filed, says that she is the widow of said Frank O. Penny, deceased, and as such is entitled to her dower in the premises described in said petition, that her age is 68 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.

Sarah S. Penny.

Oath

The State of Michigan
Sarah S. Penny, being duly sworn, says that the statements in the foregoing answer are true, as she truly believes.
Sarah S. Penny.

Known to before me, ^{me} signed in my presence this 20th day of April, A. D. 1926.

Widow

^{State} P. A. Shaw, Notary Public,
Widow of year's allowance.

Probate Court, Union County, Ohio.
No. 10784

Now comes Sarah S. Penny, widow of Frank O. Penny, deceased, one of the parties defendant, in the above entitled cause and hereby waives the issuing and service of summons, and voluntarily enters her

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Final Record, Union County Probate Court.

10784 appearance as, one of said defendants 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 hereby waives her right to her year's allowance, as, his widow.

Dated April 30- 1926. Sarah S. Penney, application to Sell Real Estate at Private Sale, Probate Court, Union County, Ohio, No 10784, application.

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

- (1) Because it is necessary to pay the debts of the decedent.
(2) Because the consideration is sufficient.
(3) Because the consideration is cash,

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

Jacob R. Fackler, adur.

The State of Ohio, Union County.

Jacob R. Fackler, adur. bring duly sworn, says that the various matters set forth in the foregoing Application are true as he verily believes.

Jacob R. Fackler, adur.

Sworn to before me, and signed in my presence, this 4. day of May, 1926.

W. H. Husted, Probate Judge - Affidavit of Disinterested Persons.

affidavit disinterested persons

The State of Ohio, Union County.

J. S. Gallier, Frank L. Cramer, and Elmer Hall, 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 whatsoever in the matters therein referred to, and that it will be more for the interest of the said estate of Frank C. Penney deceased, to sell said real estate at private sale than at public sale for the reason that the consideration is sufficient and the consideration is cash, as they verily believe.

J. S. Gallier, Frank L. Cramer, Elmer Hall.

Sworn to before me, and signed in my presence, this 4 - day of May, 1926.

Jacob R. Fackler, Notary Public, Union Co. O.

Probate Court, Union County, Ohio.

May, 4 - 1926.

Order for Private Sale, etc.

order for Private Sale.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10784

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 Frank O. Penny, 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 Frank O. Penny, 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 Jacob R. Fackler, 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, Probate Judge
Order of Sale, free of Widow's Dower,
Probate Court.

Order

7
The State of Ohio, Union County
To Jacob R. Fackler, adm., of the estate of Frank O. Penny, 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 Frank O. Penny are Plaintiff and Sarah S. Penny 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 Sarah S. Penny, widow of Frank O. Penny, deceased, the following described premises to wit:

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

Beginning at a stake in the center of the Richmond and Essex Board Road N.E. Corner to land formerly owned by Charles E. Gunder; thence with said Gunder's north line S. 78° 30' West 32 poles to a Stake N.W. Corner to said Gunder land in the line of lands

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Final Record, Union County Probate Court.

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of George B. Hamilton; Thence with two consecutive lines of said Hamilton land N. 7° E. 10.5-6 poles, to a stone and thence N. 78° 30' E. 32 poles to a point in the center of the said Grant Road (witness a stone in the west line of said grant road); Thence with the center of said road S. 7° N. 10.5-6 poles to the beginning, containing two (2) acres, 1.25 acres being in Richmond School District, and .75 acres in Richmond Corporation.

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 4th day of May, 1926.

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.

Dated the 4th day of May, 1926.

Jacob R. Fackler, admr.

Report

Report of Sale - Private

of

Sale.

In obedience to the within order, I sold said premises on the --- day of May, 1926

to John P. Livingston for the sum of \$2500.00 said sum being all the appraised value of the same.

Dated the 4th day of May, 1926.

Jacob R. Fackler, admr.

Order

The State of Ohio, Union County.

The above named Jacob R. Fackler, admr. 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.

Jacob R. Fackler, admr.

Sworn to before me, and signed in my presence, this 4th day of May, 1926. Wm. H. Husted, Probate Judge.

order of Confirmation

Journal Entry: Order Approving & Confirming Sale Probate Court, Union County, Ohio, May 4 - 1926.

This day this cause coming on to be heard on the report of Jacob R. Fackler, Admr., of the estate of F. Frank O. Ferry, 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10784
confirmation

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 Frank O. Perry, in said real estate, to the purchaser John P. Livingston, upon payment of purchase price Cash.

It is further ordered that this proceeding be recorded and, that said petitioners pay the costs herein taxed at \$13.⁰⁰
W. H. Husted, Probate Judge

9144
Sept. 25
1926

Glenn A. Putan, Guardian of John Milton Putan, Plaintiff.

In the Probate Court of Union Co. Ohio, No. 9144. (Land Sale in Fin. Rec. 31.)

John Milton Putan, Lucy K. Putan and Jerry O. Putan Defendants

now comes Glenn A. Putan and respectfully represents to the court, that as stated in the Petition to sell Real Estate filed herein by Glenn A. Putan as Guardian on March 29 - 1919, he is one of the next of kin of John Milton Putan.

That by inadvertence he was omitted as one of the Parties Defendant in said proceedings, although as Guardian and Plaintiff in said proceedings he had full knowledge thereof, and of all things done therein.

Wherefore said Glenn A. Putan respectfully asks leave to be made a party Defendant in said proceedings to enter his appearance therein and to file his answer consenting to the sale of the property described in said Petition and ratifying all that has been done by said Guardian as set out in said proceedings.

Glenn A. Putan,

In the Probate Court of Union County, Ohio, No. 9144
Glenn A. Putan, Guardian of John Milton Putan, Plaintiff

John Milton Putan, Lucy K. Putan and Jerry O. Putan Defendants.

making Guardian Party Defendant, Entry.

This day this matter came on to be heard upon the application of Glenn A. Putan for leave to be made a party defendant and to enter his appearance and file

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Final Record, Union County Probate Court.

his answer herein, was argued by counsel and submitted to the court.

The court having been fully advised in the premises hereby grants said application, and it is therefore ordered by the court that said Glenn A. Putan be and is hereby made a party defendant in said proceedings, and leave is hereby granted said Glenn A. Putan to file his answer therein. W.H. Husted, Probate Judge

Answer,

In the Probate Court of Union County, Ohio.

Glenn A. Putan, adm. of
John Milton Putan,
Plaintiff

vs.
No. 9144

John Milton Putan
Lucy H. Putan and
Jenny O. Putan,
Defendants.

Answer

Now comes Glenn A. Putan, one of the parties defendant in the above entitled cause and hereby waives service of process and consents to the sale of the Real Estate in said Petition described as therein prayed for.

and the said Glenn A. Putan hereby consents to ratify all the actions of said Guardian in selling said Real Estate as shown by the record in said proceedings. Glenn A. Putan.

State of Ohio, Union County, ss.

Glenn A. Putan, being first duly sworn, says that he is one of the defendants in the above entitled proceedings and that the statements made and allegations contained in the foregoing action are true. Glenn A. Putan.

Sworn to before me, and subscribed in my presence this 25 day of Sept. 1926 W.H. Husted, Probate Judge

In the Probate Court of Union County, Ohio.
No. 9144. Re-Confirming Sale.
Entry.

This day this matter came on to be heard and it appearing to the court that in the proceedings herein for the sale of the Real Estate described in the Petition herein Glenn A. Putan, who was Guardian of John Milton Putan and as such the Plaintiff in said proceedings was by inadvertence omitted as Party Defendant in said proceedings, and that said Glenn A. Putan has entered his appearance and filed his answer herein, consenting to and

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

ratifying the sale of said Real Estate, as shown by the proceedings herein. The Court has again examined said proceedings and finds that except as to the making of said Glenn A. Rutan, a Party Defendant, and serving him with notice, said proceedings were duly and regularly had and said sale properly made; that said Glenn A. Rutan having been made a Party Defendant and having entered his appearance and filed his answer consenting to and ratifying all the actions of said Guardian and the Court in said proceedings, re-confirms said sale and the deed made pursuant thereto.

M. Husted, Probate Judge

10769
April 13
1926.

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Final Record, Union County Probate Court.

10769

April 13 1926

Petition for Sale of Real Estate to Pay Debts,
Probate Court, Union County, Ohio,
No. 10769.

John L. Langhary, admr.,
of the estate of
Eli P. Rogers, deceased.
Plaintiff

Civil action
Petition
to
Sell Real Estate

Alice L. Rogers, widow,
Carl Rogers a son, admr.,
Emma Rogers, his wife,
Jack Richard Rogers, minor,
Patricia Ann Rogers, minor,
John L. Sellers, Justice,
Defendants.

Petition.

The Plaintiff represents that he is the duly appointed and qualified administrator with the will annexed, of the estate of Eli P. Rogers, late of Marysville, Union County, Ohio, deceased; that the amount of debts due from the deceased, is, Fourteen Thousand (\$14,000.00) Dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about Three Hundred (\$300.00) Dollars; and that the total value of the personal estate and effects of said deceased is but Two Thousand Seven Hundred Dollars, being wholly insufficient to pay the debts and costs aforesaid.

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

in the village of Marysville, a plat of said lots is hereto attached and marked "Exhibit A" and made a part of this petition, each of said lots have been appraised and a return made in the inventory and the Plaintiff herein asks that the same appraisement may be adopted for the said sale.

Lot #1

Lot No. 1.

Being forty-four and one-half (44 1/2) feet off of the north part of Lot No. 41.

Beginning at a stake at the north west corner of said Lot No. 41, and, in the East margin of Court St., thence easterly with the north margin of said Lot No. 41, 132 feet to alley; thence, southerly with the westerly line of said alley, 44 1/2 feet to a stake; thence westerly and parallel with the north line of said Lot No. 41, 132 feet to a stake in the easterly margin of Court Street; thence northerly with the easterly line of Court Street, 44 1/2 feet, to the beginning.

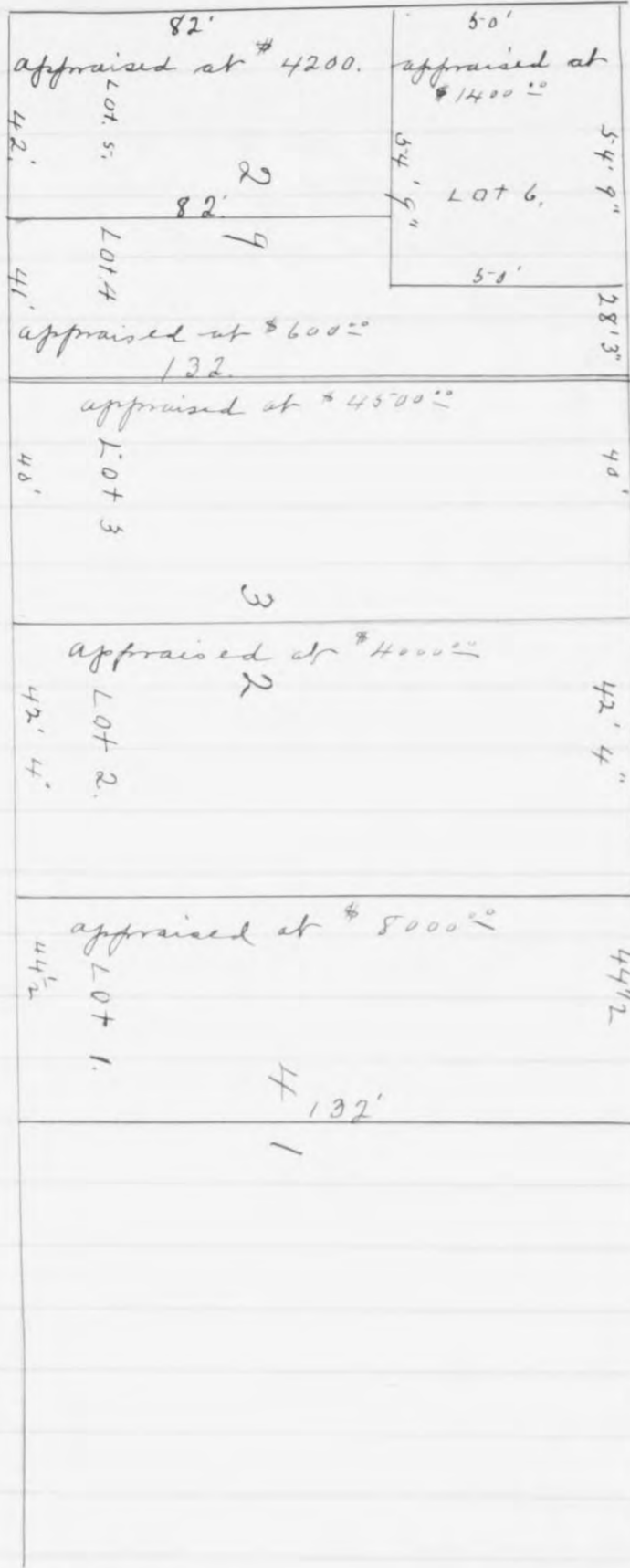
10769

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Langhorst Brothers, Wapakonetta, Ohio.

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appraised at \$8000.00
Fourth Street.



Court Street.

Plat prepared by Alvi Graham, Surveyor.

Lot 2.

Lot. No. 2.

Being a part of Lot no. 32, in the village of Mansfield.

Commencing at a stake at the south-west corner to said Lot. no. 32; thence easterly with the south line of said Lot no. 32, 132 feet to the west line of an alley; thence northerly with the westerly line of said alley forty-two (42) feet and four (4) inches; thence westerly and parallel with the south line of said Lot. no. 32, 132 feet to a stake in the east line of Court Street; thence southerly forty-two (42) feet and four (4) inches to the place of beginning.

appraised at \$4000.00

Lot. 3

Lot. No. 3.

Being the north one-half of Lot no. 2, excepting a strip of land, 6 inches wide off the north side

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Final Record, Union County Probate Court.

18769 of said Lot. no. 32, deeded. to Philip Snyder, and, also, a strip one (1) foot wide off the South side of said premises, sold to S. Butz.
 (For a more definite description of said Lot, see Recorded Plat of said village of Marysville, at Union County Recorder's office)
 appraised at \$4500.00

Lot 4 Lot no. 4.
 Commencing at a point in the east line, of Court Street, forty two (42) feet south of the south line of Fourth Street; thence with the east line of Court Street, south 41 feet to an iron stake; thence easterly and parallel with the south line of, In-lot no. 29, 132 feet to an Iron Stake in the west line of an alley; thence with said alley line, 28' 3" to an iron stake; thence west and parallel with the south line of Fourth Street, fifty (50) feet to an Iron Stake; thence north and parallel with the east margin of Court Street, Twelve feet and nine inches (12' 9") to an Iron pin; thence west and parallel with the south line of Fourth Street, 82 feet to the place of beginning.
 Premises herein conveyed being forty and one-half (40 1/2) feet off the South side of In-lot no. 29, and, one-half (1/2) foot off the north side of In-lot no. 32, as, designated and, recorded in the Plat book of the Village of Marysville, in the County Recorder's office, Union County, Ohio,
 appraised at \$600.00

Lot 5 Lot no. 5.
 Being part of Lot # 29.
 Beginning at a point of intersection of the East line of Court Street, and, the south line of Fourth Street; thence South with the east line of Court Street, forty-two, (42) feet; thence easterly and parallel with the South line of Fourth Street, 82 feet to a stake; thence northerly and parallel with the east line of Court Street, 42 feet to a stake in the South line of Fourth Street; thence westerly with the South margin of Fourth Street, 82 to the beginning,
 appraised at \$4200.00

Lot 6 Lot no. 6.
 Being a part of Lot # 29.
 Beginning at a stake, the north-east

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Langhorst Brothers, Wapakonetta, Ohio.

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corner of Lot # 29, and in the South line of Fourth Street, and the west line of an alley; thence westerly with the south line of 4th St., fifty (50) feet, to an Iron stake; thence south and parallel with the east line of Court Street, fifty-four feet and nine inches (54' 9") to an Iron pipe; thence easterly and parallel with the south margin of Fourth Street fifty (50) feet to an Iron stake in the west line of an alley; thence north with the west line of said alley, fifty-four feet and nine inches (54' 9") to the beginning.

- appraised at \$ 1400.00

Petition

The said decedent died leaving the defendant Alice L. Rogers, his widow who is entitled to dower in said premises; that the defendants: Carl Rogers, Irma Rogers, Jack Richard Rogers, and Patricia Ann Rogers, and John L. Sellers, Trustees, under the Will. (Irma Rogers, is the wife of Carl Rogers, and Jack Richard Rogers, and Patricia Ann Rogers being their two minor children, and legates), are the only legal representatives of said decedent having the next estate of inheritance from said Eli P. Rogers deceased, in said premises:

The Plaintiff therefore prays, that the dower of said Alice L. Rogers in said premises may be assigned and set off to her; that the rights, interests 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 at Private or Public sale, and to further sell said real estate free from said dower, according to the statute in such cases made and provided, and for all other proper orders, and relief in the premises.

John L. Longhry,
Adm. of the Estate of Eli P. Rogers, Dec.,

Oath

The State of Ohio, Union County ss.
John L. Longhry, the within named, Plaintiff being duly sworn, says, that the various matters and things set forth in said petition are true, to the best of his knowledge, and belief.

John L. Longhry,
Sworn to before me, and signed in my presence this 10 - day of April, 1926. *W. H. Husted* Probate Judge.
Probate Court, Union County, Ohio.
Scripser.
To the Judge, and Ex-officio Clerk of said Court:

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Final Record, Union County Probate Court.

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Issue Summons for said Jack Richard Rogers, and Patricia Anna Rogers to the Sheriff of Franklin County, and serve on them together with Carl Rogers their natural guardian, or father, or Irma Rogers, their mother, being no legal guardian appointed.

"Endorse action to Sell Real Estate" to pay debts, Equitable Relief"

Defendants directed to the Sheriff of said County, returnable according to law. John L. Longhry, Plaintiff's Attorney.

In the Probate Court of Union County, this April 13- 1926. No. 18769.

Filing Petition

Journal Entry, Filing Petition to Sell Real Estate.

This day came the Plaintiff John L. Longhry and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Eli P. Rogers, deceased, to pay 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.

N. H. Busted Probate Judge

Waiver

Waiver

We, the undersigned parties Defendant to the petition in the above entitled action, do each of us, hereby waive the issuing and service of Summons, and voluntarily enter our appearance as such Defendants, April 5- 1926. Carl Rogers, Irma H. Rogers, Alice C. Rogers.

Waiver

Waiver

The undersigned party, defendant to the petition in the above entitled action do hereby waive the issuing and service of Summons, and voluntarily enter our appearance, as such Defendant April 13- 1926. John L. Siller.

Summons

Summons.

The State of this Union County, Probate Court. To the Sheriff of said County:

You are commanded to notify Carl Rogers, father of Jack Richard Rogers, and Patricia Ann Rogers, and the following named who are minors, to wit:

Jack Richard Rogers, and Patricia Ann Rogers, making service of this summons, upon said minors, and also upon the father, the person having the care of said minors, with whom they live: that on the 13-day of April A. D. 1926, John

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakoneta, Ohio.

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L. Longmy, admr. of the estate of Eli P. Rogers, 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 equitable relief, and that unless they answer by the 15 day of May, 1926, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 26 day of April, 1926.

Witness my hand, and the seal of said Court, this 13 day of April, 1926. ~~W. H. Husted~~ Probate Judge

Sheriff's Return

Sheriff's Return

The State of Ohio, Franklin County.

Received this writ April 10 1926.

at 8 a.m. and on the day and in the manner hereinafter named, I served the same on the within named defendants:

April 15 1926 on Jack Richard Rogers, a minor and Patricia Ann Rogers "

by personally handing to each of them a true and certified copy of this writ with all endorsements thereon and also, April 15 1926 on Carl Rogers, the father of said minors Jack Richard Rogers, and Patricia Ann Rogers, by leaving two (2) true and certified copies of this writ with all the endorsements thereon, at his usual place of residence.

after due and diligent search, I was unable to find the Guardian of the within named minors Jack Richard Rogers, and Patricia Ann Rogers, within my bailiwick.

Walter L. Gump, Sheriff Franklin Co. O.

By J. W. Ervitt, Deputy Clerk.

Sheriff's Fees

Service on Return 75

3 names 75

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Postage 06 Total \$ 2.36

Answer of Widow

Answer of Widow.

Probate Court, Union County, Ohio. And now comes Clarissa A. Rogers, 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 Eli P. Rogers, deceased, and as such is not entitled to dower in the premises described in said petition, that said Clarissa A. Rogers, elected to take under the Will of said Eli P. Rogers, deceased, she fully consents to said

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Final Record, Union County Probate Court.

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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.

Clarissa A. Rogers

The State of Ohio, Union County

Oath

Clarissa A. Rogers being duly sworn, says, that the statements in the foregoing answer, are true, as she verily believes.

Clarissa A. Rogers

Sworn to before me, and, signed in my presence, this 12 day of June, 1926.

John L. Longway, Notary Public, Union Co., Ohio

Application to

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

see at

no. 10769. application.

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:

It is considered a fair price and, also at its full value.

Private sale is much better and, will eliminate costs of a public sale. Being a part of lot # 25.

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

John L. Longway, Adm'r. Eli P. Rogers, Dec.

The State of Ohio, Union County

John L. Longway, being duly sworn, says, that the various matters set forth in the foregoing application are true, as he verily believes.

John L. Longway

Sworn to before me, and, signed in my presence, this 12-day of June, 1926.

W. H. Husted, Probate Judge

affidavit

affidavit of Disinterested Persons.

Disinterested

The State of Ohio, Union County,

Person-

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

Sworn to before me, and, signed in my presence, this 12 day of June, 1926

John L. Longway, Notary Public, Union Co., Ohio

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10769

Probate Court, Union County, Ohio.

June 12th 1926

Order for Private Sale -

Order

for This day this cause came on to be heard upon the petition
 Private Subscribers 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 Eli P. Rogers, deceased, did
 leave a widow not entitled to dower in the estate so
 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 Eli P. Rogers, 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 or public sale.

It is therefore further ordered, that said John L. Longbray
 as, such, Adm., proceed to sell said real estate, free
 of dower tract no. 6 as described in the petition, at
 private sale for not less than the appraised value
 thereof, on the following terms, to wit: Cash in hand
 on day of sale, and said petitioner is ordered to
 make return to this Court immediately after such
 sale is made, and, this cause is continued.

W. H. Husted, Probate Judge -

Order of Sale, Free from Dower,
 Probate Court,

Order of sale

Free of dower,

The State of Ohio, Union County,
 To, John L. Longbray, as, adm., with the Will annexed, of
 The estate of Eli P. Rogers, Decedent;

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., with the Will
 annexed, of the estate of Eli P. Rogers, are Plaintiff and
 Clarissa A. Rogers, 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 Clarissa W. Rogers, widow of Eli P. Rogers,
 deceased, the following described premises, to wit:
 Situated in the Village of Mansville, County of Union
 and State of Ohio.

Lot 29, to
 Sanders.

Being a part of Lot # 29,
 Beginning at a stake, the north-east corner
 of Lot no. 29 and in the South line of Fourth Street,

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Final Record, Union County Probate Court.

10769

and the west line of an alley; thence westerly with the south line of Fourth Street, fifty (50) feet to an Iron Stake; thence south and parallel with the east line of Fourth Street, fifty-four feet and nine inches (54'9") to an Iron pin; thence easterly and parallel with the south margin of Fourth Street fifty (50) feet to an Iron stake in the west line of an alley; thence north with the west line of said alley, fifty-four feet, and nine inches (54'9") to the beginning.

Said sale to be private and, to be upon the following terms: cash in hand upon sale.

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

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 11-day of June A.D. 1926. ~~Wm. Husted~~ 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 12-day of June, 1926.

John L. Longbray, Adm. of Est. of Eli P. Rogers
Report of Sale - Private.

Report

of Sale.

In obedience to the within order, I sold said premises on the 12-day of June, A.D. 1926, to Frank Sanders and Gertrude Sanders, for the sum of sixteen Hundred Dollars, said sum being more than the appraised value of the same.

Dated the 12th day of June, A.D. 1926.

John L. Longbray, Adm. of Eli P. Rogers,
The State of Ohio, Union County.

The above named John L. Longbray 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.

Oath

John L. Longbray,

Sworn to before me, ^{an} signed in my presence, this 12-day of June, 1926.

~~Blanche Chappell~~ Blanche Chappell, Notary Public, Union Co., O.

Approving and
Confirming
Sale.

Journal Entry: Orders, approving and Confirming Sale - Probate Court, Union County, Ohio.
June, 12th 1926

This day this cause coming on to be heard on the report of John L. Longbray, esq. Adm. with the Will annexed, of Eli P. Rogers, deceased, of his proceed-

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10769 ings and sale under the former order of this Court; and upon the motion of said petitioners 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 Eli P. Rogers in said real estate to the purchaser Frank Sanders and Gertrude Sanders upon the said purchaser paying the sum of sixteen hundred dollars said amount being the purchase price.

It is further ordered that this proceeding be recorded, and that said petitioners pay the costs \$13.00

W.H. Husted, Probate Judge

approving Bond for Public Sale.

Journal Entry: Order approving Bond for Public Sale, etc. Probate Court, Union County, Ohio. Sept. 15th 1926.

This day this cause came on further to be heard, and it appearing to the Court that the said John L. Dougherty Adm. of the estate of Eli P. Rogers deceased, the plaintiff above named, has given bond as heretofore ordered, in the sum of Five thousand Dollars (\$5000) with J. Walter Kennedy & Chas. Francisco, purchasers, as sureties; it is ordered that said bond be and hereby is approved.

It is therefore further ordered, that said John L. Dougherty as such administrator proceed according to law, to sell the real estate described in the petition free from down of Eli P. Rogers at public auction at the north door of the Court House of said County for not less than 2/3 the appraised value thereof, on the following terms, to wit: cash in hand.

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

And said petitioners is ordered to make return to this Court immediately after such sale is made, and this cause is continued. W.H. Husted, Probate Judge

Bond.

Bond.

Probate Court, Union County, Ohio.

No. 10769

Know all men by these presents: That we, John L. Dougherty, Chas. Francisco, and J. W. Kennedy, are held and

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Final Record, Union County Probate Court.

10769

firmly bound unto the State of Ohio, in the sum of Five 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 Marysville Ohio, this 15th day of Sept. 1926.

The condition of the above obligation is such, that whereas the above bound, John L. Longhry, heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, of the estate of Eli P. Rogers deceased,

and, whereas, the said John L. Longhry as such admr., 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 15th day of Sept. 1926, made an order requiring said administrator to execute a bond according to the statute in such cases made and provided,

now, if the said John L. Longhry, as aforesaid, shall account for all the further assets arising from the sale of 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.

John L. Longhry, Chas. Francisco, J.W. Kennedy, This Bond approved, in open Court, this 15th day of September 1926. W. H. Husted, Probate Judge.

Legal notice.

Legal advertising.

In the Probate Court, Union County, Ohio, in the case of John L. Longhry admr. of Eli P. Rogers deceased, v. Alice C. Rogers, Defendant.

Case no. 10769. This case coming on to be heard and, it is ordered by the Probate Court of Union County, Ohio, that John L. Longhry, admr. of the estate of Eli P. Rogers will offer to pay debts at Public Auction on the 23rd day of October at 1st P.M. at the north door of the Court House in said County, the following Real Estate, to wit:

Tract 1.

Lot No. 1. Being 44 1/2 ft. off the north part of Lot No. 41, Beginning at a stake at the north west corner of said Lot # 41, and in the east margin of Court Street; thence easterly with the north margin of said Lot # 41 132 ft. to an alley; thence southerly with the westerly line of said alley, 44 1/2 ft. to a stake; thence westerly and parallel with the north line of said Lot No. 41 132 ft. to a stake in the easterly margin of Court Street; thence northerly with the easterly line of Court Street, 44 1/2 ft. to the beginning. appraised at \$8000.

to Court; in the having proceedings satisfied approved, that to the upon the hundred recorded, le. etc, and, Longhry, d. in a Kennedy ed that R. Longhry to sell on down door of 2/3 the mb: t said of the to, in ation in mate this

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10769 Lot. No. 2.
 Being a part of Lot No. 32, in the village of Marysville.
 Commencing at a stake at the south-west corner to said Lot. No. 32; thence easterly with the South line of said Lot. No. 32, 132 ft. to the West line of an alley; thence northerly with the westerly line of said alley 42 ft. and 4 inches; thence westerly and parallel with the south line of said Lot No. 32, 132 ft. to a stake in the east line of Court Street; thence southerly 42 ft. and 4 inches to the place of beginning.
 appraised at \$4000.00

Tract 3.
 Lot No. 3.
 Being the north one-half of Lot No. 32 excepting a strip of land, 6 inches wide off the north side of said Lot No. 32 deeded to Phillip Snyder, and also a strip, 1 ft. wide off the South side of said premises, sold to S. Butz.
 (For a more definite description of said Lot, see Recorded Plat of said village of Marysville, at Union County Recorder's office.
 appraised at \$4000.00

Tract 4
 Lot No. 4.
 Commencing at a point in the east line of Court Street, 42 ft. south of the south line of 4th, thence with the East line of Court Street south 41 feet to an iron stake; thence easterly and parallel with the south line of In lot no 29, 132 feet to an iron stake in the West line of an alley; thence with said alley line, twenty-eight ft. and three inches (28' 3") to an iron stake; thence west and parallel with the south line of Fourth Street, 50 ft. to an iron stake; thence north and parallel with the east margin of Court Street, 12' 9" to an iron pin; thence west and parallel with the south line of Fourth Street 82 feet to the place of beginning.
 Premises herein conveyed, being 40 1/2 ft off the south side of In lot # 29, and 1/2 ft. off the north side of In lot # 32.
 As designated and recorded in the Plat Book of the village of Marysville, in the County Recorder's office, Union County, Ohio.
 appraised at \$600.00

Tract 5.
 Lot. No. 5.
 Being a part of Lot No. 29.
 Beginning at a point of intersection of the East line of Court Street and the South line of Fourth Street; thence South with the East line of Court St. 42 feet, thence easterly and parallel with the South line of Fourth Street, 82 ft. to a stake; thence northerly and parallel with the east line of Court Street 42 ft. to a stake in

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Final Record, Union County Probate Court.

10269

The South line of Fourth Street: thence westerly with the South margin of Fourth St. 82 to the beginning, appraised at \$4200.00

Terms of sale, cash. John L. Sellers, Clerk.

John L. Langhrey, Adm. of Eli P. Rogers, Dec. Sept. 24. 5-7.

State of Ohio, Union County, ss.

Wash

Personally appeared before me, Lurilla A. White, 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. 23- 1926, in The Union County Journal, a newspaper of general circulation in county aforesaid.

Lurilla A. White,

Known to before me, and signed in my presence, this 2-day of Oct. 1926.

B. B. Kanner.

Printer's Fees. \$42.27

Legal notice

Legal notice

In the Probate Court of Union County, Ohio, in the case of John L. Langhrey, adm. of the estate of Eli P. Rogers, Dec. v. Alice C. Rogers, Defendant. Case No. 10269.

This cause coming on to be heard and it is ordered by the Probate Court of Union County, Ohio that John L. Langhrey, adm. of the estate of Eli P. Rogers, will offer to pay debts at public auction on the 23. day of October, 1926. at 1 P.M. at the north door of the Court House in said county, the following real estate to-wit:

See description page 179. also Petition pg. 169.

Terms of sale, cash. Langhrey, John L. adm.

John L. Sellers, Clerk. Sept. 22-1926 57.

The State of Ohio, Union County, ss.

Wash,

Personally appeared before me, Lena Huber, and made solemn oath, that the notice, a copy of which is hereto attached was published for five consecutive weeks, on and next after September 22- 1926, in the Mansfield Tribune a newspaper of general circulation in the county aforesaid.

Lena Huber,

Known to before me, and signed in my presence, this 23-day of October A.D. 1926.

J. M. Huber, Notary Public

Printer's Fees. \$38.25

Order

Order of Sale - True from Court.

The State of Ohio, Union County, Probate Court.

To John L. Langhrey, Adm. with the Will annexed of Eli P. Rogers, Decd. Executors:

In obedience to an order of the Probate Court within and for said county.

to said lot. No. 32. with the westerly 132 ft. on the

strip of 32' deeded to the South

see undg

East Street, thence East No. 29 in alley; thence parallel iron stake; in of and out to the

South

of the line.

East line of; thence street, with the in

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10769

made, this day, in a certain cause, wherein you, as administrator, with the Will annexed, are Plaintiff, and, Carl Rogers, et. al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than $\frac{2}{3}$ the appraised value thereof free of the dower of Clarissa A. Rogers, widow of Eli P. Rogers, deceased, the following described premises, to wit:

see description Petition 169 also in Legal Notice Pg. 179.

Terms.

Said sale to be free of the dower of Clarissa A. Rogers 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 for their upon execution of this order.

Witness my signature and the seal of said Probate Court, at Wapakonetta, Ohio, this 15th day of Sept. A.D. 1926

W.H. Husted, Probate Judge.

Report of Sale.

Report of

In obedience to the within order, I, duly advertised the real estate therein described for sale, in the Wapakonetta Tribune, a newspaper, printed and of general circulation in Union County, Ohio, where said real estate is situate, for, at least 6 consecutive weeks prior to the 23 day of October 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. 0' clock P.M., I attended the Public Sale and offered said real estate for sale free from the dower estate of Alice A. Rogers, Widow, therein, when

- (3) Melaboy for the sum of \$30.80⁰⁰
- (4) Charles Spurgeon for the sum of \$5.25⁰⁰
- (1) Robert J. & Bermina Bekerman for \$67.50⁰⁰
- (2) Frank and Ada Collier for the sum of \$287.50⁰⁰
- (5) Bertha Graham for the sum of \$33.10⁰⁰

bid to pay for the same $\frac{2}{3}$ of the appraised value of said premises, I then and there sold the same to them for that sum.

John L. Longery, Adm., Eli P. Rogers, Dec'd.

Dated the 4th day of Nov. 1926.

Oath.

The State of Ohio, Union County.

The above named, John L. Longery, Adm. of the estate of Eli P. Rogers 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.

John L. Longery.

10769

approving
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Final Record, Union County Probate Court.

10769

Sworn to before me, and signed in my presence, this 4-day of November, 1926.

Blanch Chappel, Notary Public Union Co., Ohio
Journal entry: Orders, approving ^{the} confirming sale,
Probate Court, Union County, Ohio,
Nov. 4th 1926.

approving

confirming sale.

This day this cause coming on to be heard on the report of John L. Longmy, Adm. of the estate of Eli P. Rogers 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 Eli P. Rogers in said real estate, to the purchasers, Meta Roy, Charles Spurgeon, Robert J. and Hermina Ackerman, Frank and Ada Ballin and Bertha Graham, upon the said purchasers paying the purchase price.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs taxed at \$15.00

W. H. Husted Probate Judge

(Oct. 18/26 Legal notice 6 ^{inches} times 2. (E. P. Rogers 2.40))

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10852
Aug. 20"
1926.
Richard C. Threlkoff
attorney

Guardian's Petition to Sell Real Estate
Probate Court, Union County, Ohio.
no. 10852
Mary E. Shelton (Vaughn)
Guardian of
Alvis Lee Vaughn, Minor.
Plaintiff

Petition to Sell Real Estate.
Petition.

His said ward,
Alvis Lee Vaughn,
Mary E. Shelton (Vaughn)
Defendants.

The Plaintiff represents that she is the duly appointed and qualified Guardian of Alvis Lee Vaughn of the age of 17 years on the 15 day of February, 1926, and residing with her, the said Mary E. Shelton (Vaughn) at Marysville Ohio.

That the said ward is the owner in fee simple of the following described real estate, situated in the County of Union State of Ohio, and in the Township of Lutesburg and Paris town:

Petition

Being a part of Survey no. 5506.
Beginning at a stone and brick in the south east corner of June Farnum's land and in the center of the Leeper and Kinkade Public Road; thence with the center of said Road S. 5° E. 6 poles to a stone and brick at the north east corner of Hugh James Bell's land; thence with the north line of said land S. 85° W. 80 poles to a stone and brick; thence with the west line of said land S. 5° E. 59 poles to a stone and brick in the north line of Samuel W. Allister's land; thence with the north line of said land S. 85° W. 81 poles to a stone and brick at the south east corner of James C. Fish's land; thence with the east line of said land N. 5° W. 95 poles to a stone and brick at the south west corner of said June Farnum's land; thence with the South line of said land N. 85° E. 161 poles to the place of beginning.
Containing 57 acres, more or less.

Also a parcel of land situated in said Township of Lutesburg, and in said Survey # 5506.

Beginning at a stone in the South west corner of the above described premises on the south bank of Blues Creek (and 25 feet west of a large Elm tree) thence with the South line of said premises Easterly 17 poles to an iron stake; thence in a southerly direction with a line at right angles with the said South line of the foregoing described premises 9²/₁₇

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Petition

Oath

Fixing
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Final Record, Union County Probate Court.

10 852

poles to an iron stake in the South Bank of Blues Creek: Thence westerly with a line parallel to the said South line of the above premises 17 poles to an iron pin in the center of the public road: thence with the center of said Road in a northerly course 9^{and} 7/17 poles to the place of beginning.

Containing one acre of land.

That said Plaintiff has received writs from the real estate of his ward.

That the defendant Mary E. Shelton (Vaughn) claims a dower interest in said land.

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

Petition

- 1. That the proceeds may be invested in a more profitable manner and will yield more income.
- 2. That said real estate will soon need costly repairs.

The Plaintiff therefore prays, that said Alvis Lee Vaughn, and, Mary E. Shelton (Vaughn) 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.

Mary E. Shelton (Vaughn) Guardian.

Oath

The State of Ohio, Union County, ss.
Mary E. Shelton (Vaughn) being duly sworn, says, that she is Plaintiff mentioned in the foregoing petition, and, that the facts stated therein are true, as she verily believes.
Mary E. Shelton (Vaughn)

I now to before me, and, signed in my presence, this 19. day of August, 1926.

Richard C. Thrall, Notary Public, Union Co., O.

Fixing Time of

Journal Entry: Orders Fixing Time of Hearing for Notice Probate Court, Union County, Ohio.
August, 20 - 1926.

Hearing

This day, Mary E. Shelton (Vaughn) Guardian of Alvis Lee Vaughn, appeared in open Court and filed her petition duly verified, asking for the sale of real estate therein described, belonging to her said Ward.
Alvis Lee Vaughn.

It is ordered, that the time of hearing said petition be, and, hereby, is fixed for the 3rd day of September 1926, at 9. o'clock, a. m.

It is further ordered that said Guardian cause notice thereof, and of the filing and demand

10 852

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10852 of said petition, to be given to said Alvis Lee Vaughan, her
 Ward, and to Mary E. Shelton Vaughan, as his mother and
 and person with whom he resides all persons, entitled to the
 next estate of inheritance in such real estate. Defendants;
 in writing to be served upon them personally, and by
 leaving copies thereof at the usual place of residence of
 each of those who can not be served personally, ten days
 before said day of hearing, and this cause is continued.
 W.T. Husted, Probate Judge

Summons.

Summons, on Petition to Sell Real Estate,
 The State of Ohio, Union County, Probate Court.
 To the Sheriff of said County:
 you are commanded to notify Alvis Lee Vaughan, and Mary
 E. Shelton (Vaughan) as his mother, and person with whom
 he resides, that on the 20th day of August A.D. 1926,
 Mary E. Shelton (Vaughan) Guardian of the estate of Alvis Lee
 Vaughan, a minor, 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
 minor, in said petition described, for that purpose
 of making better investment of the proceeds and
 avoiding waste, and that unless they answer by the
 3rd day of September 1926, said petition will be taken
 as true, and an order granted accordingly.
 Said Sheriff will make due return of this writ
 on the 30th day of August, 1926.

W.T. Husted witness my hand, and the seal of said Court
 this 20th day of August, 1926.

W.T. Husted, Probate Judge.

Sheriff's Return

Sheriff's Return,
 The State of Ohio, Union County,
 Received this writ August 21st 1926, at 10. a.m. and pursuant
 to its command, forthwith I served the within named
 defendants Alvis Lee Vaughan, and Mary E. Shelton (Vaughan)
 by personally handing to Mary E. Shelton (Vaughan) (she being
 the Guardian, mother, and person with whom said minor
 Alvis Lee Vaughan lives) true and certified copies
 of this writ with all the endorsements thereon.
 J. S. Wagar, Sheriff, By M. E. C. Clerk

Sheriff's Fees

Service on Return 75-

name 25-

total \$ 2.00

Answer of
Widow
10852

Answer of Widow
Probate Court, Union County, Ohio

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Final Record, Union County Probate Court.

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And now comes Mary E. Shelton (Vaughn) 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 Alvis M. Vaughn, deceased, and as such is entitled to her dower in the premises described in said petition, that her age is fifty nine 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.

Mary E. Shelton (Vaughn)

Oath

The State of this Union County, Mary E. Shelton (Vaughn) being duly sworn, says that the statements in the foregoing answer are true, as she truly believes.

Mary E. Shelton (Vaughn)

Sworn to before me, and signed in my presence, 4-day of Nov. A.D. 1926.

Richard C. Thrall Notary Public

orders on hearing of appraisement.

Journal entry: Orders on hearing of appraisement, Probate Court, Union County, this Nov. 5th 1926. Order of appraisement.

This day this cause came on to be heard upon the petition, evidence and testimony, and the Court being fully advised in the premises finds: that all the defendants have been duly and legally served with process, or have voluntarily entered their appearance herein, and are now before the Court, and that the statements and allegations in said petition are true. That said Mary E. Shelton (Vaughn) widow of said Alvis M. Vaughn, is entitled to her dower in said real estate; that said widow by her answer herein waives the assignment of dower in said premises by metes and bounds, or in rents and profits, and consents to the sale of said premises free from her dower estate therein. And the Court being satisfied that it is necessary to sell the real estate of said Ward, described in the petition to avoid waste and to properly invest the said estate so as to provide an income.

It is ordered that Norman Brown, Ella Mathis,

10852

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10852 And, G. M. Haines, three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, do, and they hereby, am appointed to appraise said lands, at their true value in money, free from the dower estate of said Mary E. Shelton (Vaughn) 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 8. day of November 1926. ^{an} this case is continued.

W. H. Husted, Probate Judge

Order of appraisement

Order of appraisement.

The State of Ohio, Union County, Probate Court,

To Mary E. Shelton (Vaughn) Guardian of the estate of
Arlis De Vaughn, a minor. Greeting:

In obedience to an order and decree of the Probate Court within and for said county, made this day in a certain cause, wherein you, as Guardian and Plaintiff and your ward, et al, are Defendants, you are commanded that by the oaths of Norman C. Brown, Elba Mather and G. M. Haines judicious disinterested men of the vicinity, not of kin to the petitioner, who are freeholders, of the county in which said real 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 Mary E. Shelton (Vaughn) therein, to wit:

In Union County, Ohio, and Leebury², Paris Townships, Survey No. 5-5-06:

Beginning at a stone and brick in the South east corner of Dena Farmers land, and in the center of the Super and Kirkade Public Road; thence with the center of said road S. 5° E. 6 poles to a stone and brick at the north east corner of Sylvanus Bellville² land; thence with the north line of said land S. 85° W. 80 poles to a stone and brick; thence with the West line of said land, S. 5° E. 89 poles to a stone, and brick in the north line of Samuel Mc Allister² land; thence with the north line of said land S. 85° W. 80 poles to a stone and brick at the southeast corner of James C. Fish² land; thence with East line of said land N. 5° W. 95 poles to a stone and brick at the South west corner of said Dena Farmers land; thence with the South line of said land, N 85° E. 161 poles, to the place of beginning.

Containing 5.1 acm. more or less

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Final Record, Union County Probate Court.

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Also, a parcel of land, in said Township of Leesburg and Survey 5-5-06.
 Beginning at a stone in the southwest corner of the above described premises and, on the South Bank of, Blues Creek, and 25 feet West of a larger Elm tree; thence with the South line of said premises easterly 17 poles to an iron stake; thence in a southerly direction with a line at right angles with the said South line of the foregoing premises 9 ^{and} 7/17 poles to an iron stake in the South Bank of, Blues Creek; thence westerly with a line parallel to said South line of the above premises 17 poles to an iron pin in the center of a public road; thence with the center of said Road in a northerly direction 9 7/17 poles to the place of beginning.

Containing one acre of land.

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 5th day of November, 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 hereto attached.

Dated the 5th day of November, 1926.

Mary E. Shelton (Vaughan)

Oath of appraisers.

Oath of appraisers

of 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.

Norman C. Down, Elba Mather, G. M. Haines & appraisers

Sworn to before me, and signed in my presence, this 5th day of November, 1926.

~~W. H. Husted~~ Richard C. Threlk, Notary Public Union Co., O.

appraisers Return.

Return appraisers

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 Eighteen Hundred and ^{no} 00/100 Dollars.

Given under our hands, this 5th day of November, 1926.

Norman C. Down, Elba Mather, G. M. Haines & appraisers

Fees of appraisers \$1.00 each.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10 85-2

Journal Entry: Order approving appraisement ^{or} for Bond, Probate Court, Union County, Ohio, November, 5th 1926.

approving appraisement This day came the said Plaintiff, by her attorney, and produced to the Court the report of an appraisement herein made by Norman C. Bouse, Elta Mathes, and G. M. Baines 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, truly, is approved and confirmed.

It is further ordered, that said Mary E. Shelton (Vaughn) execute within ten days to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the Court, in the sum of \$36⁰⁰ conditioned according to law, and, this cause is continued.

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

Bond.

Know all men by these Presents; That we, Mary E. Shelton (Vaughn) The Fidelity ^{Co.} Deposit Company, of Maryland, are held and firmly bound unto the State of Ohio, in the sum of Thirty six hundred Dollars for the payment of which we, truly jointly and severally bind ourselves, our heirs, executors and administrators

Signed by us, and dated at Marysville, Ohio, this 5th day of November, 1926.

The Condition of the above obligation is such, that whereas the above bound Mary E. Shelton (Vaughn) was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Alvin Lee Vaughn,

and whereas, the said Mary E. Shelton (Vaughn) 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 Eighteen hundred Dollars,

and whereas, said Court on the 5th day of November, 1926 made an order requiring said Guardian, to execute a bond according to the statute in such cases, made and provided.

Now, if the said Mary E. Shelton (Vaughn) 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.

Mary E. Shelton, (Vaughn)
Fidelity ^{Co.} Deposit Co. of Maryland.
By Richard C. Small, attorney-in-fact.

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Final Record, Union County Probate Court.

10852

This bond approved in open court, this 5th day of November, 1926.
W. H. Husted, Probate Judge -
Journal Entry: orders approving Bond for Private Sale -
Probate Court, Union County, Ohio,
November 4th 1926.

This day this cause came on further to be heard, and it appearing to the court that the said Mary E. Shelton (Vaughn) the plaintiff above named, has given bond as hereinafter ordered, in the sum of thirty six hundred dollars, with The Fidelity and Deposit Co. of Maryland as surety, it is ordered that said bond be and hereby is approved.

and it being made to appear to the court, upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale; it is therefore ordered that said Mary E. Shelton (Vaughn) as such Guardian proceed to sell said real estate free from down payment of Mary E. Shelton (Vaughn) at private sale for not less than the appraised value thereof on the following terms, to wit: one-third in cash \$1375⁰⁰ in cash on day of sale; balance in April, 1927; deferred payments to be secured by mortgage on the premises, sold, and to bear interest from the day of sale, payable annually, 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.

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 Ward's estate, to sell the real estate described in the petition in this case at private sale, for the following reasons:

1. a purchaser has been obtained who will buy at the appraised value of said real estate, while at public sale, it could sell for 2/3 of the appraisal.
 2. The costs and delay of public sale can be avoided.
- and she therefore asks for an order authorizing her to sell said real estate at private sale.

Mary E. Shelton (Vaughn), Adm.

The State of Ohio, Union County
Mary E. Shelton (Vaughn) being duly sworn, says that the various matters set forth in the foregoing application are true as she verily believes.

Mary Shelton (Vaughn)

Sworn to before me, and signed in my presence, this 5th day of November, A.D. 1926.
Richard C. Small, Notary Public.

10852

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1085-2
Affidavit
of
Disinterested
Person.

Affidavit of Disinterested Persons.
The State of Ohio, Union County.
Norman L. Bourn, Elba Maicher and M. M. Cairns 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 for the best interest of the said
estate to sell said real estate at private sale, than at
public sale, as they verily believe.
Norman L. Bourn, Elba Maicher, M. M. Cairns,
Known to before me, and signed in my presence, this
5th day of November, 1926. ~~Sworn~~ Richard C. Thrall, Notary Public.

Order
of

Order of Sale, Free from Dower.
Probate Court.
To Mary E. Shelton (Vaughn) Guardian of the estate of
Alvis Lee Vaughn, a minor. Greeting:
In obedience to an order, and decree of the Probate
Court, within and for said County, made this day, in a
certain cause, wherein you as Guardian, are Plaintiff
and your ward et al. are Defendants, you are commanded
to proceed according to law to sell at private sale, for not
less than the appraised value, thereof, free from the
dower of Mary E. Shelton (Vaughn) widow of Alvis M. Vaughn,
deceased, the following described premises, to wit:
In Union County, Ohio, and Lestary and Paris Twp. Survey
No. 5-5-06:
Beginning at a stone and brick in the Southeast corner
of James Harmon's land, in the center of the Leeper and
Kirkpatrick Public Road; thence with the center of said
road S. 5° E. 6 poles to a stone and brick at the North
East corner of Sylvanus Belleville's land; thence with the
North line of said land S. 85° W. 80 poles to a stone
and brick; thence with the West line of said land
S. 5° E. 89 poles to a stone and brick in the North line
of Samuel W. Allister's land; thence with the North line of
said land, S. 85° W. 80 poles to a stone and brick
at the South East corner of James C. Fish's land; thence
with East line of said land N. 5° W. 95 poles to a
stone and brick at the South West corner of said James
Harmon's land; thence with the South line of said land
N. 85° E. 161 poles to the place of beginning,
containing 51 acres, more or less,
also, a parcel of land in said Township of
Lestary and Survey 5-5-06.
Beginning at a stone in the South West
corner of the above described premises and on
the South Bank of Blues Creek and 25 feet West of

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Final Record, Union County Probate Court.

10852

a large Elm tree; thence with the south line of said premises easterly 17 poles to an iron stake; thence in a southerly direction with a line at right angles with the said south line of the foregoing premises 9 7/17 poles to an iron stake in the South Bank of Blues Creek; thence westerly with a line parallel to said south line of the above premises, 17 poles to an iron pin in the center of a public road; thence with the center of said Road in a northerly direction 9 7/17 poles to the place of beginning.

Containing one acre of land.

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

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

Witness my signature and the seal of said Probate Court, at Mansville, this 5th day of November, A.D. 1926.

W. H. Husted, Probate Judge - Return

Return

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 5th day of November, 1926. Mary E. Shelton (Vaughan), Report of sale - Private.

Report of Sale

In obedience to the within order, I sold said premises on the 5 day of November, 1926, to Roll E. Guy, and Lillian N. Guy, for the sum of Eighteen hundred and thirty seven and 50/100 Dollars; said sum being the appraised value of the same.

Dated the 5th day of November, 1926. Mary E. Shelton (Vaughan)

Oath

The State of Ohio, Union County, The above named Mary E. Shelton (Vaughan) being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price she could get for said property.

Mary E. Shelton (Vaughan) Sworn to before me, and signed in my presence, this 5th day of November, 1926.

Richard C. Howell, Notary Public, Union Co., Ohio

Journal Entry; Order, approving & Confirming Sale Probate Court, Union County, Ohio, November 5th 1926.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10852

This day, this cause coming on, the heard on the report of Mary E. Shelton (vaughn) Guardian of Alvis De Vaughn, 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 said Alvis De Vaughn, in said real estate to the purchaser Rella E. Guy and Lillian K. Guy, 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.

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Petition

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Sept. 20, 1926

Richard C. Thrall
att'y

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

Arthur Hamarratt, adm., of
the estate of
John Hamarratt, deceased.
Plaintiff

vs. 10872
Civil action

Sarah Hamarratt.
Arthur Hamarratt.
George Morris Hamarratt.
Urbina Clement
Berrija Black, and
Dorothy James, a minor
aged 16 years

Petition to Sell Real Estate

Petition.

Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of John Hamarratt late of Marysville, Union County, Ohio, deceased; that the amount of debts due from the deceased is nine hundred and seventy-five Dollars, 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 one hundred and ninety dollars, being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said John Hamarratt died seized in fee simple of an undivided

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Final Record, Union County Probate Court.

18872

one-half interest in the following described real estate situate in the County of Union and State of Ohio, to-wit: Being all of Lots nos. 346, and 347 old numbers (new numbers 362 and 364) in the Robinson addition to the said village of Marysville.

Reference to the Plat of said Addition as recorded is hereby made for further particulars.

The said decedent, died leaving the defendant, Sarah Hanarrack his widow, who is entitled to dower, in said premises; that the defendants, Arthur Hanarrack, George Morris Hanarrack, Urvina Clement, Bernice Glock and Dorothy James, a minor aged 18 yrs. are the only heirs at law, and next of kin, of said decedent, having the next estate of inheritance from said John Hanarrack deceased, in said premises.

Petition

The Plaintiffs therefore pray, that the dower of said Sarah Hanarrack in said premises may be assigned and set off to her; that the rights, interests and claims of the said heirs at law may be fully adjusted, determined 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.

Arthur Hanarrack, Adm. of Est. of John Hanarrack, The State of Ohio, Union County, ss.

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

Arthur Hanarrack, Adm. of Est. of John Hanarrack.

Sworn to before me, and signed in my presence, this 20-day of Sept. 1926. Richard C. Thrall, Notary Public, Union Co. O.

In the Probate Court of Union County, Ohio, September 20th 1926.

Filing Petition to Sell Real Estate.

Filing Petition to Sell Real Estate

This day came, the Plaintiff Arthur Hanarrack, adm., of the estate of John Hanarrack, deceased, and presented to this Court, his petition, duly verified, praying an order for an order for the sale of real estate of the said John Hanarrack, 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10872

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

Witnessed, Probate Judge -
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.

Arthur Kananack, George W. Kananack, Ethna Clement,
Berice Block.

Answer

Answer of widow.

of
Widow

Probate Court, Union County, Ohio.

And now comes Sarah Kananack 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 Kananack deceased, and, as such, is entitled to her vested 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 and asks the Court that said premises may be sold free from her dower estate therein, and that the value of such vested 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.

Sarah Kananack.

The State of Ohio, Union County,

Oath

Sarah Kananack, being duly sworn, says that the statements in her foregoing answer are true, as she verily believes.

Sarah Kananack.

Sworn to before me, and signed in my presence, this 20 day of Sept., 1926. Richard C. Drall, Notary Public.

Summons on Petition to Sell Real Estate

Summons

The State of Ohio, Union County,
Probate Court,

To the administrator of the estate of John Kananack Deceased.

You are commanded to notify Dorothy James minor and the person with whom she resides and makes her home or her father, mother or legal

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Confirming
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Final Record, Union County Probate Court.

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guardian if any, that on the 20th day of September, A.D. 1926. Arthur Hananalt, adm. of the estate of John Hananalt 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 23rd day of Oct. 1926. said petition will be taken as true, and an order granted accordingly.

Said adm. will make due return of this writ on the 4 day of Oct. 1926.

Witness my hand, and the seal of said Court, this 20th day of Sept. 1926.

W. B. Huston, Probate Judge.

The State of Ohio, Union County.

I, Arthur Hananalt, being duly sworn, say that on the 25th day of September, 1926. I served this writ by delivering a copy thereof personally to the following named persons, to wit:

Dorothy James the defendant minor and also upon Gertrude James, the person with whom she resided and makes her home.

Arthur Hananalt.

Sworn to before me, and signed in my presence this 27th day of Sept. 1926. W. B. Huston, Probate Judge, Wood Co. O.

In the Probate Court of Union County, Ohio.

October, 25th 1926.

Confirming appraisement

and ordering sale -

Deore confirming appraisement⁹ and ordering Sale. This day this cause came on further to be heard on the return of the plaintiff, of the appraisement herein, and it appearing to the Court, that said appraisement heretofore ordered has been made, and reported to this Court; and the Court, having carefully examined the same, finds that said appraisement has been made, in all respects in conformity to law, and the former order of this Court, the same is now here, by the Court, approved and confirmed.

The Court further find that the said plaintiff as such administrator has given bond in sufficient amount with approved sureties, conditioned according to law.

And, this cause coming on further to be heard on the application of the plaintiff for an order to sell said real estate at private sale, and the same being submitted to the Court, on the said application and the evidence adduced, in

Final Record, Union County Probate Court.

18872

Arthur Hannanack, admr. of the estate of John Hannanack.

Oath of appraisers

The State of Ohio, Union County.

Oath of appraisers

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

B. J. Southard, Hazel Turner, R. B. Young, Appraisers.

Given to before me, and signed in my presence, this 25 day of October, 1926. ~~and~~ Richard C. Thrall, 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 One thousand Dollars for said down estate.

Given under our hands, this 25 day of October, 1926.

B. J. Southard, Hazel Turner, R. B. Young, Appraisers.

Orders on Hearing appraisement

Journal Entry: Order on hearing of appraisement. Probate Court, Union County, Ohio, October 25 - 1926.

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 having 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 allegation in said petition are true. That said Sarah Hannanack widow of said John Hannanack, is entitled to her down in said real estate; that said widow by her answer herein waives the assignment of down in said premises by metes and bounds, or in rents and profits, and consents to the sale of said premises free from her down estate therein, and the Court being satisfied that it is necessary to sell the real estate of said estate described in the petition to pay his debts.

It is ordered that B. J. Southard, Hazel Turner, and R. B. Young, three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, be and they hereby are appointed to appraise said lands as a whole, at their true value, in money, free from the down estate of said Sarah Hannanack, herein.

It is further ordered, that said appraisers be sworn, as required by law, and afterward, upon actual

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10 872

view perform. the duties required of them, and make return of their proceedings in writing to this Court, on or before the 25 day of Oct. 1926. This cause is continued.

W.H. Husted, Probate Judge.

Application

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

to

No. 10 872.

Private sale.

Application.

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

- 1. That a purchaser is now ready to buy at the appraised value while at public sale the property might sell for only 2/3 thereof.
- 2. The cost and delay of public sale may be avoided.
- 3. That your petitioner verily believes that no larger sum could be obtained at public sale.

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

Arthur Hanswalt, Adm. of the estate of John Hanswalt, deceased.

The State of Ohio, Union County.

Oath

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

Sworn to before me, and signed in my presence this 25 day of October, A.D. 1926.

Richard C. Thrall, Notary Public

affidavit of Disinterested Person.

Affidavit

The State of Ohio, Union County.

of Disinterested

G. M. Haines, Norman C. Bown, and Elwood Sawyer.

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

G. M. Haines, Norman C. Bown, Elwood E. Sawyer

Sworn to before me, and signed in my presence this 25 day of October 1926.

Richard C. Thrall, Notary Public.

Order

Order of Sale. In open Court.

of Sale

The State of Ohio, Union County.

To Arthur Hanswalt Adm. of the estate of John Hanswalt, deceased. Greeting:

In obedience to an order and decree

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Final Record, Union County Probate Court.

10872

of the Probate Court within and for said County, made this day in a certain cause, wherein you, as Adm., are Plaintiff and Sarah Hannaralt 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 the dower of Sarah Hannaralt, widow of John Hannaralt, deceased, the following described premises, to wit:

Being an undivided one-half interest in fee simple in the following described premises

situated in the village of Marysville, County of Union and State of Ohio.

Being all of In. lots 20-346, and 347, old numbers, (new numbers 362, and 364) in the Robinson Addition to the said Village of Marysville

Reference to the plat of said Addition as recorded is hereby made for further particulars.

Said sale to be upon the following terms: for cash.

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

Witness my signature and the seal of said Probate Court at Marysville Ohio, this 25 day of October A. D. 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 hereto attached.

Dated the 25 day of October 1926.

Arthur Hannaralt, Adm.

Report of Sale-Private.

Report

of Sale

In obedience to the within order, I sold said premises on the 25 day of October, 1926, to Fred Blumenschein for the sum of One Thousand Dollars, said sum being the appraised value of the same.

Dated the 25 day of Oct., 1926.

Arthur Hannaralt, Adm. of John Hannaralt.

Oath.

The State of Ohio, Union County,

The above named Arthur Hannaralt, 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.

Arthur Hannaralt, Adm. as aforesaid.

Sworn to before me, and signed in my presence.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10 872

This 25th day of October 1926.

Richard C. Thrall, Notary Public

Journal Entry: Orders, approving ^{and} Confirming Sale.
Probate Court, Union County, Ohio.
October 25 - 1926.

order
confirming
approving

This day this cause coming on to be heard on the report of Arthur Bananack, Admin. of the estate of John Bananack, 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 John Bananack, in said real estate, to the purchaser, Fred Blumenschein.

It is further ordered, that this proceeding be recorded, and, that said petitioner pay costs.

W. H. Husted Probate Judge.

10 802

Petition for Sale of Real Estate to Pay Debts,
Probate Court, Union County, Ohio,
No. 10 802.

June 1 - 1926
F. Lenny Allen
attorney.

Edwin C. Koffroth, Executor
of the Estate of
R. D. Koffroth, Deceased.
Plaintiff

Civil action

v.

M. B. Koffroth,
Loretta Bigley,
Wilbur Koffroth,
Dana Koffroth, Adv.
Mamma Peyer,
Defendants.

Petition

to
Sell Real Estate

Petition

The Plaintiff represents that he is the duly appointed and qualified Executor, of the estate of R. D. Koffroth late of Union County, Ohio, deceased; that the amount of debts due from the deceased is nothing as near as can be ascertained, but, that by the terms of the Last Will and Testament of said R. D. Koffroth deceased, the real estate herein is to be sold, and the money therefrom distributed and, that said Will does not authorize execution of deed by me as administrator and, this action is for the purpose of carrying out the provisions of said Will

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Final Record, Union County Probate Court.

10802

The plaintiff further represents that said R. D. Koffroth 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 Magnetic Springs, and being all of In Lot no. 147, in J. M. Schoppert's addition to said village; also, the following described real estate situated in the above named village county and State and being lot no. 141 fronting on Millard Street, in Schoppert's addition to said village except, 14 feet to be reserved on the south side of said lot for an alley;

(For a more specific description to the above described lots reference may be had to Plat Book, no. 2, page 11 in Recorder's office at Marysville, Ohio).

Petition

The said decedent died leaving the defendant no one as his widow; who is entitled to dower in said premises; that the defendants M. B. Koffroth, Loretta Sigley, Wilbur Koffroth, Dana Koffroth, E. E. Koffroth and Glenn P. Piers, are the only heirs at law or legatees under the will of said decedent, having the next estate of inheritance from said R. D. Koffroth deceased, in said premises.

Dana Koffroth, and Wilbur Koffroth, to wit: for a valuable consideration have quit claimed all their right title and interest in said real estate to the plaintiff and that said Quit Claim Deed is now a matter of record in the Recorder's office in Marysville, Ohio.

The Plaintiff therefore prays, that the rights, interests and liens of the said M. B. Koffroth, Loretta Bailey, E. E. Koffroth, Wilbur Koffroth, Dana Koffroth and Glenn P. Piers, 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 any said dower, according to the statute in such cases made, and provided, and for all other proper orders, and relief in the premises.

L. LeRoy Allen, atty. for Plaintiff.

Oath

The State of Ohio, Union County, ss.
Edwin E. Koffroth, the herein named Plaintiff, being duly sworn, says, that the various matters and things set forth in said petition are true, to the best of his knowledge, and belief.

E. E. Koffroth, Ex-
sworn to before me, and signed in my presence
this 28 day of May, 1926.

Wm. L. LeRoy, Notary Public, Union Co. Ohio.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10802

In the Probate Court of Union Co. Ohio,
May 28- 1926.

Filing
Petition
to
sell

Filing Petition to sell real estate

real estate

This day came the Plaintiff Edmund Koffroth, Executor of the estate of R. D. Koffroth, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said R. D. Koffroth, deceased, to comply with the terms of the last Will and testament 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 terms in which they are required by law to answer the same, be given to each of the said Defendants; and this cause is continued.

W. H. Husted, Probate Judge.

Waiver
of
Summons.

Waiver of Summons.

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 29th A. D. 1926.

M. B. Koffroth, Wilbur M. Koffroth, Dana B. Koffroth
Mrs. Losetta Bigley, Mrs. Klenna Pyers.

Order
for
Private Sale.

Order for Private Sale.

Probate Court Union County, Ohio,
June 3rd 1926.

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 R. D. Koffroth, 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 R. D. Koffroth, described in the petition, to carry out the provisions of his Will in

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Final Record, Union County Probate Court.

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full, and, it being made to appear to the Court upon satisfactory evidence, that it would be more for the interest of said R. D. Koffroth estate to sell the real estate described in the petition at private sale. It is therefore further ordered that said Edwin E. Koffroth Executor, as such executor proceed to sell said real estate free of doubt, at private sale for not less than the appraised value thereof, on the following terms, to-wit: Cash in hand on day of sale.

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

application to sell Real Estate at Private Sale, Probate Court, Union County, Ohio, application at Private Sale.

The said Plaintiff represents that it would be for the best interest of the said estate of R. D. Koffroth, deceased, and his heirs at law and legatees to sell the real estate described in the petition in this case at private sale, for the following reasons:

He has offered him \$900.00 more than the appraisement. The nature of the property is such that a private sale can be had to a better advantage than by competition bidding.

To save the additional expense of advertising etc. and, he therefore asks for an order authorizing him to sell said real estate at private sale. E. E. Koffroth, Ex. of the Estate of R. D. Koffroth deceased.

The State of Ohio, Union County. Edwin E. Koffroth Executor, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes. E. E. Koffroth.

Sworn to before me, and, signed in my presence, this 3rd day of June, A. D. 1926. F. LeRoy, Notary Public, Union Co., Ohio.

affidavit of Disinterested Persons

The State of Ohio, Union County. G. W. Lee, Perry V. Erwin, and H. O. Moore, being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatsoever in the matter therein referred to, and, that it will be more for the interest of the said Edwin E. Koffroth as Executor to sell said real estate at private sale, than at public sale as they verily believe.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10802

Geo. H. Lrv. Perry v. Exrn. H. O. Moore,
Brought to before me, and signed in my presence, this 5-
day of June, 1926.

Seal F. LeRoy Allen, Notary Public, Union Co. Ohio

Order
of

sale.

Order of Sale - Taken from Dower,
The State of Ohio, Union County, Probate Court.
W. Edwin L. Koffroth, admr. of the estate of
R. D. Koffroth 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 R. D. Koffroth
deceased, are Plaintiff and, M. B. Koffroth 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 any dower, the following described premises
to-wit:

Situated in the County of Union in the State of Ohio, and
in the Village of Magnetic Springs and being all of Lot No. one
hundred forty-seven (147) in J. W. Schroppert's addition to said
village; also, the following described real estate situated
in the same village, County and State and being Lot # 141
fronting on William Street in Schroppert's addition, except
14 feet to be reserved when needed on the south side
of said lot for an alley. For a more specific description
reference is hereby made to Plat No. 2, page, 11, in the
Recorder's office at Marysville, Ohio.

Said sale to be upon the premises and to be
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
Probate Court, at Wapakonetta, Ohio, this 3rd day of June, 1926.

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 this 5th day of June, 1926.
E. E. Koffroth.

Report

of
sale

Report of Sale.
In obedience to the within order, I sold said
premises on the 5th day of June, 1926, to Elizabeth
Osborn for the sum of Two Thousand Five Hundred
and no/100 Dollars, said sum being more than
the appraised value of the same.
E. E. Koffroth.

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Final Record, Union County Probate Court.

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Dated the 5 day of June, 1926.

The State of Ohio, Union County,

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

E. E. Koffroth,

Brought to before me, and signed in my presence, this 5 day of June, 1926. Wm F. LeRoy Attorney, Notary Public, Union Co., Ohio.

Orders approving and confirming sale.

Journal entry: Orders approving and confirming Sale. Probate Court, Union County, Ohio. June 5th 1926.

This day this cause coming on to be heard on the report of Edvin E. Koffroth, Ex. of the estate of R. D. Koffroth, 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 R. D. Koffroth, deceased, in said real estate to the purchaser Elizabeth Osborn 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 \$13.00

W. H. Hasted, Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10868

Sept. 15
1926.

Milo L. Myers
Attorney.

Milo L. Myers, adur.,
of the estate of
Isabel McElmrs. deceased.
Plaintiff

v.

L. H. McElmrs.
Richard Henry McElmrs.
Jacob Elliott
H. F. Brooker, and
M. E. Brooker.

Defendants.

Petition.

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Isabel McElmrs. late of Union County, Ohio, deceased; that the amount of debts due from the deceased is fifteen hundred and ⁰⁰/₁₀₀ Dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about One hundred and twenty five and ⁰⁰/₁₀₀ Dollars; and that the total value of the personal estate and effects of said deceased is but — no — Dollars, being wholly insufficient to pay the debts and costs aforesaid.

Petition

The plaintiff further represents that said Isabel McElmrs. 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: and the village of Mansville, and beginning at the point of intersection of the north line of Fifth Street, with the west line of Mary Place as shown by the plat of the L. L. Longbrake addition to said Village; thence in a northerly direction along said west line of said Mary Place, to a point where said line intersects the easterly line of a tract of land conveyed by Levin Longbrake and wife to Mary E. Campbell, afterwards owned by John Shirk; thence running southeasterly along the said easterly line of said Campbell's lot to the north line of said Fifth Street; thence easterly along said last named line to the place of beginning. Being a triangular strip of land lying between said Shirk lot and Mary Place.

also, another tract of land, situated in said County, State and Village and described as follows:

Being at a stake at the south-east corner of J. H. Smith's lot in the center of Fifth Street (witness a stone in the center of said street and east corner of J. M. Hamilton's land. bears S. 72° E. 140 ft.);

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Final Record, Union County Probate Court.

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thence with the center of said track S. 72° E. 88 1/2 ft. to a stake; thence N. 2° E. 202 3/4 ft. to a stake; thence N. 72° W. 33 ft. to a stake at the north-east corner of said D. M. Hamilton lot; thence with the east line of said lot, S. 18° W. 195 ft. to the beginning, containing 43 poles, more or less.

The said decedent died leaving the defendant, L. B. McElmer, her widow, who is entitled to dower in said premises; that the defendant Richard Henry McElmer is the only child of said decedent, having the next estate of inheritance from said Isabel McElmer, deceased, in said premises; that the Defendants, Jacob Elliott, H. F. Brooks, and M. E. Brooks, have or claim to have some interest in, or lien on, said premises hereinafter described.

Petition

The plaintiff therefore prays, that the dower of said L. B. McElmer in said premises may be assigned and set off to her; that the rights interests and liens of the said Richard Henry McElmer, a minor of the age of four years, and Jacob Elliott, H. F. Brooks, and M. E. Brooks 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 cases made and provided and for all other proper orders, and relief in the premises.

Mrs L. Myers, atty. for Plff.

The State of this Union County ss.

Oath,

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

Mrs L. Myers.

Sworn to before me, and signed in my presence, this 15 day of Sept., 1926. ~~John~~ Mand Myers, Notary Public

In the Probate Court, of Union County, this September 15 - 1926.

Filing

Petition

Filing Petition to Sell Real Estate.

This day came, the Plaintiff Mrs L. Myers, a dmn. of the estate of Isabel McElmer, deceased, and presented to this Court, his petition, duly verified, praying an order for the sale of real estate of the said Isabel McElmer, deceased, to pay the debts, and the costs of administering, the estate, of the said decedent.

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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10868

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; "4. This cause is continued.

W.H. Husted, Probate Judge.

Summons.

Summons on Petition

The State of Ohio, Union County,

Probate Court,

To, the Sheriff of said County:

You are commanded to notify Richard Henry McElmer, a minor, and, L. B. McElmer, Jacob Elliott, H. F. Brooker, and, M. E. Brooker, that on the 15 day of Sept., A. D. 1926, Miss L. Myers Adm. of the estate of Isabelle McElmer deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described for the purpose of paying debts, and, that unless they answer by the 16 day of October 1926, said petition will be taken as true, and, an order granted accordingly.

Said Sheriff will make due return of this writ on the 27th day of Sept. 1926.

Witness my hand and the seal of said Court, this 16th day of Sept., 1926. Seal W. H. Husted, Probate Judge.

Sheriff's Return

Sheriff's Return.

The State of Ohio, Union County,

Received this writ September 16- 1926, at, 10 o'clock a. m. and pursuant to its command, I did on the 18th day of Sept. 1926, serve the writs herein named M. E. Brooker, and H. F. Brooker, by personally handing to each of them a true and duly certified copy of this writ, with all the endorsements thereon, and on the 18th day of Sept. 1926, I served the writs herein named Richard Henry McElmer (being a minor) and, L. B. McElmer, the father and person with whom said minor lives by leaving at their place of residence a true, and, certified copy of this writ with all the endorsements thereon, and, on the 18th day of Sept. 1926, I served the writs herein named Jacob Elliott by leaving at his usual place of residence a true and duly certified copy of this writ with all the endorsements thereon.

F. S. Hager, Sheriff.

Sheriff's Fees

Service, 75

4 additional names, 25 \$1.20 Mile, 12 at 89 100 total 2.91

Cross-Petition

Cross-Petition of Martha Elliott

For the Probate Court, Union County, Ohio,

Miss L. Myers, adm.,

of the estate of

Isabelle McElmer, deceased. Plaintiff. V. L. B. McElmer et al. Defendants

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Cross-Petition
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Final Record, Union County Probate Court.

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Now comes the defendant, Martha Elliott, and says, that on the 26th day of April, 1926, that she and her husband, Jacob Elliott, sold and conveyed the real estate in the plaintiff's petition described, and hereinafter described to the defendant, L. H. McElmer, and, his wife, Isabelle McElmer, (who is now deceased), and, as a part of the consideration for the purchase of said real estate the said L. H. McElmer, and Isabelle McElmer on said day executed and delivered to this defendant, Martha Elliott, their certain promissory note, a copy of which is as follows, to wit:

Cross-Petition

\$ 15.00⁰⁰

Marionville, O. April, 3rd, 1926.

Copy of note

On or before two years after date for value received we promise to pay to the order of Martha Elliott fifteen hundred dollars, with interest at the rate of six per cent per annum, interest to be paid every six months, and 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 hereof for the amount then appearing due, together with costs of suit, and thereupon to release all errors and waive all right of appeal.

1888⁰⁰

L. H. McElmer, Isabelle McElmer.

Further, the said Martha Elliott says, that she is still the owner and holder of said note, and that no payments have been made thereon.

Further, the said Martha Elliott says, that the said L. H. McElmer and Isabelle McElmer, in order to secure the payment of the said promissory note on the said 3rd day of April, 1926, made, executed, and delivered to this defendant their certain mortgage deed on the premises described in the plaintiff's petition, and which is described as follows, to wit:

Situated in the village of Marionville, County of Union in the State of Ohio, and

Beginning at the point of intersection of the north line of Fifth Street with the westerly line of Mary Place as shown by the plat of L. L. Longtrake's addition to said village; thence in a northwesterly direction along said west line of said Mary Place to a point where said line intersects the easterly line of a tract of land conveyed by Levi Longtrake and wife to Mary E. Campbell; thence running south easterly along the easterly line of said Campbell lot to the north line of said Fifth Street; thence easterly along said last mentioned line to the point of beginning,

106 total 2⁰¹

Langhorst Brothers, Wapakonetta, Ohio.

10868

Bring a triangular strip of land.

Also another tract of land, situated in said village county, and state, and.

Beginning at a stake at the south-east corner of J. B. Smith's lot in the center of Fifth Street: (Witness a stone in the center of said street) and east corner of J. N. Hamilton's land bears S. 72° E. 140 feet; thence with the center of said street S. 72° E. 87 1/2 feet to a stake; thence N. 2° E. 20 2/4 feet to a stake; thence N. 72° W. 33 feet (33) to a stake at the north-east corner of said J. N. Hamilton's lot; thence with the east line of said lot S. 18° W. 195 ft. to the beginning.

Containing 43 square poles, more or less.

That on the said 3-day of April, 1926, at 3:30 o'clock P.M. said mortgage deed was filed with the county recorder of Union County, Ohio, for record, and was on the 9-day of April, 1926, recorded by him in Vol. of mortgages No. 56 on page 578.

That the said mortgage deed is the first and best lien on the premises described in the plaintiff's petition.

Wherefore, this defendant, Martha Elliott, prays that if the Court orders the said premises sold, or any part of them is ordered to be sold, then, that out of the proceeds of said sale, that her interest be protected, and for such other and further relief in the premises as may be just and equitable. Martha Elliott.

State of Ohio, Union County ss.

Martha Elliott, being first duly sworn, says that the facts stated and the allegations made and contained in the foregoing cross-petition are true as she believes.

Martha Elliott

Sworn to before me, this 11-day of October, 1926,

Wm. J. P. Myers, Notary Public

orders on

Filing cross-Petition

Orders on Filing Cross-Petition.

This day came Martha Elliott and asked leave of court to be made a party defendant to this action and asked leave to file cross-petition instante, and the Court being fully advised in the premises, and on consideration thereof, find that the said Martha Elliott is a necessary party to this cause.

Wherefore, it is hereby ordered that the said Martha Elliott be made a party defendant to this cause, and leave is hereby granted hereto file cross-petition herein setting up mortgage claim instante, and the same is filed

W. J. P. Myers

Probate Judge

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Answer of Widow

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orders on hearing of appraisement

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Final Record, Union County Probate Court.

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Answer of Widower.

In the Probate Court, Union County, Ohio,
Answer.

Answer
of
Widower

Now comes L. H. McElmer, one of the defendants named in the above entitled cause, and voluntarily enters his appearance herein and, for answer to the plaintiff's petition, says, that he is the widower of the said Isabel McElmer, deceased, and, as such is entitled to dower in the premises described in the plaintiff's petition, that his age is --- years, and, he freely consents to said sale as prayed for, and waives the assignment of dower in said premises by metes and bounds, or, in rents and profits and asks the Court that said premises may be sold free from his dower estate therein, and, that the value of such may be allowed and paid to him in lieu thereof in money out of the proceeds of the sale, in such sum as the Court deems the just and reasonable value thereof.

L. H. McElmer.

State of Ohio, Union County, ss.

Oath

L. H. McElmer, being first duly sworn, says, that the facts stated and the allegations made and contained in the foregoing answer are true, so he believes
L. H. McElmer.

Sworn to before me, and signed in my presence this 5th day of November, 1926.

Maud Piers, Notary Public.

orders on
hearing
of
appraisement.

Journal Entry; Orders on Hearing, of appraisement, etc.
Probate Court, Union County, Ohio,
November, 5th 1926. Order of appraisement.
This day, this cause came on to be heard upon. The petition, evidence and testimony and all the answers of L. H. McElmer, and, Martha Elliott, and, Richard Henry McElmer, minor defendant, 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 L. H. McElmer widower of said Isabel McElmer, is entitled to dower in said real estate; That said L. H. McElmer, 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10 868. the real estate of Isabel M^{rs} Elmer described in the petition to pay her debts. It is ordered, that Chas. D. Webb, E. H. Banner, and W. F. Woodruff three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, be and they hereby are appointed to appraise said lands, as a whole, at their true value, in money, free from the dower estate of said L. B. M^{rs} Elmer, 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 5th day of November, 1926, and this cause is continued.

W. H. Husted, Judge

Order of appraisement

order of appraisement

The State of Ohio, Union County, ss.

Probate Court,

To Milo S. Myers, Greeting:

In obedience to an order and decree of the Probate Court, within and for said county, made this day in a certain cause, wherein you, as Administrator of the estate of Isabel M^{rs} Elmer, deceased, are Plaintiff and L. B. M^{rs} Elmer et al. are Defendants, you are commanded that by the oaths of Chas. D. Webb, E. H. Banner, and W. F. Woodruff judicious disinterested men of the vicinity, nob 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 undivided one-half interest of the following described premises, free from the dower estate of L. B. M^{rs} Elmer, therein, to wit:

Situated in the county of Union State of Ohio, and, in the village of Marysville, and,

Beginning at a point of intersection of the north line of Fifth Street, with the West line of Mary Place as shown by the plat of the L. L. Longbrake addition to said village; thence in a northerly direction along said West line of said Mary Place, to a point where said line intersects the easterly line of a tract of land conveyed by Levi Longbrake and wife to Mary E. Campbell, afterwards owned by John Shirk; thence running southeasterly along the said easterly line of said Campbell's lot to the north line of said Fifth Street; thence easterly along said last named line to the place of beginning.

Being a triangular strip of land lying between said Shirk lot, and, Mary Place.

Also, another tract of land situated in said county, state and village and described as follows:

Beginning at a stake at the south-east corner of J. B. Smith's lot, in the center of Fifth Street,

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Final Record, Union County Probate Court.

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Witness a stone in the center of said street and east corner of T. M. Hamilton's land. bears S. 72° E. 140 feet; thence with the center of said street S. 72° E. 88 1/2 ft. to a stake; thence N. 2° E. 202 3/4 ft. to a stake; Thence N. 72° W. 33 ft. to a stake at the north-east corner of said T. M. Hamilton's lot; Thence with the east line of said lot S. 18° W. 195 ft. to the beginning. Containing 43 poles, more or less. you will make return of your proceedings to this Court forthwith upon execution of this order.

Witness my signature, and the seal of said Probate Court at Mansville, Ohio. this 4. day of November, 1926.
 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 5th day of November, 1926.

Wm. L. Myers, Notary.

oath

Oath of appraisers.

of

The State of Ohio, Union County

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.

Chas. D. Webb, E. H. Hammer, W. F. Brodrick & appraisers.

Sworn to before me, and signed in my presence, this 5th day of November, 1926.

Wm. L. Myers, 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:

Fifteen hundred and seventy-five & 20/100 Dollars.

Four from dower estate of L. H. McElmer.

Given under our hands, this 5th day of November, 1926.

Chas. D. Webb, E. H. Hammer, W. F. Brodrick, & appraisers.

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

November 5th - a. d. 1926.

Application aft.

Guard. ad litem

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

The undersigned Wm. L. Myers, Plaintiff makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case.

The defendant Richard Henry McElmer.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10868 under the age of fourteen years, and has been duly served with summons herein.

The undersigned suggests that John W. Dailly who is a suitable person, be appointed as such Guardian ad litem.

Respy. Wm L. Myers.

Entry on aft. Gdn.

Journal Entry: on appointment of Guardian ad litem Probate Court, Union County, O. November, 5th 1926.

This day Wm L. Myers, appeared in open Court, and made application for the appointment of a Guardian ad litem for the minor defendant in this case.

and it appearing to the Court that the defendant Richard Henry McElmre under the age of fourteen years, and has been duly and legally served with summons herein, it is ordered that John W. Dailly be and hereby is appointed Guardian for the suit for said minor defendant.

and now comes the said John W. Dailly and in open Court accepts said appointment

Wm L. Myers Judge

Answer

Answer of Guardian ad litem

Gdn. ad litem

And now comes the said Richard Henry McElmre the minor defendant to the petition in said cause, by John W. Dailly his Guardian ad litem heretofore appointed in said cause, by said Court, and for answer to said petition, deny all the material allegations herein contained prejudicial to said minor defendants. 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 5th day of Nov. 1926.

Richard Henry McElmre.

By John W. Dailly, Guardian ad litem.

application to sell Real Estate at Private Sale.

Probate Court, Union County, Ohio, 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 to sell the real estate described in the petition in this case at private sale, for the following reasons:

First: it can be forthwith sold for the amount of the appraisement, and for cash.

Second: it being an undivided interest, the same can be sold at private sale to a better advantage than offering the same at public sale.

Third, to sell at private sale will save the expenses of advertising and offering the same at public sale.

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Carl

Affidavit of disinterested Person

Confirming appraisement

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Final Record, Union County Probate Court.

10868

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

Milo L. Myers, adur. of the estate of Isabel McElmer, Dec'd.

The State of Ohio, Union County.

Cash

Milo L. Myers, being duly sworn, says, that the various matters set forth in the foregoing application are true, as he truly believes. Milo L. Myers.

Sworn to before me, and, signed in my presence, this 5th day of November, A.D. 1926.

Wm. Maud Myers, Notary Public
affidavit of Disinterested Persons.

affidavit of Disinterested Persons

The State of Ohio, Union County.

John H. Laird, and H.C. Dollinger being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matter therein referred to, and, that it will be more for the interest of the said estate to sell said real estate at private sale than at public sale, as they truly believe.

John H. Laird. H.C. Dollinger.

Sworn to before me, and, signed in my presence, this 5th day of November, 1926.

Wm. Maud Myers, Notary Public
Probate Court, Union County, Ohio.
November, 5th 1926.

Confirming appraisement

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 Fifteen Hundred and Seventy-five and ⁰⁰/₁₀₀ Dollars, free from the dower estate therein of L.H. McElmer widow of Isabel McElmer, deceased.

and, the plaintiff above named having given bond dated August 31- 1926, in the sum of Three Thousand Five Hundred ⁰⁰/₁₀₀ Dollars, with The United States Fidelity and Guarantee Company, surety, conditions 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 free from said dower estate, at private sale at not less than the appraised value thereof, and upon the following terms, to wit:

Cash, in hand, in full, on day of sale.
W. H. Hasted, Probate Judge.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonette, Ohio.

18868

Order of Sale, Free from Dower,

The State of Ohio, Union County,

Probate Judge

To Mrs. L. Myers, Greeting:

Order

In obedience to an order and decree of the Probate Court of within and for said County, made this day in a certain sale cause, wherein you, as, administratrix of the estate of Isabel McElmer, deceased, are Plaintiff and, L. H. McElmer, et al. are Defendants you are commanded to proceed according to law, to sell at private sale, for not less than \$1575.00 the appraised value thereof free from the dower of L. H. McElmer, widow of Isabel McElmer, deceased, the undivided one-half interest of the following described premises, to wit:

Situated in the County of Union, State of Ohio, and in the village of Marysville, and

Beginning at a point of intersection of the north line of Fifth Street, with the west line of Mary Place as shown by the plat of the L. D. Longbrake addition to said village; thence in a northerly direction along said West line of said Mary Place to a point where said line intersects the easterly line of a tract of land, conveyed by Levi Longbrake and wife to Mary E. Campbell, afterwards owned by John Shirk; thence running southeasterly along the said easterly line of said Campbell's lot to the north line of said Fifth Street; thence easterly along said last named line to the place of beginning.

Being a triangular strip of land lying between said Shirk lot and Mary Place.

Also, another tract of land situated in said County, State and village and described as follows:

Beginning at a stake at the south-east corner of J. H. Smith's lot in the center of Fifth Street (witness a stone in the center of said street and east corner of J. H. Hamilton's land bears S. 72° E. 140 feet); thence with the center of said street S. 72° W. 88 1/2 ft. to a stake; thence N. 2° E. 202 1/4 feet to a stake; thence N. 72° W. 33 feet to a stake at the north-east corner of said J. H. Hamilton's lot; thence with the east line of said lot S. 18° W. 195 feet to the beginning,

containing 43 poles, 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, Ohio, this 5 day of November A.D. 1926

W. H. Husted, Probate Judge

10868

Return

Report

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orders approving an

confirming sale

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Final Record, Union County Probate Court.

10868

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 proceeding hereto attached.
Dated Nov. 5th 1926.

Miles L. Myers, Adm.
Report of Sale.

Report

In the obedience to the within order, I sold said premises on the 5th day of November, 1926, to L. H. McElmer, for the sum of Fifteen Hundred and Seventy Five and no/100 Dollars, said sum being the appraised value of the same.

Miles L. Myers, Adm.

Dated the 5th day of November, 1926.

Oath

The State of Ohio, Union County.
The above named Miles L. Myers, as Adm. of the estate of Isabel McElmer, 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.

Miles L. Myers, Adm.

Known to before me, and signed in my presence, this 5th day of November, 1926.

Wanda Myers, Notary Public.

orders approving

Journal Entry: Orders approving & Confirming sale - Probate Court, Union County, Ohio, November, 5th 1926.

Confirming sale

This day this cause coming on to be heard on the report of Miles L. Myers, as Adm. of the estate of Isabel McElmer, deceased, of his proceedings and sale under the former order of this Court, and upon the motion of said petitioner to confirm the sale under 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 & interest of said Isabel McElmer in said real estate, to the purchaser, L. H. McElmer, paying the amount of the purchase price therefor, in cash.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

It is further ordered, that this proceeding be recorded and that said petitioner pay costs.

W.H. Husted, Probate Judge

10 884

Oct. 5.

Petition for Sale of Real Estate to Pay debts.

Probate Court, Union County, Ohio.

no. 10 884

Civil Action.

1926 Mary J. Johnson, Executrix,
headed by the estate of
attorney Alfred Johnson, Deceased.

Plaintiff

v

Mary J. Johnson,
Lizzie Klingler
Dorothy Spicer
Francesanna Patrick,
Ada M. Moon, and,
Minnie Parmer, and,
William Johnson.

Defendants.

Petition
to

See Real Estate

Petition

The Plaintiff represents that she is the duly appointed and qualified Executrix of the estate of Alfred Johnson, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Six Hundred Dollars, 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 - nothing - being wholly insufficient to pay the debts and costs aforesaid.

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

Situated in Leesburg Township, in the County of Union and State of Ohio, and Survey no. 1139, and 3692. Commencing at a stone in the center of the Taylor gravel road and at the south west corner to lands formerly owned by Mary Webb. thence with the S. line of said land S. 82° 45' E. 60 poles to a stone in the westerly line of William Styris land; thence with the westerly line of said land S. 10° 15' W. 36.1 poles to a stone and tile; thence N. 82° 45' W. 60 poles to a stone and tile in the center of said Taylor Gravel Road; thence with the center of said Gravel Road N. 11° E. 36.1 poles to the place of beginning, containing 13.5 acres, to the same more or less. And being the same premises conveyed by William Jolliff to Alfred Johnson, by deed recorded in volume 99, page 238, Record of Deeds, Union County, Ohio.

10 884

Petitioner

Oath

Petitioner

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Final Record, Union County Probate Court.

10 884

The said decedent died leaving the defendant, Mary J. Johnson, his widow, who is entitled to dower in said premises; that the defendants Lizzie Klinger, Dorothy Spier, Francesanna Patrick, Ada M. Moore, Minnie Barber, and William Johnson, are the only heirs-at-law and next of kin, of said decedent, having the next estate of inheritance from said Alfred Johnson, deceased, in said premises; that the Plaintiff therefore prays that the dower of said Mary J. Johnson, in said premises may be assigned and set off to her; that the rights, interests and liens of the said Lizzie Klinger, Dorothy Spier, Francesanna Patrick, Ada M. Moore, Minnie Barber, and William Johnson, may be fully determined, adjusted, and protected according to equity, and that your petition may be authorized and ordered to sell the above described real estate to pay the debts of said decedent, and to sell said real estate for of said dower, according to the statute in such cases made and provided, and for all other proper orders and relief in the premises.

Petitioner

Mary J. Johnson,

The State of this Union County ss.

Oath

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

Mary J. Johnson,

Sworn to before me, and signed in my presence, this 4 day of October 1926. ~~W. H. Studid~~ Meade C. Robinson, Notary Public,

In the Probate Court of Union County, this,
Oct. 4 - 1926.

Filing Petition

Filing Petition To Sell Real Estate.

This day came the Plaintiff Mary J. Johnson, Executrix of the estate of Alfred Johnson, deceased, and presented to this Court, her petition, duly verified, praying an order for the sale of real estate of the said Alfred Johnson, 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. Studid

Probate Judge.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10884

Answer of Widow.

Answer

of
Widow

Probate Court, Union County, Ohio,
And now comes Mary J. Johnson, 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 Alfred Johnson
deceased, and as such is entitled to her dower in the
premises described in said petition, that her age is
-- 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 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 J. Johnson.

The State of Ohio Union County,

Oath

Mary J. Johnson being duly sworn, says that
the statements in the foregoing answer are true, as she
truly believes.

Mary J. Johnson.

Sworn to before me, and signed in my presence, this
12-day of Oct. 1926, ~~at~~ Wapakonetta, Probate Judge

Walter of Simmons

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, and consent
to the immediate sale of said real estate.

Oct. 4-1926.

Adam Moor, Miriam V. Parmer, Dorothy R. Spiler,
Miriam A. Johnson, Francesanna Patrick
Lizzie B. Klinger.

Probate Court, Union County, Ohio,
Oct. 14-1926.

Order for Private Sale.

Order of
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.

10884

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Final Record, Union County Probate Court.

10884 herein and are now properly before the Court. That the statements and allegations in said petition are true. That said Alfred Johnson deceased, left 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 by and hereby is dispensed with, and the Court being satisfied that it is necessary to sell the real estate of said Alfred Johnson, 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 J. Johnson, 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. T. Husted, Probate Judge -

Application To Sell at Private Sale -
 Probate Court, Union County, Ohio.
 No. 10884

affidavit
 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:

First: That the said decedent left no personal estate from which to pay his debts, amounting to \$300.00

Second: That a purchaser has been found who will take the land at its appraised value, to wit: one hundred dollars, per acre, or, thirteen hundred and fifty dollars, a sum considerable in excess of the amount which would be required for it at public sale.

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

Mary J. Johnson, Executrix.

The State of Ohio, Union County.

Mary J. Johnson, being duly sworn, says that the various matters set forth in the foregoing application are true, as she truly believes
 Mary J. Johnson.

Oath

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonette, Ohio.

10884
Affidavit
of
Disinterested
Persons

Affidavit of Disinterested Persons.

The State of Ohio, Union County.

Richard L. Cameron, Richard L. Thrall, and Glen L. Blinn
being duly sworn, say that they know the facts set forth
in the application to which this affidavit is attached;
that they have no interest whatever in the matter therein
referred to, and that it will be more for the interest of the
said estate to sell said real estate at private sale
than at public sale, as they verily believe.

Richard L. Cameron, Richard L. Thrall, Glen L. Blinn.

Sworn to before me, and signed in my presence, this
12. day of October 1926. W. H. Husted, Probate Judge

Order of sale

Order of Sale. Free of Tax.

The State of Ohio, Union County. Probate Court.

To, Mary J. Johnson, Ex^{rs}. of the estate of Alfred
Johnson, 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 Ex^{rs}. of the estate of
Alfred Johnson, deceased, are Plaintiff and Mary J. Johnson
et al. are Defendants, you are commanded to proceed
according to law, to sell at private sale, for the
appraised value, thereof four of the dower of Mary J. Johnson
widow of Alfred Johnson, deceased, the following described
premises, to-wit:

Situate in the County of Union and State of Ohio,
Township of Leesburg and bounded and described as
follows: Being in Survey no. 1139, sub. 2692,
commencing at a stone in the center of the Taylor
Gravel Road and, at the south west corner to lands
formerly owned by Mary Webb: Thence with the S. line of said
land, S. 82° 45' E. 60 poles to a stone in the westerly
line of William Steyer's land: Thence with the westerly
line of said land, S. 10° 15' W. 36.1 poles to a stone
and tile; Thence N. 82° 45' W. 60 poles to a stone
and tile in the center of said Taylor Gravel Road;
thence with the center of said Gravel road N. 11° E. 36.1
poles to the place of beginning, containing 13.5 acres,
be the same more or less.

And, being the same premises, conveyed by William
Jeuff to Alfred Johnson, by deed recorded in volume
99, page 238, Record of Deeds, Union County, Ohio.

Said sale to be for cash, at private 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, O. this 14 day of Oct. 1926.
W. H. Husted, Probate Judge.

10884

Return

Report of
sale.

oath

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approving
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Final Record, Union County Probate Court.

10884

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 14 day of Oct. 1926.

Mary J. Johnson, Ex-^t.

Report of Sale.

Report of Sale. Private.

In obedience to the within order, I sold said premises on the 14. day of Oct. 1926. to Morris Bulew, for the sum of Thirteen Hundred and Fifty Dollars, said sum being the appraised value of the same.

Dated the 14. day of Oct. 1926.

Mary J. Johnson, Ex-^t.

of the Estate of Alfred Johnson, Decd.

The State of Ohio, Union County.

oath

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

Mary J. Johnson.

Brought to before me, and signed in my presence, this 14. day of October, 1926.

W. H. Husted, Probate Judge.

Journal Entry:

orders approving and confirming sale.

Orders, approving and confirming sale.

Probate Court, Union County, Ohio.

October 14th - 1926.

This day this cause coming on to be heard on the report of Mary J. Johnson, Ex-^t of the estate of Alfred Johnson, 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, off the right, title and interests of the said Mary J. Johnson, Lizzie Klinger, Dorothy Spicer, Frances Ann Patrick, Minnie Parmer, Ada Moon, and William Johnson in said real estate, to the purchaser, Morris Bulew for cash. It is ordered that this proceeding be recorded, and that said petitioner pay costs. W. H. Husted, Probate Judge.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10 827

Dec. 21-

1926.

Legal notice

In the matter of the Estate of James Guy, Deceased,
 Legal notice
 The undersigned, the executor of the estate, of James Guy,
 deceased, will offer at public auction on the 18-day
 of December, 1926, at the residence 235 Ash Street, one
 Ford Tudor Sedan, in good condition never been run over
 500 miles. Frank Small, Executor. Dec. 3-1926.

State of Ohio, Union County, ss.

Cash

Personally appeared me, Lena Huber, and, made solemn
 oath, that the notice, a copy of which is hereto attached
 was published for three times on and next after December
 3- 1926, in the Daily Mansfield Tribune, a newspaper of
 general circulation in the county aforesaid, also one
 insertion in Weekly Tribune. Lena Huber.

Sworn to before me, and, signed in my presence, this
 21st day of December, A.D. 1926. J.M. Huber, Notary Public
 Fees. \$3.39

Probate Court, Union County, Ohio.

December 21 1926.

Order to record notice.

Order to record notice

This day proof of publication of notice of the auction
 of an Automobile by the executor of the estate of
 James Guy, deceased, was filed herein; it is ordered
 that the same be recorded in the records of this office.

W. H. Husted, Probate Judge

10790

Apr. 10th

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Final Record, Union County Probate Court.

10790
Apr. 10th

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

1926. Howard C. Black, Administrator,
of the estate of,
Emma L. Black, deceased,
Plaintiff

no. 10790.

Frank Black,
Dora Summerville
Ada Cornell,
Dor Cornell
Neil Summerville
Lora Summerville
Fama Summerville
Ida Summerville
Mrs. Dill Summerville.

Civil action
Petition
To
Sell Real Estate

Petition.

Defendants

Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Emma L. Black, late of Union County, Ohio, deceased; that the amount of debts due from the deceased is One 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 nothing, being wholly insufficient to pay the debts and costs aforesaid.

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

Originally described as a parcel, as follows:-
Beginning at a stake in the east parcel of land owned by G. T. Black, and George Herriott, and West line of lands of George Bourne and south side of an alley; running south from said line 51 feet to an alley to a stake; thence west about 150 feet; thence north 51 feet to an alley; thence with said alley about 150 feet to the place of beginning, containing about 1/4 of an acre, more or less, and being part of Survey no. 10708.

Now, it is now described as a numbered lot as follows: Being lot # 62, in the village of Plain City, Union County, and State of Ohio, as the same is known, numbered and designated on the recorded plat of said village, in the recorder's office, Mansfield, Ohio; that the defendants are the only heirs of said

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10790

decendent, having the next estate of inheritance from said Emma L. Black, deceased, in said premises; that the Defendants. The plaintiff therefore prays that the rights interests and firms of the said estate 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 any said down, according to the statute in such cases made, and provided, and for all other proper orders, and relief in the premises.
Howard C. Black.

The State of Ohio Union County ss

Carth.

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

Sworn to before me, and signed in my presence, this 10th day of May, 1926.
W. H. Husted, Probate Judge.

In the Probate Court of Union County, Ohio.
Apr. 10 - 1926. No. 10790.

Filing
Petition

Journal Entry: Filing Petition to Sell Real Estate. This day came the Plaintiff, Howard C. Black, Adm. of the estate of Emma L. Black, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Emma L. Black, 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

Affidavit.

Affidavit

In the Probate Court, Union Co. Ohio.
Frank Black, defendant, a son of Emma L. Black, and Uncle of Dill Sumner, being just duly sworn, upon his oath says: That the residence of the defendant, Dill Sumner, who enlisted in the U. S. Army under the alias of Frank Black, is unknown and cannot, with reasonable diligence be ascertained.
Frank Black.

Sworn to before me, and subscribed in my presence, this 1st day of June, A. D. 1926.
Earl A. Hesseman, Notary Public

10790

Journal

Orders.
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Final Record, Union County Probate Court.

10790

Journal Entry: Orders. service, by Publication,
Probate Court, Union County, Ohio,
June, 9-1926.

Orders.
service by
Publication

This day came the Plaintiff and filed herein an affidavit under the General Code in that behalf for the purpose of procuring service by publication; and it appearing to the Court that the residence of said defendant Dill Summerville is unknown to the plaintiff, that the residence of such defendants is unknown to the Plaintiff cannot with reasonable diligence be ascertained and that service of summons on such defend cannot be made; it is ordered, that proceedings against said heirs herein named be had.

It is ordered that the publication be made for six consecutive weeks, in a newspaper printed in this county; that it contain a summary statement of the object and prayer of the petition, mention the Court wherein it is filed, and notify the person thus to be served when he is 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, and make an entry thereof on the proper docket.

W. H. Trustad, Probate Judge

Waiver of Summons.

Probate Court, Union County, Ohio.

Waiver

We the undersigned parties Defendant to the Petition in the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

Frank Black, Ida Summerville, Ada Powell,
Fama Summerville, Neil Summerville, Ivan Summerville,
Ivor Powell, Clara Summerville.

Legal notice

Legal notice.

Dill Summerville, who enlisted in the United States Army under the alias of Frank Black, residence now unknown, will take notice that on the 10th day of May, 1926, Howard C. Black, Administrator of the estate of Emma L. Black, deceased, filed his petition in the Probate Court of Union County, Ohio, in case no. 10790, against the above named party among others, praying for the sale of the property hereafter described, to pay debts and

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10790

costs of administration in said estate. Said premises being described as follows, to-wit:

Being in the village of Plain City, Union County, Ohio, originally described as a parcel of land, as follows:

Beginning at a stake in the east parcel of land owned by J. T. Black and George Herriott and west line of lands of George Bourse and south side of an alley - running south from said line 51 feet to a stake thence west about 150 feet: thence north 51 feet to an alley: thence with said alley about 150 feet to the place of the beginning, containing about 1/4 of an acre, more or less, and being a part of Survey No. 10708

Now said tract is now described as a numbered lot, as follows: Being lot No. 62 in said village of Plain City, Union County, Ohio, as the same is known, numbered and designated in the recorded plat of said village in the recorder's office, Mansfield, Ohio.

Said party is required to answer on, or before the 22-day of July, 1926.

Howard C. Black,

Attorney for Plaintiff

State of Ohio, Union County ss.

Oath.

Personally appeared before me, E. M. Welliver and made solemn oath that the notice, a copy of which is hereto attached was published for consecutive weeks on, and next after June 10 - 1926, in the Union County Journal, a newspaper of general circulation in county aforesaid.

E. M. Welliver

Done to before me, and signed in my presence, this 16th day of July, 1926. B. B. Garner, Notary Public, #1856.

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

application to sell Private sale.

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

The estate is quite small and can be sold at as high a price at private sale as at public sale and the expenses of a public sale be eliminated.

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

Howard C. Black, Admin. of the estate of Emma L. Clark, Dec'd -

10790

The Hon. matter he pr this

affidavit of Disinterested Persons.

The by him set is in the said sale. 10790

order for Private sale.

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Final Record, Union County Probate Court.

10790

The State of Ohio, Union County.
Howard L. Black, being duly sworn, says, that the various matters set forth in the foregoing application are true, as he verily believes. Howard L. Black.
known to before me, and signed in my presence.
this 30th day of July, A.D. 1926.

affidavit
of
Disinterested
Persons.

W. H. Husted, Probate Judge -
Affidavit of Disinterested Persons.

The State of Ohio, Madison County.
Cyrus Hinkson, R. P. Smith and Benj. E. Jones, 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.

Cyrus Hinkson, R. P. Smith, Benj. E. Jones.
James H. Brown, Notary Public

Probate Court Union County, Ohio.

July, 30th 1926

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 Emma L. Clark, deceased did not leave a widow, entitled to dower in the estate to be sold, and an appraisement of such estate is contained in the inventory.

It is ordered, that another appraisement be, and, hereby is dispensed with. And, the Court being satisfied that it is necessary to sell the real estate of said Emma L. Clark, 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 Howard L. Black, as such Administrator of the estate of said Emma L. Clark, deceased, proceed, to sell said real estate, free of dower, at private sale, for not less than

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10790

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.

N. H. Husted, Probate Judge -

Order of Sale, Free from Dower.

The State of Ohio Union County, Probate Court.

To Howard C. Black, Adm^r of the estate of Emma L. Black, deceased. 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 Adm^r of the estate of said Emma L. Black, deceased, are Plaintiff and Frank Black, 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 following described premises to wit:

Same being originally described as a parcel of land conveyed by J. T. Black and wife and George Herriott and wife to Emma L. Black, being in the county of Union and State of Ohio, to wit: Beginning at a stake in the west line of lands of George Bourne and south side of an alley; running south from the said line 51 feet to a stake; thence west about 150 feet; thence north 51 feet to an alley; thence with said alley about 150 feet to the place of beginning, containing about 1/4 of an acre, more or less, and being a part of Survey # 10708.

Moreover, it is now described as a numbered lot as follows: Being Lot # 62 in the village of Plain City Union County, Ohio, as the same is known, numbered and designed on the recorded plat of said village, in the recorder's office, Mansfield, Ohio.

Said sale to be upon the following terms: cash in hand, you will make return of your proceedings to this court, forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court, at Mansfield, Ohio, this 30 day of July, 1926.

N. 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 10 day of September, 1926.

Howard C. Black, Adm^r estate of Emma L. Black, Deceased.

10790

Report.

of,

Sale

Private

Oath

Legal notice.

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Final Record, Union County Probate Court.

10790

Report of Sale - Private

Report of

Sale

Private

In obedience to the within order, I sold said premises on the 9-day of September 1926. to John T. Page for the sum of \$350.00 said sum being the appraised value of the same.

Dated the 10-day of September, 1926.

Howard C. Black, admr., Estate of Emma L. Black, Dec'd.

Oath

The State of Ohio, Madison County.

The above named Howard C. Black, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property. Howard C. Black, known to before, true and, signed in my presence, this 10-day of September, 1926.

Real L. A. Davis, Notary Public.

Legal notice

Legal notice

Dell Summerville, who is enlisted in the United States Army under the alias of Frank Black, residence now unknown, will take notice that on the 10-day of May, 1926, Howard C. Black, admr., of the estate of Emma L. Black, deceased, filed his petition in the Probate Court of Union County Ohio, in case no. 10790, against the above named party, among others praying for the sale of the property hereinafter described, to pay debts and costs of administration in said estate.

Said premises being described as follows: to-wit:

Being in the village of Plain City, Union County, Ohio, originally described as a parcel of land as follows: Beginning at a stake in the east parcel of land owned by J. T. Black and George Herriott and west line of lands of George Kouriel and, south side of an alley; running south from said line 51 feet to a stake, thence west about 150 feet; thence north 51 feet to an alley; thence, with said alley about 150 feet to the place of the beginning, containing about 1/4 of an acre, more or less, and being a part of Survey no. 10708.

Howard, said tract is now described as a numbered lot as follows: Being lot no. 62 in the said village of Plain City, Union County, Ohio, as the same is known, numbered, and designated on the recorded plat of said village, in the recorder's office, Marysville Ohio. Said party is required to answer, on or before the 22-day of July, 1926.

Howard C. Black

Atty for Plaintiff.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonette, Ohio.

10790

State of Ohio, Union County, ss. Personally appeared before me, E. M. Bellville, and made solemn oath, that the notice, a copy of which is hereto attached was published for 6 consecutive weeks, on and next after June 10th 1926, in the Union County Journal a newspaper of general circulation in county aforesaid.

E. M. Bellville.

Known to before me, and signed in my presence this 16 day of July, A. D. 1926. ~~Ray~~ B. B. Gummer. Fero. \$18⁵⁰

Journal Entry: Order approving ^{an} Confirming Sale. Probate Court, Union County, Ohio. August, 17- 1926.

approving
an.
confirming
sale.

This day this cause coming on to be heard on the report of Howard C. Black, Adm. of the estate of Emma R. Black, 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, Emma R. Black, in said real estate, to the purchasers, Jesse E. Raush, and Gordon, A. Raush, upon the said purchasers.

Paying to the petitioner their full purchase price cash, in hand.

It is further ordered, that this proceeding be recorded, and that said petitioner pay costs.

W. H. Busted, Probate Judge.

10891
Oct. 15th
1926

Petition

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Final Record, Union County Probate Court.

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Petition for Sale of Real Estate to Pay Debts,
Probate Court, Union County, Ohio,
No. 10891.
Civil Action
Petition To Sell Real Estate,
Petition.

Belle Rigal, Administratrix
of the Estate of
George Rigal, Deceased,
Plaintiff.

v.

Belle Rigal, widow.
Goldie Johnston,
Carl Johnston
Floyd Rigal
Belia Rigal,
Forest Rigal

Defendants

Petition

The Plaintiff represents that she is the duly appointed and qualified Administratrix of the estate of George Rigal late of Union County, Ohio, deceased; that the amount of debts due from the deceased is fifteen hundred dollars; as near as can be ascertained. That the charges of administration of said estate will amount to about three hundred dollars; and that the total value of the personal estate and effects of said deceased, is but - none at this time, being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said George Rigal 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 Township of Washington:
Being more particularly one-half undivided interest in the following described premises:
Being part of John Lipscomb's Survey # 10938,
Beginning at a stake in the Greenwell Treaty line the original S.W. Corner of said Survey; thence with said Treaty line N. 80^o 4' E. 90 poles to a stake being the original S.E. Corner to said Survey; thence N. 11³/₄^o W. 241¹/₂ poles to a stone and rocks in the East line of the Survey; thence S. 50^o W. 90 poles to a tree and sugar; thence S. 11³/₄^o E. 241.5 poles to the place of beginning,
Containing 135¹/₁₆ acres, more or less, excepting therefrom off the North end the following

Langhorst Brothers, Wapakonetta, Ohio.

10 891

described tract:

Beginning at a stake N.E. corner of a 50 acre tract formerly owned by William W. Barry: thence with his east line 53 1/2 poles to a stake in the said line; thence N. 80 1/2° E. 90 poles to the original line of said Barry; thence N. 11 3/4° W. 53 1/2 poles to a stone and rocks in said line; thence S. 80 1/2° W. 90 poles to the place of beginning containing 30 acres.

also excepting a right of way 30 feet wide off the west side thereof sold to William W. Barry.

The total amount of land herein conveyed being undivided one-half interest in 103 1/3 acres more or less.

The said decedent died leaving the defendant Belle Rigal his widow, who is entitled to dower in said premises; that the defendants Goldie Johnston, Floyd Rigal, and Forest Rigal are sons, and daughter of the decedent, and that Belia Rigal is the wife of Floyd Rigal, and Carl Johnston is the husband of Goldie Johnston, are the only persons of said decedent having the next estate of inheritance from said George Rigal, deceased, in said premises.

The Plaintiff therefore prays that the dower of said Belle Rigal in said premises may be assigned and set off to her; 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 dower, according to the statute in such cases made, and provided, and for all other proper orders and relief in the premises.

Belle Rigal, administratrix,

The State of Ohio, Union County, ss.

Oath.

Belle Rigal, 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.

Belle Rigal, Adm.

Shown to inform me, and signed in my presence this 13 day of October 1926. Jacob R. Trachler, Notary Public

In the Probate Court of Union County, Ohio, October, 15th 1926. No. 10 891.

Journal Entry: Filing Petition to Sell Real Estate

Filing Petition

This day came the Plaintiff Belle Rigal, Adm., of the estate of Geo. Rigal, and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said George Rigal, deceased, to pay the debts, and the costs of administering the

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Final Record, Union County Probate Court.

10 891

estate, of the said decedent.

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

W.H. Husted, Probate Judge -

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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.

September 16th 1926.

Golda B. Johnston, Carl W. Johnston,

Wainor

Wainor

Probate Court, Union County, Ohio.
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 appearance, as such Defendant.

And we do hereby consent to the sale of the Real Estate described in the petition, according to the prayer of the same.

September 16th A.D. 1926.

Forrest Rigel.

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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 prayer of the same.

September 16th A.D. 1926.

Floyd Rigel, Belia Rigel,

Answer of Widow

answer

Probate Court, Union County, Ohio.

no. 10 891. answer of widow.

of Widow.

And now comes Belle Rigel 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 Rigel, deceased

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10891

and as such is entitled to consummate dower in the premises described in said petition, that her age is 64 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 consummate 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
Belle Rigel.

The State of Ohio, Union County,

Oath

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

Done to before me, and signed in my presence, this 13. day of Oct. 1926. Seal Jacob R. Lacker, Notary Public, Min. Co. D.

Bond.

Bond.

Know all men, by these presents, that Mr. Belle Rigel, as Principal and Bent Gabriel and Walter Hartman are held and firmly bound unto the State of Ohio, in the sum of \$5,000.00, 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 19 day of October, 1926.

The condition of the above obligation is such, that whereas the above bound Belle Rigel was heretofore duly appointed and qualified by the Probate Court, of Union County, Ohio, Adx. of the estate of George Rigel, dec'd.

and whereas the said Belle Rigel as, such Adx. 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 Oct. 1926, made an order requiring said Belle Rigel to execute a bond according to the statute in such cases made, and provided,

now, of the said Belle Rigel Adx. 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.

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Belle Rigel
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Final Record, Union County Probate Court.

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Belle Rigul, Walter Hartman, Bent Cahill,
Executed in Presence of
F. M. Zupshaw, W. P. Ransom.

This Bond approved in open Court, this 20 day of Oct. 1926.

~~W. H. Hustid~~, Probate Judge -

order

Order of Sale. Free from Dower.

of

The State of this Union County, Probate Court.

Sale.

To Belle Rigul, Adm. of the Estate of George Rigul, Deceased;

Free from

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 George Rigul are Plaintiff and Belle Rigul 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 Rigul widow of George Rigul, deceased, the following described premises to wit:

Situate in the County of Union and State of this, to wit: and, in the township of Washington:

Being part of John Lipscomb's Survey No. 10938.

Beginning at a stake in the Greenville Treaty line the original S. W. Corner of said Survey; thence with said Treaty line N. 80 1/4° E. 90 poles to a stake, being the original S. E. Corner to said Survey; thence N. 11 3/4° W. 241 1/2 poles, to a stone and crooks in the East line of the Survey; thence S. 80° W. 90 poles to a brace and sugar; thence S. 11 3/4° E. 241.5 poles to the place of beginning, containing 135 1/6 acres more or less.

Excepting therefrom off the North end the following described tracts:-

Beginning at a stake N. E. Corner of a 50 acre tract formerly owned by William W. Country; thence with his East line 53 1/2 poles to a stake in the said line; thence N. 80 1/2° E. 90 poles to the original line of said Survey; thence N. 11 3/4° W. 54 1/2 poles to a stone and crooks in the said line; thence S. 80 1/2° W. 90 poles to the place of beginning, containing 30 acres.

also, excepting a right of way 30 feet wide off the West side thereof sold to William W. Country.

The total amount of land herein conveyed being undivided one-half interest in 10 3 1/3 acres more or less. Said sale to be private, 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

Waysville, O. this 9th of Dec. 1926. ~~W. H. Hustid~~, Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10891

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.

Dated the 9 day of Dec. 1926. Belle Rigal.

Report

Report of Sale. Private

In obedience to the within order, I sold said premises on the 9 day of Dec. 1926, to William Heck of for the sum of \$4635⁰⁰ said sum being the appraised value of the same.

Dated the 9 day of Dec. 1926. Belle Rigal.

Oath.

The State of Ohio, Union County.
The above named Belle Rigal 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.

Belle Rigal.
Sworn to before me, and signed in my presence, this 9 day of Dec., 1926. ^{not} Jacob R. Fackler, Notary.

application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

no 10891 application

Application

to sell

at

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

It would save the costs of advertising and sale at public auction.

It can be sold for its entire worth at private sale.

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

Belle Rigal. Adx. of Est. of Geo. Rigal.

Oath.

The State of Ohio, Union County.
Belle Rigal, being duly sworn, says, that the various matters set forth in the foregoing Application are true as she verily believes.

Belle Rigal.
Sworn to before me, and signed in my presence, this 15th day of November, 1926. ^{not} Jacob R. Fackler Notary Public
Affidavit of Disinterested Person.

Affidavit

of

Disinterested Persons.

The State of Ohio, Union County,
North Dondra, and Matt Sachs, 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

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Final Record, Union County Probate Court.

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matters therein referred to, and, that it would be more for the interest of the said estate of George Rigal to sell said real estate at private sale than at public sale as they truly believe.

North Dondra. Matt Pacha.

known to before me, and, signed in my presence, this 9th day of December, 1926. ~~1926~~ Jacob R. Fackler, Notary Public.

Probate Court, Union County, Ohio.

Dec. 9th 1926, No. 10987.

Confirming appraisement and ordering 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 Nine Thousand Three Hundred Dollars four from the dowry estate therein of Belle Rigal widow of George Rigal deceased, and, the plaintiff above named having given bond, dated Oct. 20th 1926, in the sum of Five Thousand Dollars, with Walter Kestman and Bent Babier 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 four from said dowry estate at private sale, at not less than the appraised value thereof; and upon the following terms, to wit: Cash in hand, on day of sale.

W. H. Husted, Probate Judge

Journal Entry: Orders on hearing, of appraisement.

Probate Court, Union County, Ohio.

Nov. 6th 1926.

Orders on hearing of appraisement

This day, this cause came on to be heard upon the petition, evidence and testimony of the adx., 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 Belle Rigal, the widow of said George Rigal is entitled to her dowry in said real estate; That said Belle Rigal by her answer herein waives the assignment of dowry in said premises by metes and bounds, or, in rents

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10 891

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 Rigel described in the petition, to pay his debts.

It is ordered that W. B. Taylor, Oscar Martin and D. F. Fish three equitable and judicious disinterested men 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 Belle Rigel therein.

It is further ordered that said appraisers be sworn as required by law, and afterwards, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this court, on or before the 13 day of November, 1926, and this cause is continued

W. H. Husted, Probate Judge

Order of appraisement.

order

The State of Ohio, Union County,

Probate Court.

To Belle Rigel, Adx. of the estate of George Rigel. 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 Adx., are Plaintiff and Belle Rigel et al. are Defendants, you are commanded by the oath of Oscar Martin, W. B. Taylor, and D. F. Fish 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 Belle Rigel therein to wit:

Situate in the County of Union and State of Ohio, to wit: and in the township of Washington:

Being part of John Lipscomb's Survey no. 10938.

Beginning at a stake in the Greenville Treaty line the original S. W. corner of said Survey; thence with said Treaty line N. 80 1/4 E. 90 Poles to a stake being the original S. E. corner to said survey; thence N. 11 3/4 W. 241 1/2 poles, to a stone and cross, in the east line of the Survey; thence S. 80 W. 90 poles, to a brick and sugar; thence S. 11 3/4 E. 241.5 poles to the place of beginning, containing 135 1/16 acrs. more or less, excepting therefrom off the north end, the following described tract:

Beginning at a stake N. E. corner of a 50 acre tract formerly owned by William W. Country; thence with his east line S. 3 1/2 poles to a stake in the said line; thence N. 80 1/2 E. 90 poles to the original line of said Survey; thence N. 11 3/4 W. 54 1/2 poles to a stone and cross in said line; thence S. 80 1/2 W. 90 poles to the

Return

Oath of appraisers

appraisers' Return,

order approving

Confirming sale.

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Final Record, Union County Probate Court.

place of beginning, containing 30 acres.
also, excepting a right of way 30 feet wide off the west side thereof sold to Wm. McCoubrey.

The total amount of land herein conveyed being undivided one-half interest in 103 2/3 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 6th day of November, A.D. 1926.

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.

Dated the 16th day of November, 1926.

Belle Rigal, Adx.

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. Taylor, Oscar E. Martins, D. F. Fish - appraisers

Sworn to before me, and signed in my presence, this 16th day of November, 1926.

Jacob R. Faskler, 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 \$90.00 per acre.

Total for the 103 acres. \$9270.00

One-half interest \$4635.00

Given under our hands, this 16th day of November, 1926.

W. H. Taylor, Oscar E. Martins, D. F. Fish - appraisers

Fees of appraisers \$2.00 each day

Order approving and

Journal Entry: Orders approving & confirming Sale. Probate Court, Union County, Ohio.

Dec. 9-1926.

Confirming Sale.

This day, this cause coming on to be heard on the report of Belle Rigal, Adx. of the estate of George Rigal 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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 Rignel in said real estate, to the purchaser William Bickel upon the said purchaser paying the purchase price.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed.

W. H. Husted, Probate Judge

10904
Nov. 18-1926
L. A. Davis,
att'y. for
Plaintiff

Petition for Sale of Real Estate, to Pay Debts,
Probate Court, Union County, Ohio,
no. 10904

J. R. Woods, Executor, of
The Estate of
Francis Dunn, Deceased,
Plaintiff

Clark Dunn,
Lora D. Hill
Ira C. Clegg,
Lloyd Dunn,
Okey Dunn (all adults)
The Plain City Home, and
Savings Co. having some
interest in said estate,
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 Francis Dunn late of Union County, Ohio, deceased; that the amount of debts due from the deceased is three hundred, fifty Dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about \$75.00 and that the total value of the personal estate and effects of said deceased, is but nil dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Francis Dunn died seized in fee simple of the following described real estate, situate in the County and State of Ohio, to wit:
Being Lot, no. sixty (60) in the village of Plain City, and in said County of Union and State of Ohio, as the same is known, numbered and designated on the plat of said Village

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Final Record, Union County Probate Court.

10904

of record in the office of the Recorder, at Marysville, Ohio.
For a fuller description of said real estate, reference is had to Vol. 130 at page 191 of the Dead Records of Union County, Ohio.

The said decedent died leaving the defendant his widow since deceased, that the defendants Clark Durr, born D. Hill, Eva Bligrow, Lloyd Durr and Okey Durr, are the only heirs at law of said decedent, having the next estate of inheritance from said Francis Durr deceased, in said premises; that the defendants, The Plain City Home and Savings Co., hold a mortgage on the above described real estate.

The Plaintiff therefore prays, that the rights, interests and claims of the said The Plain City Home and Savings Co. 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 any liens, according to the statute in such cases made and provided, and for all other proper orders, and relief in the premises.

J. R. Woods

The State of Ohio, Union County, ss.

J. R. Woods, the above named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true to the best of his knowledge, and belief.

J. R. Woods

Sworn to before me, and signed in my presence, this 10-day of November, 1926. W. H. Husted, Probate Judge
Probate Court, Union County, Ohio

Receipt

To the Probate Judge:

I have summoned for said Lloyd Durr, residence Morland, Oklahoma, or Ponca, Oklahoma.

(The said Clark Durr, born D. Hill, Eva Bligrow, and Okey Durr and the Plain City Home and Savings Co. have entered their appearance and waived the issuing said summons and service of same and consented to the sale of said real estate).

Plaintiff attorney,

In the Probate Court of Union County, Ohio

Nov. 10 - 1926. no. 10904.

Filing Petition to Sell Real Estate.

Petition

Oath

Receipt

Filing Petition

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10904

This day came, the Plaintiff J. R. Woods, and, presented to this Court, his petition, duly verified, praying an order for the sale of real estate of the said Francis Dunn 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.

affidavit to obtain service by Publication

affidavit to obtain service by Publication Probate Court, Union County, Ohio, no. 10904

The State of Ohio, Union County, ss. J. R. Woods, the said Plaintiff, being sworn, says that the Defendant, Lloyd Dunn, now resident of this, and that service of summons on her cannot be made in this State; that the residence of said Lloyd Dunn is Nowland, Oklahoma, and that service of summons on him cannot be made; and that the case is one of those mentioned in Section 11292 of the General Code of Ohio.

J. R. Woods.

Sworn to before me, and signed in my presence this 10th day of November, 1926.

W. H. Husted, Probate Judge.

Journal Entry: Probate Court, Union County, Ohio, Nov. 10th 1926.

Order Service by Publication

Orders, Service by Publication.

This day came, the Plaintiff and filed herein an affidavit under the General Code in that behalf for the purpose of procuring service by publication; and, it appearing to the Court that the Defendant, Lloyd Dunn is a non-resident of Ohio, that service of summons on him cannot be made in this State; that the residence of said Lloyd Dunn is Nowland, Oklahoma and that service of summons on such defendants cannot be made; it is ordered that proceedings against said unknown heirs be had without naming them. It is ordered that the publication be made for six consecutive weeks in a newspaper printed in this County; that it contain a summary statement of the object

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Final Record, Union County Probate Court.

10904

and prayer of the petition, mention the Court wherein it is filed, and notify the persons, thus to be served when they are required to answer.

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

W. H. Husted, Probate Judge -
Wainor.

In the Probate Court of Madison Co. Ohio,
No. 10904.

we the undersigned heirs at law, and devisees of the Will of Francis Dunn, deceased, do hereby waive the issuing and service of summons in the above entitled case and do hereby enter our appearance in said Court and further do consent to the sale and distribution of the real estate described in said petition and all things therein asked for.

Ira Bligrow, 782 Beacon St.
Winnipeg, Man., Canada.

Wainor

Waiver of Summons.

We the undersigned heirs at law and devisees of the Will of Francis Dunn, deceased, do hereby waive the issuing and service of summons in the above entitled case and do hereby enter our appearance in said Court and further do consent to the sale and distribution of the real estate described in said petition and all things therein asked for.

Chas Dunn.

Wainor

Waiver of Summons.

We the undersigned heirs at law, and devisees of the Will of Francis Dunn, deceased, do hereby waive the issuing and service of summons in the above entitled case, and do hereby enter our appearance in said Court and further do consent to the sale and distribution of the real estate described in said petition and all things therein asked for.

Mrs Cora Hill.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10904

Waiver of Summons.

In the Probate Court of Madison Co. Ohio,
J. R. Woods, Administrator of the estate of Francis Dunn,
Plaintiff

Waiver

V- O- Clark Dunn, et al. Defendants.

We, the undersigned heirs at law, and devisees of the Will of Francis Dunn, deceased, do hereby waive the issuing and service of summons in the above entitled case, and do hereby enter our appearance in said court, and further do consent to the sale and distribution of the real estate described in said petition and all things therein asked for.

The Plain City Home, and Savings Co.

By J. W. Bonner President.

Waiver

Waiver of Summons.

We, the undersigned heirs at law and devisees of the Will of Francis Dunn, deceased, do hereby waive the issuing and service of summons in the above entitled case, and do hereby enter our appearance in said court and further do consent to the sale and distribution of the real estate described in said petition and all things therein asked for.

Okey Dunn.

Legal notice

Legal notice.

Lloyd Dunn, whose last known place of residence is Morland, Oklahoma, will take notice that J. R. Woods executor of the estate of Francis Dunn deceased, has filed his petition in the Probate Court of Union County, Ohio, praying for an order to sell the real estate belonging to said decedent for the purpose of paying the debts of said estate.

Said petition will be for hearing on the 23-day of December, 1926.
W. H. Husted, Probate Judge of Union Co. O.
Nov. 10 - 1926

Oath

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 consecutive weeks, on and next after November, 10 - 1926, in the weekly Marysville Tribune, a newspaper of general circulation in the county aforesaid.

Lena Huber.

Sworn to before me, and signed in my presence this 21-day of December, A. D. 1926.

J. M. Huber, Notary Public

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Legal notice

application

to

Private sale

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Final Record, Union County Probate Court.

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Legal notice.

Lloyd Dunn, whose last known place of residence is Morland, Oklahoma, will take notice that J. R. Woods, executor of the estate of Francis Dunn, deceased, has filed his petition in the Probate Court of Union County, Ohio, praying for an order to sell the real estate belonging to said decedent for the purpose of paying the debts of said estate. Said petition will be for hearing on the 23-day of Dec. 1926. Witness my hand, Probate Judge, Union Co. Ohio, Nov. 10 - 1926.

Legal notice

Application to Sell Real Estate at Private Sale -

Probate Court, Union County, Ohio, No. 10904

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 this case at private sale, for the following reasons:

- First: that said real estate can be sold at private sale for more than the appraised value
 - Second: that the same can be sold for cash in hand.
 - Third: that to sell at private sale will save the expenses of offering the same for sale at public sale.
- and he therefore asks for an order authorizing him to sell said real estate at private sale.

J. R. Woods, Executor of Est. of Francis Dunn, Dec.

The State of Ohio, Union County,

Cash.

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

J. R. Woods.

Done to before me, and signed in my presence, this 24th day of December, A. D. 1926.

Witness my hand and seal, Probate Judge -
affidavit of Disinterested Persons.

affidavit

of

Disinterested

Persons.

The State of Ohio, Union County,

E. H. Hutton, H. D. Buffum, and Pearl M. Henry

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 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.

E. H. Hutton, H. D. Buffum, Pearl M. Henry

Done to before me, and signed in my presence this 24th day of December, 1926.

Witness my hand and seal, Probate Judge -

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10904

Probate Court, Union County, Ohio,
Dec. 23 - 1926.

Order for Private Sale, etc.

order for
Private Sale.

This day this cause came on to be heard upon the petition, evidence and testimony of J. R. Woods, 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 Francis Dunn 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 Francis Dunn, 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 J. R. Woods as, such Executor, proceed to sell said real estate, free of dower, at private sale for not less than the appraised value thereof, cash in hand, on day of sale. and, said petitioner is ordered to make return to this Court immediately after such sale is made, and, this cause is continued.

W. H. Husted, Probate Judge.

Order of Sale, Free of Dower

Probate Court.

order

of
Sale.

The State of Ohio, Union County.

To J. R. Woods, 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 Francis Dunn, deceased, in Plaintiff and, to Mark Dunn et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$500- the appraised value thereof, the following described premises, to-wit:

Being Lot # 60, in the village of Plain City, in the County of Union and, the State of Ohio, as the same is known and designated on the plat of said village as found in the office of the County recorder of Union County, Ohio.

Said sale to be free, the dower and to be

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Final Record, Union County Probate Court.

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upon the following terms lastly:

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 24th day of December, A.D. 1926. ~~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 thereto attached.

Dated the 24th day of Dec. 1926.

J. R. Woods.

Report

Report of Sale. Private

In obedience to the within order, I sold said premises on the 24th day of December, 1926.

to Outway Noteman for the sum of Five Hundred twenty and ⁵⁰/₁₀₀ Dollars, said sum being more than the appraised value of the same.

Dated the 24th day of Dec. 1926.

J. R. Woods.

The State of Ohio, Union County.

The above named J. R. Woods 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. R. Woods.

Sworn to before me, and signed in my presence, this 24th day of Dec. 1926. ~~Seal~~ W. H. Husted, Probate Judge.

Order

Journal entry: Orders approving ^{and} Confirming Sale. Probate Court, Union County, Ohio. Dec. 24th 1926.

approving

confirming sale

This day this cause coming on to be heard on the report of J. R. Woods, executor of the estate of Francis Dunn, 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

10904

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10904

of the said Francis Dunn deceased, in said real estate to purchaser Otway Notman, upon the purchaser paying the purchase price.

It is further ordered, that this proceeding be recorded and that said petitioner pay the costs herein taxed at \$13-
W. H. Husted, Probate Judge

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Oct. 28

1926

R. L. Cameron
attorney

Frank Small, Executor
of the estate of
James Guy, Deceased
Plaintiff

Emma Guy
Dell W. Guy
Robert G. Guy
Myrtle Small
Howard Guy
Hiram Guy
Ray Guy, and
The Citizens Home and
Savings Co.

Defendants.

The Plaintiff represents that he is the duly appointed and qualified executor of the estate of James Guy late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is eight hundred sixty-five (\$865.00) Dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about three hundred (\$300.00) Dollars; and, that the total value of the personal estate and effects of said deceased, is but nine hundred, fifty-two and 34/100 Dollars, being wholly insufficient to pay the debts and costs aforesaid.

Petition

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

In the village of Marysville part of out-lot no. 43 bounded, and described, as follows:

Beginning at an iron pin 36 feet north of a stone in the line between Lot no. 42, and out-lot no. 43, being the line between the lots owned by the devisees of Lydia A. Cleveland, deceased, and Percy J. Mory; thence north with said line 45 feet and 6 inches to an iron pin; thence east parallel with the South margin, of Sixth

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

no. 10898

Real Estate

Petition

to

Sell Real Estate

Petition

Final Record, Union County Probate Court.

10896.

Street 203 feet and 3 inches to an iron pin in the west line of Ash Street; thence South with the west line of Ash Street 45 feet and 6 inches to an iron pin; thence west parallel with said South line of Sixth Street 203 feet and 3 inches to the place of beginning.

The said decedent died leaving the defendant Emma Guy his widow; who is entitled to dower in his premises; that the defendants Dell W. Guy, Robert G. Guy, Myrta Small, Howard Guy, Hiram Guy, and Fay Guy, are the only heirs at law and next of kin, of said decedent, having the next estate of inheritance from said James Guy, deceased, in said premises; that the defendants The Citizens Home, and Savings Co. of Maryville, Ohio, claim an interest in said property by way of mortgage and the plaintiff asks, that they may be required to set forth their claim in full herein or be forever barred of the same.

Petitioner

The Plaintiff therefore prays, that the dower of said Emma Guy in said premises may be assigned and set off to her; that the rights, interests and liens of the said The Citizens Home and Savings Co. 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.

Oath,

The State of Ohio, Union County, ss.
Frank Small, 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 Small.

Sworn to before me, and signed in my presence, this 25. day of October, 1926.

Louise Lyrell, Notary Public

Filing
Petitioner
To
Ball
Real Estate

In the Probate Court of Union County, Ohio.
October 25-2 1926. 4- 10896.
Filing Petition To Sell Real Estate.

This day came, the Plaintiff Frank Small and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said James Guy deceased, to pay the debts, and the costs of administering

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10896

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.W. Husted, Probate Judge-

In the Probate Court, Union County, Ohio.
Frank A. Small, Executor,
Plaintiff Case No. 10896.

vs.
Emma Guy, et al.
Defendants.

Cross

Petition
of
The Citizens
Home Savings Co.

Cross Petition of the Citizens Home Savings Company, now comes the defendant. The Citizens Home and Savings Company, and for its cross petition says that it is a corporation organized under the laws of the State of Ohio, with its principal place of business at Marysville, Ohio; that on the 23rd day of February 1923, James Guy and Emma O. Guy, executed and delivered to this defendant, their promissory note for the sum of Five Hundred Dollars (\$500.00) due in payments of \$12.50 per week, for each and every week after the execution of said note. That there is now due upon said note the sum of Four Hundred and forty-five and 7/100 Dollars, with interest at seven per cent from November 4, 1926.

On said date, to secure the payment of said note, said James Guy, and Emma Guy executed and delivered to this defendant, their mortgage deed thereby conveying the premises described in the petition. That said deed was conditioned that if said note be paid according to its tenor and effect, said mortgage to be void, other wise to remain in full force.

Said mortgage was filed for record with the Recorder of Union County, Ohio, on the 23rd day of February, 1923, at 9:05 o'clock a.m., and was by him recorded in Book 88, page 143, of the Mortgage Records of Union County, Ohio, and is the first and last lien upon said premises.

Wherefore, this defendant prays that upon the sale of said premises, the amount of said mortgage note, to wit, the sum of \$445.70, with seven per cent interest from November 4, 1926, be first paid.

C. A. Hoopes, Atty. for Citizens Home Savings Co.

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Final Record, Union County Probate Court.

10896

State of Ohio, Union County ss.
C. A. Koopfer, being first duly sworn, says, that he is the attorney for the Citizens Home and Savings Company a corporation, and, that the facts stated and allegations made in the foregoing Petition are true as he verily believes.

C. A. Koopfer.

Sworn to before me, and, subscribed in my presence this 4th day of November, A.D. 1926.

Alice Alice Goodwin, Notary Public.

Wainor of Summons.

Probate Court, Union County, Ohio.

No. 10896.

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.

October 25th A.D. 1926.

Myrta Small.

D. W. Guy.

Wainor.

Probate Court, Union County, Ohio.

No. 10896.

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.

October 25th 1926.

Howard W. Guy.

William D. Guy.

Wainor

Probate Court, Union County, Ohio.

No. 10896.

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.

October 25th 1926.

Lay F. Guy.

R. G. Guy.

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Journal Entry for Order of Sale.
 Probate Court, Union County, Ohio.
 no. 10596

Frank Small, Executor
 of the estate of
 James Guy, Deceased.
 Plaintiff

vs

Emma Guy, et. al.
 Defendants

For order of Sale.

This day this cause came on to be heard upon the petition of the plaintiff filed for the purpose of having the real estate therein described sold to pay the debts, and costs of administration of the deceased, and also, upon the answer and cross-petition of the Citizens Loan and Savings Company and the answer of Emma Guy, widow of said deceased. And the court being fully advised in the premises finds that all of the defendants herein have waived the issuing and service of summonses, and voluntarily entered their appearance herein and that all have had due notice of the pendency and prayer of the petition as prescribed by law. And the court further finds that Emma Guy, widow of the said James Guy, deceased, claims, as in her answer herein set forth, assignment of her dower of said premises, by metes and bounds, or in the rents and profits and desires that said premises may be sold free and clear of her said dower, and that the Court may 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 further finds that the allegations of said petition are true and that it is necessary to sell said real estate in the petition described to pay the debts of the deceased, and the costs of administration.

The Court further finds that the real estate in the petition described was appraised by the appraisers of the personal estate at the sum of \$ --- and the Court further finds that the plaintiff is serving as executor of the estate of said James Guy, deceased, without bond, according to the provisions of the Will of said James Guy, deceased. It is therefore ordered that further appraisement and bond be dispensed with.

It is further ordered that the said Frank Small, as such executor proceed to advertise said real estate for sale on the premises said advertisement to contain for four consecutive weeks, in a newspaper of general circulation in said county, in which said bond is

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Final Record, Union County Probate Court.

situated, and that he is further ordered to sell the same, at not less of 75% of the appraised value, and for cash in hand, and said plaintiff is ordered to make returns to this court immediately after such sale.

The court further finds upon the answer and cross-petition of the Citizens Home, and Savings Company that there is due said defendant upon a note and mortgage in said cross-petition described the sum of \$445.⁷¹ with interest at 7% from the 4th day of November, 1926, which said sum, is a just and first lien upon said premises, and should be paid out of the proceeds of said sale.

The said Frank Sewell, is authorized to expend the sum of \$5.⁰⁰ in employing an auctioneer to cry said sale.

W. H. Stusted, Probate Judge -

Richard L. Cameron, attorney for Plaintiff
Mrs. L. Myers, attorney for Emma Guy, Defendant,
C. A. Hoopes, Attorney for Citizens Home, and Savings Co.

Answer and Cross-Petition of Emma Guy -
In The Probate Court, Union County, Ohio.
Frank A. Sewell, Executor
of the estate of
James Guy, deceased.
Plaintiff.

vs. 1896.

vs. Emma Guy, et al. Answer. & Cross-Petition
Defendants.

Now comes Emma Guy, one of the defendants named in the above above entitled cause, and voluntarily enters her appearance, herein, and for answer to the petition says that she is the widow of said James Guy, deceased, and as such is entitled to dower in the premises described in the said petition; that her age is 66 years, and she consents to said sale as prayed for, and waives the assignment of her dower in said premises by metes and bounds, or in rents and profits.

Cross-Petition

And, for cross-petition, this defendant says that the said James Guy died leaving her as his widow, and composing a part of his family; that she is still his widow and unmarried; that, at the time of his death, she with her said deceased husband, resided on and in said premises in the plaintiff's petition described.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

and were using and occupying the same as their family homestead; and that she is entitled to a homestead as such widow, in the lands of her said deceased husband, described in the petition, under the laws of Ohio.

That the nature of the premises described in the plaintiff's petition is such that it precludes the assignment of a homestead to her by metes and bounds if ordered sold by the court, or if, found necessary to sell as prayed for in the plaintiff's petition.

Wherefore, this defendant, the said Emma Guy, prays that if the court finds it necessary to sell the premises described in the plaintiff's petition for the purposes prayed for by the plaintiff, then that the court order that said premises, be sold free of her dower and homestead, therein, and, that the value of her dower estate may be allowed, and paid to her, in money, out of the proceeds, received from the sale as the Court may deem the just and reasonable value thereof, and that out of the proceeds of said sale, in lieu of her homestead, she be paid the value of her homestead, in money, and for such other and further relief in the premises as may be just and equitable.

Dale L. Myers, Atty. for Emma Guy.

State of Ohio Union County ss.

Emma Guy, being just duly sworn, says, that the facts stated and the allegations made and contained in the foregoing answer and cross-petition are true as she truly believes.

Emma Guy.

Done to before me, and signed in my presence, this 15th day of December, 1926.

Dale L. Myers, Notary Public, Legal Notice.

In pursuance of an order of the probate Court of Union County, Ohio, I will offer for sale at public auction on Saturday the 18th day of December, 1926, at one o'clock P.M. upon the premises at 235 Ash Street, Mansville Ohio, the following described real estate: Situated in the County of Union and State of Ohio, in the village of Mansville part of out-lot # 43, bounded and described as follows:

Beginning at an iron pin 36 feet north of a stone in the line between out-lot no. 42, and out lot 43, being the line between the lots owned by the devisees of Lydia A. Clement, deceased, and, Roxey J. Momy; thence north with said line 45 feet and 6 inches to an iron pin; thence east parallel with the south margin of 6" sheet 203 feet and 3 inches to an iron pin

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Final Record, Union County Probate Court.

in the west line of Ash Street; thence south with the west line of Ash Street 45 feet and 6 inches to an iron pin; thence west parallel with said south line of Sixth Street 203 feet and 3 inches to the place of beginning. Being known as 235 Ash Street, appraised at \$35-00-00
 Terms of Sale. Cash in hand.
 Frank Small, Executor.

R. L. Cameron, Attorney. nov. 26-1926-
 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 four consecutive weeks, on and next after November, 26th 1926, in the Daily Marysville Tribune, a newspaper of general circulation in the county aforesaid.
 Lena Huber.

Known to before me, and signed in my presence, this 21-day of December, A. D. 1926.
 J. W. Huber, Notary Public
 Printer's Fee - \$1.00.

Order of Sale. Free of Debt.
 The State of Ohio, Union County, Probate Court.
 To Frank Small, Executor of the estate of James Guy, Deceased.
 In obedience to an order and decree of the Probate Court, within and for said county, made this day, in a certain cause, wherein you, as executor of the estate of James Guy, are Plaintiff and Emma Guy et al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than two thirds the appraised value thereof free of the debt of Emma Guy, widow of James Guy deceased, the following described premises to wit:

Situate in the county of Union and State of Ohio, in the village of Marysville part of out. lot, no. 43 bounded and described as follows:
 Beginning at an iron pin 36 feet north of a stone in the line between out-lot # 42, and outlot no. 43, being the line between the lots owned by the decedent of Lydia A. Clement deceased and Roxey J. Mory; thence north with said line 45 feet and 6 inches to an iron pin; thence East parallel with the south margin of Sixth Street 203 feet and 3 inches to an iron pin in the west line of Ash Street; thence South with the west line of Ash Street 45 feet and 6 inches to an iron pin; thence West parallel with said south line

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Sixth Street 203 feet and 3 inches to the place of beginning. Bring what is known as 235 Ash Street.

Said sale to be held on premises and to be upon the following terms: to-wit:

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 26-day of November A.D. 1926.

W. T. 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 December, 1926.

Frank Small.

Report of Sale. Public.

In obedience to the within order, I duly advertised the real estate therein described for sale in The Evening Tribune a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate, for at least 4 consecutive weeks prior to the 18-day of December, 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 10 o'clock P.M. I attended on the premises and offered said real estate for sale from of the down estate of Emma J. Guy therein, when Clarence L. Rausch, and Lorna C. Rausch, bid to pay for the same the sum of Twenty-four hundred and ten 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 said parties for that sum.

Dated the 20-day December, 1926.

Frank Small.

The State of Ohio, Union County,

The above named Frank Small, 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 Small.

Sworn to before me, and signed in my presence, this 21-day of Dec. 1926

W. T. Husted Probate Judge

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Final Record, Union County Probate Court.

Journal Entry: Orders, approving and conforming sale,
Probate Court, Union County, Ohio,
Dec. 21-1926.

This day this cause coming on to be heard on the report of Frank Small, Executor of the estate of James Guy, 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 have 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 James Guy in said real estate to the purchaser, Clarence L. Rausch, and Lema L. Rausch, upon the said purchaser paying Frank Small, the executor the purchase price.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs \$13.00

W.H. Husted, Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Aug. 19,
1926
C. A. Hoopes,
attorney.

Petition for Sale of Real Estate to Pay Debts.
Probate Court, Union County, Ohio.
Jessie Fox, administratrix
of the Estate
of E. H. Fox, deceased.
Plaintiff.
vs.
Jessie Fox,
The Union Central
Life Insurance Company
The Farmers National Bank
of Plain City, Ohio.
The Porter Lumber Co.
Columbus, Ohio.
Defendants.

Petition
To
Sell Real Estate

Petition.

The Plaintiff represents that she is the duly appointed and qualified Administratrix of the estate of E. H. Fox late of Union County, Ohio, deceased; that the amount of debts due from the said deceased, is about five thousand, dollars, as near as can be ascertained that the charges of administration of said estate will amount to about two hundred dollars, and that the total value of the personal estate and effects of said deceased, is but eleven hundred dollars, being wholly insufficient to pay the debts and costs aforesaid.

Petition

The plaintiff further represents that said E. H. Fox died seized in fee simple of the undivided one-half of the following described real estate situate in the County of Union Township of Jerome and State of Ohio, to-wit:

First Tract.

Beginning at a stone in the West line of said Survey #2991 and, south west corner of land formerly owned by Berry Ford, now deceased, thence with said survey line N. 4 1/2° West 166.50 poles to a stone southwest corner of Jacob W. Frederick's land; thence with the South line of said Frederick's land N. 85 1/2° East 29.79 poles to a stone; thence South 4 1/2° East 166.50 poles to a stone in the center of the Fox Stone Road; thence with the center of said road to an angle, and continuing in a straight line, South 85° West 29.79 poles to the beginning. Containing 31 acres more or less.

Second Tract.

Beginning at a stone and cross, in

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Final Record, Union County Probate Court.

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the center of the Fox Stone road. north east corner to a track of 37 1/2 acres formerly belonging to Perry Depp. thence with the north line of said track South 83° 56' West 31.50 poles to a stone in the west line of Survey no. 2991; thence with said line South 6° 5' East 109.88 poles to a stone; thence north 83° 49' East 31.52 poles to a stone south west corner to a track of land belonging to Ott Collier; thence with the west line of said track north 5° 42' West 110 poles to the place of beginning.

Containing 21 3/4 acres more or less and being a part of Survey no. 2991.

The said decedent died leaving the defendant Jennie Fox, his widow who is entitled to dower in said premises; that the defendants The Union Central Life Insurance Company and The Farmers National Bank Plain City have mortgages liens upon said real estate and that said E. H. Fox had no other heirs having an estate of inheritance in said land other than his said widow.

Petition

The Plaintiff therefore prays that the dower of said Jennie Fox in said premises may be assigned and set off to her; that the rights interests and liens of the said The Union Central Life Insurance Company and The Farmers National Bank of Plain City 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.

Jennie Fox.

The State of Ohio, Union County, ss.

Oath.

Jennie Fox, 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 ability.

Jennie Fox

Subscribed to before me, and signed in my presence, this 17. day of August 1926.

C. A. Hoopes,

Notary Public

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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In the Probate Court of Union County, Ohio,
August 17- 1926.
no. 10850

Filing
Petition

Journal entry. Filing Petition to Sell Real Estate.
This day came the Plaintiff Jannie Fox and presented to this court her petition, duly verified, praying an order for the sale of real estate of the said E. K. Fox, deceased, to pay debts and the costs of administering the estate of said decedent.

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

W. H. Husted, Probate Judge

Waiver

Waiver of Summons on Petition to Sell Real Estate
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.

August 17, A. D. 1926.

Farmer's Nat. Bank. Cephas. Atkinson, Pres.

Answer

In the Probate Court Union County, Ohio

of
Jannie Fox

Jannie Fox, admx.,
of the estate of
E. K. Fox, Deceased.
Plaintiff

Jannie Fox et al.
Defendants.

Answer of Jannie Fox

Now comes the defendant Jannie Fox, and says, that she is the widow of the said E. K. Fox; that her age is 67 years, that she waives the issuing and service of summons, and joins, and enters her appearance herein.

That she waives the assignment of her dower to said real estate by metes and bounds or in rents, and profits, and consents to the sale of said real estate free from her dower therein and asks, that her dower be paid to her in money

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Oaths

Cross Petition
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Final Record, Union County Probate Court.

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from the proceeds of said sale.

C. A. Hoopes, Atty. for Jennie Fox.

Oath

The State of Ohio, Union County, ss.

Jennie Fox, being first duly sworn, says, that she is the answering defendant in the above entitled cause; that the facts stated and allegations made in the foregoing answer are true, as she truly believes.

Jennie Fox

sworn to before me, and subscribed in my presence, this 17th day of August, 1926.

C. A. Hoopes, Notary Public

Cross-Petition

Cross-Petition Jennie Fox, adx.

In the Probate Court, Union Co., Ohio,

of the estate

vs. 1085-0.

Cross-Petition

Union Central

of E. H. Fox, deceased,

Life Insurance

Plaintiff

p.

Cross-Petition

Jennie Fox, et. al.
Defendants.

Now comes the defendant, The Union Central Life Insurance Company, and, for cross-petition to the said plaintiff's petition, says, that on, the 21st day of March, 1918, E. H. Fox, (also known as E. H. Fox) and Jennie S. Fox, his wife, made and delivered to this defendant their twenty-one certain promissory notes of that date, and, numbered in Serial numbers, from one to twenty-one, inclusive.

That said notes numbers one to nine, inclusive, have been paid, in full.

That said promissory notes numbers ten to twenty-one, inclusive, are each for the sum of \$272⁰⁶ and number ten is due and payable on, the 1st day of October 1927, and one remaining note is due and payable on, the 1st day of October, each succeeding year thereafter until all of said notes become due and payable, and that all of said notes are described as, said promissory note, Number ten, excepting, as, to date of payment, and a copy of said promissory note number ten is as follows, to-wit:

#272⁰⁶

Plain City, Ohio, March 21-1918.

On the 1st day of October 1927, for value

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Exec. Petition

received, I promise to pay to the order of The Union Central Life Insurance Company of Cincinnati, Ohio, Two Hundred, Twenty-two $\frac{1}{100}$ Dollars at the Home office of said Company in Cincinnati, Ohio, with interest at the rate of 8 per cent per annum, after maturity, until paid.

If this note is sent to the First State Bank, at Plain City, Ohio, or, to any other bank, for collection, I agree to pay exchange, and collection expenses, and, this note shall not be deemed paid until the money is actually received by said Company.

This note is secured by a mortgage deed of trust of even date. The right is reserved to prepay at any time at the Home Office of said Company in Cincinnati, Ohio, by discounting it, at the rate of 5 per cent, interest compounded annually, provided all prior notes have been paid.

Post office address. Eli K. Fox Jammie S. Fox
 Plain City, Ohio R. F. D # 3,
 No. 106454.

That there has been no indorsements or payment on said promissory notes numbers ten to twenty-one inclusive, and, that the said The Union Central Life Insurance Company is still the owner and holder thereof.

Further, the said The Union Central Life Insurance Company says, that on the said 21-day of March, 1918, the said Eli K. Fox and, Jammie S. Fox, his wife, who released, all her dower interest in the premises herein after described, to secure the payment of the said promissory notes aforesaid, made, executed and delivered to the said The Union Central Life Insurance Company their certain mortgage deed of trust on the following described real estate, to-wit:

Situated in the township of Jerome, County of Union and State of Ohio, and a part of Survey No. 2991, ^{and}
 First Tract:

Beginning at a stone in the west line of said Survey # 2991, and, south-west corner of land formerly owned by Henry F. Fox, deceased, thence, with the said Survey line North $4\frac{1}{2}^{\circ}$ West 166.50 poles, to a stone south-west corner of Jacob W. Frederick's land; thence, with the south line of said Frederick's land; North $85\frac{1}{2}^{\circ}$ East 29.79 poles to a stone; thence South $4\frac{1}{2}^{\circ}$ East 166.50 poles to a stone in the center of the Fox Stone Road; thence with the center of said road to an angle and continuing in a straight line South $85\frac{1}{2}^{\circ}$ West, 29.79 poles, to the beginning, containing 31 acres, more or less.

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Second Tract:

Beginning at a stone and cross in the center of the Fox Stone Road. north-east corner to a tract of 37 1/2 acres formerly belonging to Beverly Duff; thence with the north line of said tract and the center of the roadway south 83° 56' west 31.80 poles to a stone in the west line of survey no. 2991; thence with said line south 6° 5' east 109.88 poles to a stone; thence north 83° 49' east 31.52 poles to a stone south-west corner to a tract of land belonging to Ott Collier; thence with the west line of said tract north 5° 42' west 110 poles to the place of beginning.

Containing 21 3/4 acres more or less.

Containing in the aggregate 52 3/4 acres more or less.

That the said mortgage deed contained a provision in substance that if the said Eli K. Fox and Jennie S. Fox, or either of them, shall pay or cause to be paid to the said The Union Central Life Insurance Company, the said promissory notes, and each of them, at maturity thereof respectively, then the said mortgage deed shall be void.

That on the 16 day of May, 1918, at 2:25 P.M. the said mortgage deed was filed with the county recorder of Union County, Ohio, for record, and was by him recorded, on the 24 day of May, 1918, in record of mortgages vol. no. 82 on page 143. of said county.

That the said mortgage deed is a good valid and subsisting lien, and the just and best lien on the said real estate.

Wherefore, the said The Union Central Life Insurance Company prays that if the prayer of the plaintiff's petition be granted by court, and the said real estate sold by order of the court, then that its interest in the premises be protected by the court, and for such other and any future relief in the premises, as may be just and equitable.

Mrs. L. Myers, atty. for The Union Central Life Insurance Co.

State of Ohio, Union County, ss

Oath

Mrs. L. Myers, being duly sworn, says that he is the attorney for the Union Central Life Insurance Company, duly authorized in the premises, and

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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and that this cross-petition is based upon instruments in writing, and that the said company is a corporation, and that the facts stated and the allegations made, and contained in the foregoing are true as he believes.

Milo L. Myers,

Sworn to before me, and signed in my presence, this 12-day of October, 1926.

Maud Myers, Notary Public

orders on hearing of appraisement

Journal Entry: Orders on hearing of appraisement, etc. Probate Court, Union County, Ohio October 18-1926.

Jimmie Fox, Adx. of the estate of E. K. Fox, Deceased. Plaintiff

v. Jimmie Fox, et al. Defendants

This day this cause came on to be heard upon the petition, evidence and testimony of Jimmie Fox, adx, and the court being 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, and that the statements and allegations in said petition are true. That said Jimmie Fox wife of said E. K. Fox, is entitled to dower in said real estate; that said Adx. 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 decedent described in the petition, to pay his debts.

It is ordered, that Glen C. Oliver, John N. Laird and M. C. Robinson, three suitable and judicious disinterested men, of the vicinity of said real estate, who are freeholders to, and they hereby are appointed to appraise said lands as a whole, at their true value, in money, free from the dower estate of said Jimmie Fox, 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,

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order of appraisement

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Final Record, Union County Probate Court.

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to this Court on or before the 18. day of Oct. 1926. and this cause is continued. W. H. Husted, Probate Judge

order of appraisement

Order of appraisement.

The State of Ohio, Union County. Probate Court. To Jervis Fox, adx., of the estate of E. K. Fox, Meeting;

In obedience to an order and decree of the Probate Court within and for said County, made this day, in a certain cause, wherein you as, administrator and Plaintiff and Jervis Fox, et al. are Defendants, you are commanded by the oaths of Glen L. Blinn, John W. Laird and M. C. Robinson judicious disinterested men of the vicinity not of kin to the petitioner, who are freeholders of the county in which said real estate is situated, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises free from the dower estate of Jervis Fox, to-wit:

First Tract. Beginning at a stone in the West line of said Survey # 2991 and southeast corner of land formerly owned by Henry Fox now deceased; thence with said survey line N 4 1/2° West 166.50 poles to a stone southeast corner of Jacob W. Fredericks land; thence with the South line of said Fredericks land: N. 85 1/2° East 29.79 poles to a stone; thence South 4 1/2° East 166.50 poles to a stone in the center of the Fox Stone road; thence with the center of said road to an angle and continuing in a straight line South 85 1/2° West 29.79 poles to the beginning, containing thirty-one (31) acres, more or less.

Second Tract.

Beginning at a stone and cross in the center of the Fox stone road, northeast corner to a tract of 37 1/2 acres, formerly belonging to Perry Dyff, thence with the north line of said tract South 83° 56' W. 31.80 poles to a stone in the west line of Survey No. 2991; thence with said line South 6° 5' East 109.88 poles to a stone; thence North 83° 49' East 31.52 poles to a stone southeast corner to a tract of land belonging to Ott Gallis; thence with the West line of said tract North 5° 42' West 110 poles to the place of beginning,

containing 2 3/4 acres, more or less and being

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1085-0

a part of survey No. 2991.

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

Witness my signature, and the seal of said Probate Court at Marysville Ohio, this 18. day of Sept., 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 hereto attached.

Dated the 18. day of Sept. 1926.

Jessie Fox

Oath of appraisers.

The State of Ohio, Union County.

Oath of

appraisers.

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

made C. Robinson, Glen L. Clinch, John Mc Laird & appra.

Shown to before me, and signed in my presence this 18. day of September, 1926.

G. A. Hooper, 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 Three thousand Dollars, free of said down estate of Jessie Fox.

Given under our hands, this 18. day of Sept. 1926.

made C. Robinson, Glen L. Clinch, John Mc Laird & appra.

application

to

Application to sell at Private Sale

Probate Court, Union County, Ohio

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:

That said real estate can be sold for a greater sum at private sale than at public sale.

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

Jessie Fox, Ady.,
of E. K. Fox estate

1085-0

Oath

affidavit

of

Disinterested

Persons.

answ.

an.

Cross-Petition

of

The Farmers

National Bank

Final Record, Union County Probate Court.

10850

The State of Ohio, Union County.

Oath

Jimmie Fox being duly sworn, says that the various matters set forth in the foregoing application are true as she truly believes

Jimmie Fox
Sworn to before me, and signed in my presence, this 20. day of October, A.D. 1926.

C. A. Cooper (seal) Notary Public

Affidavit of Disinterested Persons,

affidavit

The State of Ohio, Union County.

of

Edw. H. Dillen, and E. H. Hatten

Disinterested 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 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. us, they truly believe.

Edw. H. Dillen

E. H. Hatten

Sworn to before me, and signed in my presence this 20 day of Oct. 1926.

C. A. Cooper, Notary Public

Answer.

Answer, and Cross-Petition of The Farmers National Bank, of Plain City, Ohio

Cross-Petition

no. 10850,

of

In the Probate Court, Union County, Ohio.

The Farmers National Bank,

Jimmie Fox, adx. of the estate of E. H. Fox, deceased.
Plaintiff

v.

Jimmie Fox.

The Union Central Life Insurance Co.,

The Farmers National Bank of Plain City, Ohio

Defendants

For answer to the petition herein, the said defendant, The Farmers National Bank of Plain City, Ohio, says that the said E. H. Fox and Jimmie S. Fox, on the 28 day of July, A.D. 1923, did make their certain promissory note, in writing, of that date, and did then deliver to this defendant the same, and, thereby promise to pay to this defendant or its order, the sum of Seventeen Hundred (\$1700.00) Dollars in one year after the date thereof, which period has elapsed.

Langhorst Brothers, Wapakonetta, Ohio.

10850

The defendant further says that, to secure the payment of said promissory note and the money secured thereby, the said E. K. Fox and Jennie S. Fox, husband and wife and defendants herein, by their certain mortgage deed of even date with said promissory note, duly executed and delivered to this defendant, did convey to it, the said The Farmers National Bank of Plain City, Ohio, its successors, and assigns forever, all said real estate in the petition herein described to-wit:

Situated in Jerome Township, Union County, Ohio, to-wit: -
First Tract:

Beginning at a stone in the west line of Survey no. 2991, and southwest corner, to land, formerly owned by Henry Fox, now deceased; thence with said Survey line N. 7 1/2° W. 166.50 poles to a stone, southwest corner to Jacob W. Frederick's land; thence with the south line of Frederick's land, N. 85 1/2° E. 29.79 poles to a stone; thence S. 7 1/2° E. 166.50 poles, to a stone in the center of the Fox Stone Road; thence with the center of said road to an angle and continuing in a straight line S. 85 1/2° W. 29.79 poles, to the beginning. Containing thirty-one (31) - acres, more or less.

Second Tract:

Beginning at a stone and cross in the center of the Fox Stone Road, northeast corner to the tract of 3 1/2 acres formerly belonging to Beverly Depp; thence with the north line of said tract S. 83° 56' W. 31.80 poles to a stone in the west line of Survey no. 2991; thence with said line S. 6° 5' E. 109.88 poles to a stone; thence N. 83° 49' E. 31.52 poles to a stone, southwest corner, to a tract of land belonging to Ott Collier; thence with the west line of said tract, N. 5° 42' W. 110 poles to the place of beginning.

Containing 7 3/4 a. more or less, and being a part of Survey no. 2991, to have and to hold the same to it, the said The Farmers National Bank of Plain City, Ohio, its successors, and assigns forever; which said conveyance had a condition thereunder written, whereby it was provided "that if the said E. K. Fox and Jennie S. Fox shall pay or cause to be paid their certain promissory note of even date here with for the sum of seven hundred (\$700) Dollars, payable to said grantee, due one year after date with interest from date at 8% per annum, payable semi-annually, then these presents shall be void" a copy of which said note with all endorsements thereon being hereto attached, marked

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Final Record, Union County Probate Court.

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"Exhibit A" and made a part of this answer and cross-petition, otherwise to be and remain in full force and virtue forever," and this defendant further says that it is caused said mortgage to be deposited with the recorder of said County of Union at his office on the 3-day of July A. D. 1923 at 9:10 A.M. for record and the same was thereupon duly recorded in the record of mortgages in said County in Mortgage Book No 90, Pg. 214, and that no part of the money mentioned in said promissory note and mortgage has been paid except as is herein set forth, but that there is at this date due and unpaid a balance on the principal of said note of Ten hundred seventy-nine and 57/100 Dollars (\$1079.⁵⁷) and accrued interest in addition thereto of eighty and 38/100 (\$80.38) Dollars, making a total of Eleven hundred, fifty-nine and 95/100 (\$1159.⁹⁵) Dollars, with interest thereon at the rate of 8% per annum, interest payable semi-annually from the 20-day of October, A. D. 1926. wherefore this defendant asks that out of the proceeds of said sale of said real estate herein, its said debt with interest, be paid in full and for all proper relief.

Howard C. Black atty. for defendant
The Farmers Nat. Bk., Plain City, O.

Carte

State of Ohio, Madison County, ss.
J. R. Woods, being duly sworn says that he is Cashier of the said defendant, The Farmers National Bank, of Plain City, Ohio, and that he believes the facts stated in the foregoing answer and cross-petition to be true.
J. R. Woods

Sworn to before me, and signed in my presence,
this 20-day of October, A. D. 1926.
Howard C. Black Notary Public

Ex. A.

"Ex. A"
\$1700.⁰⁰ Plain City, O. July, 28-1923.
One year after date, for value received, we jointly and severally promise to pay, The Farmers National Bank, of Plain City, Ohio, and that we believe the facts or order Seventeen hundred Dollars, at its Banking House in Plain City, Ohio, with interest at the rate of 8% per annum, from date

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10850

until due, and, after maturity at the rate of 8 per cent per annum, until paid, payable semi-annually

and, we hereby authorize any atty. at law, to appear before any Court of Records in the State of Ohio, or, elsewhere, at any time after this obligation becomes due, and, waive the issuance and service of process, and, without notice confer judgment against the maker or makers hereof in favor of, The Farmers, National Bank of Plain City, or, the legal holder or holders, hereof, for the amount then appearing due thereon, in favor of, The Farmers National Bank, of, Plain City, or, the legal holder or holders hereof, for the amount, then appearing due thereon, together with costs of suit, and to release all errors in the judgment so confessed, and, to waive all right, and benefit of appeal, and any or all proceedings to set aside, vacate, open, suspend or reverse, such judgment, or, execution issued for the collection thereof. We hereby authorize Jayer, its agents or assigns, to sell at public or private sale, any or all notes, stocks, bonds, or, other evidence of indebtedness pledged, as, collateral to the payment of this note,

E. H. Fox. Jennie P. Fox.

10850

Order of sale.

Order for Private

Probate Court, Union County, Ohio, October 20 - 1926

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,

and, the Court, being satisfied that it is necessary to sell the real estate of said E. H. Fox 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 Jennie Fox as, such Adx., 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

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Final Record, Union County Probate Court.

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to this Court immediately after such sale is made, and this cause is continued.

W. H. Hustub, Probate Judge -

Order of

sale.

Order of Sale. Free from down.

The State of Ohio, Union Co.

Probate Court.

To Jermie Fox, 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 ady. are Plaintiff and Jermie Fox 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 down of Jermie Fox widow of E. H. Fox, deceased, the following described premises to-wit:

Situated in the County of Union, State of Ohio, and in the Township of Jerome, and described as follows:

First Tract:

Beginning at a stone in the West line of said Survey no. 2991, and southwest corner of land formerly owned by Henry Fox, now deceased; thence with said survey line north 4 1/2° West 166.50 poles to a stone southwest corner of Jacob W. Frederick's land; thence with the South line of said Frederick's land, N. 85 1/2° East 29.79 poles to a stone; thence South 4 1/2° East 166.50 poles to a stone in the center of the Fox stone road; thence with the center of said road to an angle and continuing in a straight line south 85 1/2° West 29.79 poles to the beginning.

Containing thirty-one (31) acres, more or less

Second Tract:

Beginning at a stone and cross in the center of the Fox stone road, northeast corner to a tract 37 1/2 acres, formerly belonging to Beverly Duff; thence with the north line of said tract south 83° 56' West 31.50 poles to a stone in the West line of Survey # 2991; thence with said line South 6° 5' East 109.88 poles to a stone; thence north 83° 49' East 31.57 poles to a stone southwest corner to a tract of land belonging to Ott Collins; thence with the West line of said tract north 5° 42' West 110 poles to the place of beginning.

Containing 21 1/4 acres, more or less, and,

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1085-0

being part of Survey No. 2991.
 Said sale to be for the highest bid obtained and to
 be upon the following terms: Cash in hand on day of sale,
 you will make return of your proceedings to this
 Court for month upon execution of this order.
 Witness my signature and the seal of said
 Probate Court at Wapakonetta, Ohio, this 20. day of Oct. 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
 proceeding hereto attached.
 Dated the 29th day of Oct. 1926.
 Jennie Fox, adx.

Report of Sale.

Report of Sale.

In obedience to the within order, I sold said
 premises on the 20. day of October 1926. to Edward
 Howard for the sum of Thirty-eight Hundred Dollars
 said sum being more than the appraised value
 of the same.
 Jennie Fox

Dated the 20. day of October 1926.

Oath

The State of Ohio, Union County.
 The above named Jennie Fox 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.
 Jennie Fox

Sworn to before me and signed in my presence.
 this 20. day of October, 1926.

W. H. Husted, Probate Judge

Order

Confirming
Date.

Probate Court, Union County, Ohio
 October 20 - 1926
 No. 1085-0

Journal entry: orders Confirming Sale.
 This cause came on this day to be heard upon
 report of the plaintiff of the sale made to
 Edward Howard for the sum of \$3800.00 as herein
 before ordered, and the proceedings appearing in
 all respects regular, and in conformity to law,
 they are hereby approved and confirmed, and the
 said Jennie Fox, adx., is ordered to execute

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Summons
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 Petition

Sheriff's
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Final Record, Union County Probate Court.

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and, deliver to said purchaser, a good and sufficient deed for the premises so sold.

It is further ordered, that satisfaction of the mortgages of the Union Central Life Insurance Company, and of the Farmers National Bank of Plain City, be entered on the records thereof, in the office of the Recorder of Union County, Ohio.

and, as to the distribution of said fund, including the fixing of the dower of Jennie Fox, this cause is continued

W.H. Husted, Probate Judge

Summons on Petition

Summons on Petition to Sell Real Estate

The State of Ohio, Union County, Probate Court, To the Sheriff of Franklin County,

You are commanded to notify The Potter Lumber Company that on the 19-day of August 1926, Jennie Fox Adx., of the estate of E. H. Fox 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 27-day of January 1927, 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 January, 1927.

Witness, my hand, and the seal of said Court, this 23-day of Dec-1926.

W.H. Husted, Probate Judge

Sheriff's Return

Sheriff's Return

The State of Ohio, Franklin County,

Received this writ December 24-1926,

at 9. a. m. and pursuant to its command on January 3-1927, I served the Potter Lumber Co., by personally handing to Howard Potter President of said Co., a true and certified copy of this writ with all the endorsements thereon.

Walter F. Kemp, Sheriff Franklin Co. O -

By Frank Martin, Deputy,

Sheriff's Fers.

Service - 75. 20 miles at 84.16 Postage .06 Total \$2.41

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10850

In the Probate Court, Union County, Ohio.
No. 10850

Jessie Fox, as Adx.,
of the estate of
E. K. Fox, deceased,
Plaintiff

Ordering
Distribution

Jessie Fox
Defendant

Ordering distribution
Entry

This day this cause came on to be heard upon the application of the plaintiff for an order of distribution, distributing the proceeds of the sale amounting to Thirty-eight Hundred Dollars (\$3800.00)

Thereupon, the Court finds that the age of the widow, Jessie Fox is 67 years, and that she has asked that her dower be paid to her in money out of the proceeds of the sale, and that her dower amounts to \$510.00

It is, therefore, ordered that said plaintiff distribute said fund as follows:

- 1st To the Probate Judge of Union County Ohio \$29.80 being the costs of this proceeding.
- 2nd To C. A. Hoopes, Attorney for Plaintiff the sum of attorney fee, 50.00
- 3rd To the Union Central Life Insurance Co., the amount of its mortgage claim interest, to wit, the sum of 2422.77
- 4th To the Farmers National Bank of Plain City the amount of its mortgage with interest, to wit, the sum of 1163.82
- 5th To the widow Jessie Fox, the balance of said fund, amounting to 133.61 to be credited upon her dower as herein above set forth.

W. H. Husted Probate Judge

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Order of
Distribution

In the Probate Court, Union County, Ohio.
Jessie Fox adx. of the
Est. of E. K. Fox, deceased
Plaintiff

No. 10850

Jessie Fox, Defendant.
Entry

Correcting
order of Distribution

This order is made to correct, an order of distribution in this case made under date of November 4th 1926

It is hereby ordered that the proceeds of said sale, amounting to \$3800.00 be distributed as follows:

Entry

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Final Record, Union County Probate Court.

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- 1st To the Probate Court of Union County, Ohio # 29.30
bring the costs of this proceeding
- 2nd To E. A. Hoopes attorney for Plaintiff
as attorney fees the sum of 50.00
- 3rd To The Union Central Life Insurance
Company, the amt. of its mortgage
claim with interest to wit, the sum of 2699.83
- 4 - To the Farmers National Bank of Plain
city, the balance of said sum of
\$ 3800. to apply upon this mortgage
to wit the sum of 1020.37
W.H. Hustid, Probate Judge \$ 3800.00

Certificate
of
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Certificate of Release of Lien.

Probate Court, Union County, Ohio,
no. 1085-0
Dec. 1. P. 314

Plaintiff
Jennie Fox, adm^r of the
Est. of E. H. Fox
vs

Jessie Fox et al. Defendants

The lien created by the case of The Potter Lumber
Co., of Columbus Ohio vs. Oliver Dear, from case
no. 90933 Court of Common Pleas, Franklin Co. Ohio
and recorded in Book 6, page 35
Rec. of Foreign Executions in the Sheriff's office of
Union Co., Ohio is released and satisfied by proceeding
in the above entitled case in said Court.
July, 3rd 1927.
W.H. Hustid, Probate Judge

In the Probate Court of Union Co. Ohio

Jennie Fox, adm^r
Plaintiff
vs

Jan. 27 - 1927
no. 10850 - Entry.
Ordered Foreign Execution Cancelled

Entry

Jessie Fox et al.
Defendants

This day this cause came on to be heard upon
the pleadings and the evidence, and it appearing
that the defendant The Potter Lumber Co., has been
duly served with summons, and process according
to law, the Court find said The Potter Lumber
Company in default for answer or demurrer to the
petition, and, to the answer and cross petition
of The Farmers National Bank, and to the answer of
Jennie Fox and, that the allegations thereof

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

are confessed by The Patter Lumber Company to be true.
 The Court further find that said The Patter Lumber Co. is barred from any claim it may have in the real estate described in the petition and it is ordered that the foreign execution levied upon said real estate by said The Patter Lumber Company of record in volume 6 -- page --- of the foreign execution records of Union County be cancelled and discharged and the clerk of this Court is directed to enter cancellation thereof upon the record.

W. H. Stusted Probate Judge.

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Petition

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Petition To Sell Real Estate.

In the Probate Court, Union County, Ohio.

Nov. 19-1926
Miss L. Myers
atly.

C. O. Wiley, ^{and}
 Vernard D. Cow, as
 Administrators
 of the Estate of J. D. Cow, deceased.
 Plaintiffs

No. 10906

v.

Mattie R. Cow,
 Vernard D. Cow,
 Florence E. Wiley
 The Milligan Mutual
 Life Insurance Co.,
 and The Prudential
 Insurance Co.,
 Defendants.

Petition.

Petition

now comes the Plaintiff's C. O. Wiley and Vernard D. Cow, and represents to the court that on the 5 day of March, 1920, they were appointed adms. of the estate of the said J. D. Cow, late of said Union County, Ohio, by the probate court of said county, and that they duly qualified as such administrators and are still acting as such.

That the said J. D. Cow, died seized in fee simple of the following described real estate, to-wit:

First tract.

Situated in the County of Union, State of Ohio and township of York, and a part of V. M. Survey nos. 15707, and, 15606, and,

Beginning at a stone in the center of the York Center and Miller Grant Road and at the south-west corner of a 70 acre tract of land owned by Sadie Tilton;

Thence with the west line of said Tract N. 33°

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Final Record, Union County Probate Court.

10906

Petition

15' W. 198.3 poles to a stone in the south line of V. M. Survey no. 12124; thence with the south line of said survey N. 77° 30' W. 34.33 poles to a stone in the east line of V. M. Survey # 5289; thence with the east line of said survey no. 5289 S. 13° W. 80.92 poles to a stake; thence S. 34° E. 167.16 poles to a stone in the center of said road; thence with the center of said road N. 60° 15' E. 74.89 poles to the beginning.

Containing 100 acres more or less.

Second Tract:

Situated in said State, County and Township and a part of V. M. Survey # 12542, and described as follows:-

First:

Beginning at a stake in the center of the Richmond and Summerville Roads; thence with the Summerville Road N. 19° 15' E. 6.16 poles to a stone in the center of the said Summerville road, in the south line of lands formerly owned by J. C. Miller; thence with the said J. C. Miller's line N. 79° 45' E. 37.24 poles to a stake in Fulton Creek; thence down the creek due east 14.20 poles to a two-oak and Elm. corner to land formerly owned by Foster Edwards; thence with the west line of said Foster Edwards land S. 8° 15' W. 164 poles to a stake and stone, north-east corner of lands formerly owned by Charles E. Wilkins; thence with the north line of said land N. 73° 45' W. 73 poles to a stake and stone in the center of said Summerville Road; thence with the center of said road, N. 19° 15' E. 137 poles to the beginning.

Containing 54.50 acres of land.

Second:

Beginning at a stone in the center of the Arkla and Summerville Grand Road, and at the south-east corner of a 49 acre tract of land owned by Chas. E. Blain; thence in a southerly direction S. 10° 15' W. 49 rods to a stone at an angle in said road; thence in a southerly direction S. 23° 7' 10" W. 82.57 rods to the center of the south end of the bridge over Fulton Creek; thence with the South Bank of Fulton Creek in a westerly direction N. 60° 50' W. 8.30 rods to a stone at the north-west corner of a school house lot; thence in a southerly direction S. 22° 50' W. 25.15 rods to

Langhorst Brothers, Wapakonetta, Ohio.

10906

of stone in the center of the Richmond and Miller
 gravel Road; thence with the center of said Road in
 a westerly direction N. 71° 30' W. 4.85 rods to a stone;
 thence in a westerly direction S. 82° 50' W. 57.60 rods
 to a stone; thence in a northerly direction N. 1° 40' E. 5.51
 rods to a post at the north-east corner of the
 cemetery; thence in a westerly direction N. 84° 25' west
 to a post at the north-west corner of said cemetery; thence
 in a southerly direction S. 14° 5' W. 15.97 rods to a post
 at the south-west corner of the York Presbyterian Church
 lot; thence in a westerly direction N. 43° 20' W. 16.72 rods
 to an iron stake on the east bank of Fulton Creek;
 thence in a northerly direction N. 35° 10' E. 21.57 rods to an
 iron stake on the east bank of Fulton Creek; thence
 in a northerly direction N. 4° 15' W. 109.09 rods to an
 large post in the south line of Harry Donahoe's
 land; thence in an easterly direction N. 82° 30' E.
 145.54 rods to the beginning.

Containing 99.20 acres of land. more or less

Third;

bounded on the north by Fulton Creek; on the
 south by the York Center and Miller Gravel Road;
 on the East by the Gravel Road leading from the
 said York Center and Miller Gravel Road to the
 Boundary Road; On the west by lands owned by
 J. D. Cor, known as the Miller School grounds,
 in School District No. 4.

Containing about one acre of land.

Further the said plaintiffs as such administrators say
 that the indebtedness yet remaining unpaid
 and against the estate of the said J. D. Cor
 deceased, is about \$12,000.00 and that the
 expenses of administration yet to be paid will be
 about \$5,000.00, and that the personal assets
 remaining in their hands and all the assets
 of said estate, excepting the real estate hereinafter
 described, with which to pay said indebtedness
 or to be applied thereon is about \$350.00 being
 insufficient to pay said indebtedness and cost of
 administration.

That the said J. D. Cor, died leaving the defendant,
 Mattie R. Cor, his widow, who is entitled to dower
 in the real estate hereinafter described.

That the defendant Vernon D. Cor, is the
 only son of the said J. D. Cor, deceased, and that
 the defendant Florence E. Wilby is the only daughter

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of the said J. D. Coe deceased, and they are the only persons having the next estate of inheritance from the said J. D. Coe deceased, in the premises hereinbefore described.

That the defendants, The Michigan Mutual Life Insurance Company and, The Prudential Insurance Company, have or claim to have and hold some claim or lien on the premises herein described, wherefore the said plaintiffs as such administrators pray that the dower interest of the said Mattie R. Coe in said premises may be assigned and set off to her. That the said defendants, The Michigan Mutual Life Insurance Company, and The Prudential Insurance Company be required to set up their claim or lien in the premises or be forever barred for setting up or asserting the same, and that the rights, interests and liens of all the defendants may be fully determined and adjusted according to their priority, and that the plaintiffs be authorized and ordered to sell the 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.

Wm. L. Myers. atty. for Plaintiff

Oath

State of Ohio, Union County ss.
The plaintiff, C. O. Wiley, being duly sworn, says that he is one of the administrators hereinbefore named, and that the facts stated and the allegations made and contained in the foregoing petition are true as he believes.

C. O. Wiley

Sworn to before me, and signed in my presence, this 17- day of November, 1926.

Wm. L. Myers, Notary Public

Filing
Petition

In the Probate Court of Union County, Ohio.

Nov. 19-1926.

no. 10906.

Journal entry: Filing Petition to Sell Real Estate. This day came the Plaintiff C. O. Wiley and Vernon F. Coe, Adms. of the estate of J. D. Coe, and presented to this Court their petition, duly verified praying an order for the sale of real estate of the said J. D. Coe deceased, to pay the debts, and the costs of administering the estate of the said decedent.

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Langhorst Brothers, Wapakonetta, Ohio.

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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.

Witnessed, Probate Judge-

Wainor

Wainor

We, the undersigned, do hereby voluntarily enter our appearance herein, and, do hereby waive the issuing and service of summons, and process, or service by publication in the above entitled cause, but, do not waive the right to plead.

Signed this 6-day of December, 1926.

The Michigan Mutual Life Insurance Co.

By W. A. Donaldson, its attorney

Wainor

Wainor of Summons.

Probate Court, Union County, Ohio.
No. 10906.

C. O. Wiley & Vernard D. Cor.
adms. of the estate of
J. D. Cor. deceased.
Plaintiff

Wainor.

v.

Mattie R. Cor.
Vernard D. Cor. et al.

Defendants.

We, the undersigned parties Defendant, to the Petition in the above entitled action, do each of us hereby waive the issuing and service of Summons, and, voluntarily enter our appearance, as such Defendants and, we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

Nov. 24 - 1926.

Vernard D. Cor. Mattie R. Cor. Florence E. Wiley

Answer of
Widow

In the Probate Court, Union County, Ohio
C. O. Wiley & Vernard D. Cor.
as Adms. of the estate of
J. D. Cor. deceased.
Plaintiffs.

Answer of Widow.

v.

Mattie R. Cor. et al.

Defendants.

Now comes the defendant, Mattie R. Cor, and says.

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Answer
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that she is the widow of the said J. D. Cor. deceased, and as such she is entitled to dower in the plaintiffs petition, and that she was 64 years of age on the 13-day of April, 1926.

Answer

of

Further she says that she consents to the sale of the said real estate as prayed for in the plaintiffs petition, and if sold as prayed for, and for the purpose prayed for, then that she waives the assignment of dower interest therein by metes or bounds, or in rents, issues or profits, and elects to take her dower interest in cash out of the proceeds of said sale, if sold.

wherefore, the said Mattie R. Cor. prays, that the said premises be sold free from her dower interest therein, or any other interest that she may have therein, and that whatever interest she may have therein be paid to her in cash out of the proceeds from the sale thereof.

Mattie R. Cor.

State of Ohio, Union County ss

Oath.

Mattie R. Cor. being duly sworn, says that the facts stated and the allegations made and contained in the foregoing answer are true.

Mattie R. Cor.

Sworn to before me, and signed in my presence this 13-day of November, 1926.

Maud Pycus, Notary Public

Answer and Cross-Petition of Michigan Mutual Life Ins. Co.,

In the Probate Court of Union County, Ohio vs. C. O. Wiley and Bernard D. Cor. No. 10906

vs. adms.,

of the estate of J. D. Cor. deceased.

Plaintiffs

R. Mattie R. Cor. et al.

Defendants

Answer and Cross-Petition of The Michigan Mutual Life Insurance Co.,

Now comes the Defendant, The Michigan Mutual Life Insurance Company and for its answer and cross-petition herein says, that it is a corporation duly incorporated under and by virtue of the laws of the State of Michigan and having its principal office in the City of Detroit in said State of Michigan.

That on the 3-day of November, 1919, the said Jesse D. Cor. then in full life but since deceased, executed and delivered to the defendant, The Michigan Mutual Life Insurance Co. his promissory note in writing and thereby promised to

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pay to the Defendant, The Michigan Mutual Life Insurance Company, on the 3rd day of November, 1924, the sum of six thousand (\$6000⁰⁰) dollars, at the Home office of said company, at Detroit, Michigan, with interest thereon from the date thereof at the rate of 5 per cent per annum, payable semi-annually and on all over due principal and interests at the rate of 7 per cent per annum, payable semi-annually, until paid, of which said note with all credits thereon (the following is a copy:

\$6000-

Detroit Mich. November 3-1919

On the 3rd day of November, 1924, I promise to pay to the order of The Michigan Mutual Life Insurance Company the principal sum of Six thousand Dollars, at the Home office of said company, at Detroit, Michigan, value received with interest thereon from the date hereof at the rate of five percent per annum, payable semi-annually, and on all over due principal and interest at the rate of seven percent per annum, payable semi-annually, until this note is paid.

This note is secured by mortgage of even date herewith made by myself and wife to said Michigan Mutual Life Insurance Company.

Jesse D. Corle.

On any interest paying date before this note become due the sum of \$100- or any multiple thereof may be paid on the principal.

J. F. W. Jan. 15-1920. Auditing Comm -
Internal Revenue stamps \$1/2⁰⁰

The following credits are endorsed on said note, to wit:
\$500⁰⁰ paid on principal

11-12-24, L. Cashier

207⁰⁰ paid on principal

7-6-26, J. C. W. Cashier

This answering defendant says that it is still the owner and holder of said above described note and that no payments have been made to apply on the principal sum thereof, except said above mentioned credits endorsed thereon, as aforesaid; that the interest thereon has been paid to and inclusive of the semi-annual installment of interest which matured on the 3rd day of May, 1926.

That at the time of executing and delivering said note to this answering defendant, The Michigan Mutual Life Insurance Company, the said, Jesse D. Corle, then in full life and Mattie R. Corle, his wife, who

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released her down interest in the premises, to secure the payment of said above mentioned note and the interest to accrue thereon, executed and delivered to this answering defendant, The Michigan Mutual Life Insurance Company, their mortgage deed and thereby conveyed to this answering defendant, its successors, and assigns forever, by way of mortgage the following described premises, to wit:

all those certain pieces or parcels of land situate in the Township of York, County of Union and State of Ohio, known and described as follows:

all those parts of Survey No. 12542 bounded and described as follows:-

1. Beginning at a stake in the center of the crossing of the Richmond and Summerville Roads; thence with the Summerville Road north 19° 15' East 6.16 poles to a stone in the center of said Summerville Road, and in the south line of lands formerly owned by J.C. Miller; thence with said J.C. Miller's line north 79° 45' East 32.24 poles to a stake in Fulton Creek; thence down the creek due east 14.20 poles to a Bur Oak and Elm a corner to lands formerly owned by Foster Edwards; thence with the west line of said Foster Edwards land south 8° 15' West 164 poles to a stake and stone northeast corner of lands formerly owned by Charles E. Wickins; thence with the north line of said land north 73° 45' West 73 poles to a stake and stone in the center of the said Summerville Road; thence with the center of said Road north 19° 15' East 137 poles to the beginning, containing 54.50 acres of land.

2. Beginning at a stone in the center of the Arkla and Summerville Grand Road, and at the south east corner of a 49 acre tract of land owned by Chas. E. Blain; thence in a southerly direction south 10° 15' West 49 rods to a stone at an angle in said Road; thence in a southerly direction south 23° 10' West 82.57 rods to the center of the south end of the bridge over Fulton Creek; thence with the south bank of Fulton Creek, in a westerly direction north 60° 50' West 8.30 rods to a stone at the northwest corner of a school house lot; thence in a southerly direction south 22° 50' West 25.15 rods to a stone in the center of the Richmond and Miller Grand Road; thence with the center of said Road in a westerly direction north 71° 30 minutes West 4.85 rods to a stone; thence in a

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Westerly direction south $82^{\circ} 50'$ west 57.60 rods to a stone; thence in a northerly direction north $1^{\circ} 40'$ east 5.51 rods to a post at the northeast corner of the cemetery; thence in a westerly direction north $84^{\circ} 25'$ west to a post at the northwest corner of the cemetery; thence in a southerly direction south $14^{\circ} 5'$ west 15.97 rods to a post at the southwest corner of the York Presbyterian Church lot; thence in a westerly direction north $43^{\circ} 20'$ west 16.72 rods to an iron stake on the east bank of Fulton Creek; thence in a northerly direction north $35^{\circ} 10'$ east 21.81 rods to an iron stake on the east bank of Fulton Creek; thence in a northerly direction north $4^{\circ} 15'$ west 109.09 rods to a large post in the south line of Harry Donohoe's land; thence in an easterly direction north $82^{\circ} 30'$ east 145.54 rods to the place of beginning, containing 99.20 acres of land.

3. Bounded on the north by Fulton Creek, on the South by the York Center and Miller Grand Road; on the east by the Grand Road leading from the said York Center and Miller Grand Road to the Boundary Road, on the West by lands owned by J. D. Cox, and known as the Miller School Building and grounds in School District No. 4, containing about one acre of land.

The condition contained in said mortgage Ord. was that of the said Jesse D. Cox, and Mattie H. Cox, (mentioned in said mortgage as parties of the first part) shall and do well and truly pay or cause to be paid to the said, the Michigan Mutual Life Insurance Company (mentioned in said mortgage as party of the second part), at its home office, in Detroit, Michigan, the sum of six thousand \$6000- dollars, at the expiration of five (5) years, from the date thereof with interest thereon payable semi-annually at a rate of 5 percent per annum, in accordance with the terms of said above mentioned note of even date therewith, (being the note above mentioned) made by said Jesse D. Cox, to said party of the second part to which said note said mortgage is collateral and shall fully keep and perform all other covenants and agreements contained in said mortgage, then the same should cease and be null and void.

It was agreed by and between the parties, thence, that the parties of the first part should

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pay all taxes and assessments upon said premises as soon as after as they become due, and payable and should from time to time insure and keep insured, the buildings and improvements upon said premises, against loss, or, damage by fire in such amount and, in such company or companies, as shall be satisfactory to the party of the second part. The policies of insurance to be deposited with the party of the second part, and to be payable in the event of such loss, or, damage to the party of the second part. The net proceeds thereof to be applied upon the indebtedness secured thereby, the surplus, if any, to be paid, to the parties of the first part; and, that upon default, by the parties of the first part in the payment of such taxes, or, assessments, or, the procuring of such insurance, the party of the second part may pay such taxes and assessments, and, procure, and, pay for such insurance, and, the amounts so paid shall become, a part of the indebtedness secured thereby and to be due and payable forthwith.

It was further agreed in said Mortgage by and between the parties thereto, that all overdue principal and interest and all sums which may be paid by the party of the second part, as aforesaid, for taxes, assessments or fire insurance premiums shall bear interest at the rate of 7% per annum, payable semi-annually and, that this provision should apply to principal which may become due, by reason of the exercise by the party of the second part of its right to declare the entire mortgage indebtedness due as provided in said Mortgage in the same manner as to principal becoming due by the terms of payment as provided in said mortgage.

It was further agreed by and between the first and second parties in said Mortgage that if default shall be made by the parties of the first part, in the payment, when due, of any installment of principal, or, in the payment of interest, or of the amount which may have been paid by the party of the second part, for any taxes, assessments or, insurance premiums and, if such default, shall continue for 30 days, the party of the second part forthwith or at any time thereafter while such default shall continue, may at its option declare,

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Langhorst Brothers, Wapakonetta, Ohio.

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the entire amount of the mortgage indebtedness, including principal and interest and other amounts secured thereby immediately due, and payable without notice, notice of the exercise of such option being therein expressly waived, and may thereupon or thereafter proceed to recover the amount secured thereby, whether by action for that purpose or by the foreclosure of said mortgage in any lawful manner.

It was further agreed by and between said parties to said mortgage, that in case said parties of the first part shall convey the Real Estate therein described before the payment of the full amount secured by said mortgage, any extensions of time given to the grantees of the said parties of the first part, for the payment of any portion of the amount secured thereby is therein assented to by the said parties of the first part as though such extensions were given to them and any and all payments made by such grantees shall have the same effect as tho made by the said parties of the first part, and said parties of the first part shall not be discharged from their personal liability upon said mortgage by reason of such extensions.

It was further agreed between the parties aforesaid that no waste should be committed or suffered, on said premises, nor shall any building thereon be in whole or in part destroyed, or removed, nor shall the security be otherwise impaired without the written consent of the party of the second part, and that upon breach of said provision, or if the party of the second part shall commence an action for the foreclosure of said mortgage, it may obtain the appointment of a receiver of said premises, and of the rents, issues and profits thereof upon application to a court of competent jurisdiction.

That on, or about the 31-day of October, 1924, pursuant to the application and request of the said Jesse D. Cor, and Mattie R. Cor, his wife, the time for the payment of said note was extended until the 3-day of November, 1929, subject however to all the terms and conditions of said mortgage existing as therein otherwise agreed in said extension.

That it was provided and agreed in said extension that in consideration of said original loan and of this extension, the parties of the second part, Jesse D. Cor and Mattie R. Cor confirm said mortgage and covenant and agree

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that all the provisions contained in the mortgage excepting as aforesaid should continue in full force until said mortgage should be fully paid. That the said Jesse D. Cox was, then the owner of the premises described in said mortgage. That said mortgage is the just and only lien thereon. That they will keep and perform all the agreements and conditions in said mortgages; that they will pay said principal sum upon the date last aforesaid, November, 3-1929, and will pay interest thereon semi-annually, at the rate of 5½ per cent per annum, and will pay interest on all overdue principal and interest as in said mortgage provided.

It is further agreed in said extension that said parties of the second part should pay the sum of \$100- annually on the principal of said mortgage during the term of said extension.

The first of said annual principal payments to be made November, 3-1925.

That on the 10- day of November, 1919, at 11:00 o'clock A. M. said mortgage was delivered to the Recorder of Union County, Ohio, for record, and the same was, on November, 11-1919, by him duly recorded in Vol. 82, at page 562 thereof, of the Records of Mortgages of said Union County, Ohio, and that by reason thereof plaintiff acquired a mortgage lien on the Real Estate hereinafter described, which this answering defendant avers is the first and best lien thereon.

That on the 3- day of November, 1926, a semi-annual installment of interest amounting to the sum of one hundred and forty-eight dollars and seventy-five cents (\$148.75) became due, and payable on said note, and that no part of the same has been paid. That by reason of the default of the said Jesse D. Cox in the payment of said installment of interest on the 3- day of November, 1926, and for 30 days thereafter, as aforesaid, and under and by virtue of said agreement, in said mortgage, this answering defendant elected and still elects to declare the entire amount of said mortgage indebtedness due, and payable.

That there is due, and unpaid from the estate of the said Jesse D. Cox, to this defendant, The Michigan Mutual Life Insurance Company, on said note and mortgage, the sum of five thousand four hundred and forty-one dollars and seventy-five cents (\$5441.⁷⁵) with interest on \$148.⁷⁵ thereof at 7 per cent, per annum, payable semi-annually

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from November 3-1926 and with interest on \$5293.00 thereof at 5 1/2 percent per annum payable semi-annually from Nov. 3-1926 to December 3-1926 and with interest thereon at 7 percent per annum payable semi-annually from December 3-1926.

Wherefore this answering defendant prays that in the event of the sale of said above described premises in this action that this answering defendant said above mentioned mortgage claim with all interest due or which may become due thereon in accordance with its terms and provisions may be first paid from the proceeds arising from such sale and for all such other relief as this answering defendant may be entitled to.

W. A. Donaldson, Atty. for The Michigan Mutual Life Insurance Co.

The State of Ohio, Franklin Co., ss.

Oath

W. A. Donaldson being first duly sworn according to law deposes and says that he is one of the attorneys of record for The Michigan Mutual Life Insurance Company one of the defendants in the above entitled action that said defendant is a corporation non-resident of Franklin County Ohio and that the facts stated and allegations contained in the above and foregoing Answer and Cross-petition are true as he truly believes.

W. A. Donaldson-

Subscribed in my presence and sworn to before me and by the said W. A. Donaldson this 6-day of December, 1926.

Martha Dyer, Notary Public, Franklin Co. Ohio

Answer and Cross-Petition Prudential Insurance Co-

Answer and Cross Petition of The Defendant The Prudential Insurance Co. of America.

State of Ohio, County of Union, ss. C. O. Wiley and Vernard D. Cor. as Adms. of the Est. of J. D. Cor. dec'd.

vs. Mattie R. Cor. Vernard D. Cor. Florence S. Wiley The Michigan Mutual Life Insurance Co. The Prudential Insurance Co. of America. Defendants

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Cross-Petition Prudential Ins-Co-

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Now comes, the defendant, The Prudential Insurance Company of America of Newark, New Jersey, and waives the issuance and service of summonses in this cause and voluntarily enters its appearance as a party defendant herein and for answer to the petition of the administrators herein to sell real 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, New Jersey; that it admits that one Jesse D. Cor. being indebted to The Prudential Insurance Company of America in the sum of Four thousand (\$4000.00) Dollars, on November 29th 1921, executed and delivered a first mortgage to this defendant, The Prudential Insurance Company of America, and that his wife Mattie R. Cor. joined with him the execution of the said first mortgage which was delivered to this defendant, The Prudential Insurance Co. of America; that said mortgage was given to secure the re-payment of a promissory note of Four thousand (\$4000.00) Dollars, dated November, 29- 1921, as will hereafter be shown in the cross-petition of the defendant, The Prudential Insurance Co. 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 first tract as described in the petition of the administrators herein; and, for want of information, this defendant denies each, and every other allegations of said petition and the various answers and cross-petitions filed herein, inconsistent with the facts herein after stated.

Cross-Petition

Cross-Petition.

Prudential Ins- Co-

This answering defendant The Prudential Insurance Co. of America, by way of cross-petition herein, says:

That on the 29-day of November, 1921, said Jesse D. Cor. being indebted to the said The Prudential Insurance Co. of America in the sum of Four thousand (\$4000) Dollars, executed and delivered to the said The Prudential Insurance Co. of America, his promissory note of that date and thereby promised to pay to the order of the said The Prudential Insurance Co. of America, the principal sum of Four thousand (\$4000-) Dollars, with interest thereon from November, 29- 1921, until due, at the rate of six per cent.

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(6%) per annum, payable annually on the 29-day of November in each year, until due on the 29-day of November, 1926, and, with interest after maturity, at the rate of 8% per annum, payable annually, all of which will more fully appear by said principal note for Four Thousand (\$4000⁰⁰) ready to be produced, in Court, and by photographic copy of the same, attached hereto, filed herewith, marked Exhibit "A" and, made a part of this Cross-petition.

Cross Petition

This answering defendant further alleges, that to secure the payment of the said principal note as aforesaid, as well as the sum evidenced thereby, the said Jesse D. Cor. and Mattie R. Cor. being then husband and wife, did on the 29 day of November, 1921, execute and deliver to the said The Prudential Insurance Company of America, their certain mortgage deed of that date by which they conveyed to the said The Prudential Insurance Company of America the following described real estate, in Union County, State of Ohio:

Part of Survey No- 15707 and 13506, bounded, and described as follows, to wit: Beginning at a stone in the center of the York Center, and Miller Branch Road, and at the south west corner of a 70 acre tract of land, owned by Sadie Dillon; thence with the west line of said tract north 33° 15' minutes west 198.3 poles to a stone in the south line of U. M. Survey number 12124; thence with the south line of said Survey north 77° 30' west 34.33 poles to a stone in the east line of U. M. Survey number 5789; thence with the east line of said Survey No 5789, south 13° west 80.92 poles to a stake; thence south 34° East 162.16 poles to a stone in the center of said Road; thence with the center of said Road north 60° 15' East 79.89 poles to the beginning, containing 100 acres, more or less, in York Township, Union County, Ohio, which real estate is the same as the first tract described in the administrator's petition herein; that said Jesse D. Cor. and the said Mattie R. Cor. were the owner, in fee simple of the said real estate on November 29- 1921, at the time of the execution of said mortgage, and, that said mortgage was duly acknowledged, on the 1- day of December, 1921, and on the 1- day of December 1921, duly filed for record at 2:10 o'clock, P. M. and recorded on December 2- 1921, in Volume 2, page 101 of the Records of Union Co. Ohio; all of which will more

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Cross Petition

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Cross-Petition

fully appear by said mortgage and its accompanying certificates 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 a part of this cross-petition; that in joining with her husband the said Jesse D. Cox, in the execution of the mortgage deed to this defendant and cross-petitioner hereinbefore described, the said Mattie R. Cox, released and relinquished to this defendant and cross-petitioner all her down right interest, claim or demand in said real estate; and, that, as against the said mortgage of this defendant and cross-petitioner, she and her devisees have no such down right interest, claim or demands in the said real estate.

This answering defendant and cross-petitioner further alleges that the annual interest on said mortgage was due November, 29, 1926, and, that the principal sum of said note, namely Four Thousand (\$4000-) Dollars, was also due on November 29, 1926, no part of which sums has been paid this answering defendant and cross-petitioner.

Therefore this answering defendant and cross-petitioner consent to a sale of the real estate described in the administrator's petition herein, 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 Four Thousand (\$4000-) Dollars, plus (5%) interest thereon from Nov. 29, 1926 to date payment is made, payable annually; the sum of Five Hundred Forty (\$540-) Dollars accrued interest due and payable November, 29, 1926, plus eight per cent (8%) interest thereon from Nov. 29, 1926, payable annually.

Wherefore, this answering defendant and cross-petitioner The Prudential Insurance Co. of America, prays that the amounts due, it is hereinabove 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 mortgage and, in the petition of the administrator herein be sold and, that the be paid, out of the sale of said real estate, the amounts, hereinabove alleged, to be due

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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it, in the order of the priority of its said mortgages
lien upon said real estate, and, for such additional
judgment, order and decree to which it may be
entitled in law or equity.

William R. Stuart, atty. for.
The Prudential Insurance Co. of America.

Oath

State of Indiana, County of Marion, ss.
Wm R. Stuart, 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, under the laws of the
State of New Jersey, with its principal office in the City
of Newark, and State of New Jersey; that no 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 truly believes.

William R. Stuart

Subscribed and sworn to before me, the undersigned
Notary Public this 16th day of Dec. 1926.

O. D. Hutchinson, Notary Public

My commission expires May 18, 1929.
(Photographic copies filed).

In the Probate Court, Union County
No. 10906.
Entry.

Ordering
Appraisement

Ordering Appraisement, etc.

This day this cause came on to be heard upon, the
petition answer and, cross-petition of the Michigan
Mutual Life Insurance Company, the answer and cross-
petition of The Prudential Life Insurance Company of America,
and, the ~~will~~ of the Widow, Mattie R. Cor, and, the Court,
having fully advised in the premises finds; that all
of the defendants named in the petition 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 and allegations in said petition are true,
and, that the said premises therein described should
be sold to pay the debts of the said J. D. Cor, deceased,

That the said Mattie R. Cor, defendant, is the widow
of the said J. D. Cor, deceased, and, as such is
entitled to dower in the real estate in the

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Order
of
Appraisement

Final Record, Union County Probate Court.

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petition described; that she, by her answer here filed, waives the assignment of her dower in said premises by mesne and bounds, or in rents and profits, and consents to the sale of the said real estate free from her dower estate therein.

Therefore, it is ordered by the Court that William Stahl, Bur Evans, and Charlie Jones three suitable and judicious disinterested men of the vicinity of said real estate, who are freeholders, do, and they hereby are appointed appraisers to appraise said real estate at its true value in money, free from the dower estate of the said Mattie R. Cox, therein.

It is further ordered, by the Court that the said appraisers be sworn as required by law, and afterwards, upon actual view, perform the duties required of them and cause their proceedings, in writing, to be returned to this Court within ten days.

It is further appearing to the Court that the said defendants, The Michigan Mutual Life Insurance Company, and The Prudential Life Insurance Co. of America have and hold certain mortgage liens on certain of the real estate in the petition described as stated and set forth in their respective answers, and cross-petitions, filed herein.

Therefore, it is ordered by the Court, that the findings of the Court, and orders in reference to said mortgage liens be reserved, and this cause is continued.

W. H. Husted, Probate Judge

Order of appraisement

Order of appraisement.

The State of this Union County, ss Probate Court. To C. O. Wiley, & Bernard D. Cox. Greetings

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 J. D. Cox, deceased, are Plaintiffs and Mattie R. Cox, et al, are Defendants. You are Commanded by the oaths of, William Stahl, Bur Evans, and, Charlie Jones, 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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described premises, from the down estate of
Matter R. Cow, widow, therein, to wit:

First Tract:

Situated in the county of Union, State of Ohio,
and township of York, and a part of V. M. Survey, nos.
15707 and 15506, and.

Beginning at a stone in the center of the York,
Center and Miller gravel Road, and at the south-west
corner of a 70 acre tract of land, owned by Sadie Tillon;
thence with the west line of said tract N. 33° 15' W. 198.3
poles to a stone in the south line of V. M. Survey, no.
12124; thence with the south line of said survey N. 77°
30' W. 34.33 poles to a stone in the east line of V. M.
Survey # 5289; thence with the east line of said survey
5289 S. 13° W. 80.92 poles to a stake; thence S. 34° E.
162.16 poles to a stone in the center of said road; thence
with the center of said road N. 60° 15' E. 79.89 poles to the
beginning.

Containing 100 acres more or less.

Second Tract:

Situated in said state, county and township
and a part of V. M. Survey, no. 12572, and.

First:

Beginning at a stake in the center of the
Richmond and Summerville roads; thence with the
Summerville road N. 19° 15' E. 6.16 poles to a stone in the
center of the said Summerville road in the south line
of lands formerly owned by J. C. Miller; thence with the
said J. C. Miller's line N. 79° 45' E. 32.24 poles to a stake
in Fulton creek; thence down the creek due east 14.30
poles to a burr-oak, and elm, corner to land
formerly owned by Foster Edwards; thence with the
west line of said Foster Edwards land S. 8° 15' W. 164
poles to a stake and stone, north-east corner of
lands, formerly owned by Charles E. Watkins; thence
with the north line of said land N. 73° 45' W.
73 poles to a stake and stone in the center of said
Summerville road; thence with the center of said
road N. 19° 15' E. 137 poles to the beginning.

Containing 54.50 acres of land.

Second:

Beginning at a stone in the center of
the Abela and Summerville gravel road and at
the south-east corner of a 49 acre tract of land
owned by Chas. E. Blair; thence in a southerly
direction S. 10° 15' W. 49 rods to a stone at an
angle, in said road; thence in a southerly

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Final Record, Union County Probate Court.

10906

direction S. 23° 10' W. 82.57 rods to the center of the south end of the bridge over Fulton creek; thence with the south bank of Fulton creek in a westerly direction N. 60° 50' W. 8.30 rods to a stone at the north-west corner of a school-house lot; thence in a southerly direction S. 22° 50' W. 25.15 rods to a stone in the center of the Richmond and Miller Gravel Road; thence with the center of said road, in a (westerly) direction N. 71° 30' W. 4.85 rods to a stone; thence in a westerly direction S. 82° 50' W. 57.60 rods to a stone; thence in a northerly direction N. 1° 40' E. 5.51 rods to a post at the north-east corner of the cemetery; thence in a westerly direction N. 84° 20' west to a post at the north-west corner of said cemetery; thence in a southerly direction S. 14° 5' W. 15.97 rods to a post at the south-west corner of the York Presbyterian Church lot; thence in a westerly direction N. 43° 20' W. 16.72 rods to an iron stake on the east bank of Fulton creek; thence in a northerly direction N. 35° 10' E. 21.81 rods to an iron stake on the east bank of Fulton creek; thence in a northerly direction N. 4° 15' W. 109.09 rods to a large post in the south line of Kerry Donahoe's land; thence in an easterly direction, N. 82° 30' E. 145.54 rods to the beginning.

Containing 99.20 acres of land, more or less.

Third:

Bounded on the north by Fulton creek, on the south by the York Center and Miller Gravel Road; on the east by the Gravel Road leading from the said York Center and Miller Gravel Road to the Boundary Road; on the west by lands owned by J.D. Cox; known as the Miller School grounds in School District No. 4.

Containing about one acre of land.

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 January, 1927.

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 2 day of February, 1927.

C. O. Wiley, Adm.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Oath of appraisers

The State of Ohio, Union County.

Oath

of

appraisers

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

Chas. E. Jones, H. B. Evans, Wm. Stahl, appraisers.

Sworn to before me, and signed in my presence, this 2-day of July, 1927.

Appraisers.

Return

C. O. Wilkey, Adm-
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 - free of said down estate.

First tract - as described above is valued at \$6500.00

2nd + 3rd tract, as described herein at \$6800.00

Given under our hands, this 2-day of July, 1927.

Chas. E. Jones, H. B. Evans, Wm. Stahl, } appraisers

Application

to

sell

Real estate

Application to Sell Real Estate at Private Sale,
Probate Court, Union County, Ohio,
No. 10906
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 both tracts can be sold, at once, at private sale, for the appraised value thereof, for cash, in full.

Second:

To sell at private sale will save the costs, expenses, and time of advertising and offering for sale at public sale.

Third,

That the appraised value of each tract is \$6500.00 for the first tract, and \$6800.00 for the second tract is all said real estate is reasonably worth.

And, they therefore ask, for an order authorizing them to sell said real estate at private sale.

C. O. Wilkey

Adm-

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10906.

The State of Ohio, Union County.

C. O. Wiley being duly sworn, says, that the various matters set forth in the foregoing application are true, as he verily believes.

C. O. Wiley, administrator.

Sworn to before me, and signed in my presence, this 7. day of February, A. D. 1927.

Wm. Mauds Pyles, Notary Public

affidavit of Disinterested Person

affidavit of Disinterested Person.

The State of Ohio, Union County.

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

Chas. D. Webb,

Frank Gallier.

Sworn to before me, and signed in my presence, this 7. day of February, 1927.

Wm. Mauds Pyles, Notary Public.

In the Probate Court, Union County, Ohio, no. 10906

Entry. Ordering Sale.

ordering sale

This day this cause came on for hearing, and the said plaintiffs having produced the appraisement of the premises described in the plaintiffs petition as heretofore ordered by the Court, and the Court having examined the same finds the same duly and legally made, free from the claim of Mattie R. Cox, the widow of the said J. D. Cox, deceased; therefore do hereby approve and confirm said appraisement.

And, it further appearing to the Court that the said administrators, the plaintiffs, above named having given sufficient bond, further bond is hereby dispensed with in this proceeding.

It further appearing to the Court, that it would be to the best interest of said estate to sell the real estate described in the petition at private sale, and for good cause shown, for cash. It is therefore ordered by the Court that the said plaintiffs proceed to sell the real estate described in the plaintiffs petition free from the dower estate of the said Mattie R. Cox, therein, at private sale,

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Langhorst Brothers, Wapakonetta, Ohio.

10906

at not less than the appraised value, thereof for each tract, and for cash in hand, on day of sale. It is further ordered, that this cause be continued.

W.H. Husted Probate Judge -

Order of Sale.

Order of Sale. Free from Dower. The State of Ohio, Union County, Probate Court.

To, C. C. Wiley and Bernhard D. Cox. 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 "Admons." of the estate of J. D. Cox, deceased, are Plaintiffs and Mattie R. Cox, et al, are Defendants, you are commanded to proceed, according to law, to sell at private sale, for not less than \$6500.00 and \$6800.00 appraised value, thereof from from the dower of Mattie R. Cox, widow of J. D. Cox, deceased, the following described premises, to wit:

First Tract:

Situated in the county of Union, State of Ohio and Township of York, and a part of D. M. Survey No. 10707, and 13506, and Beginning at a stone in the center of the York Center and Miller Grand Road, and at the South West corner of a 70 acre tract of land owned by Sadie Tilton; thence with the West line of said tract N. 33° 15' W. 198.3 poles to a stone in the south line of D. M. Survey no. 12124; thence with the south line of said survey N. 77° 30' W. 34.33 poles to a stone in the east line of D. M. Survey no. 5259; thence with the east line of said survey no. 5259 S. 13° W. 50.92 poles to a stake; thence S. 34° E. 162.16 poles to a stone in the center of said road; thence with the center of said road N. 60° 15' E. 79.89 poles to the beginning.

Containing 100 acres, more or less.

Second Tract:

Situated in said state, County and Township as a part of D. M. Survey, no. 12542, and,

First:

Beginning at a stake in the center of the Richmond and Summerville roads; thence with the Summerville road N. 19° 15' E. 6.16 poles to a stone in the center of the said Summerville road in the South line of lands, formerly owned by J. C. Miller thence with the said J. C. Miller's line N. 79°

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Final Record, Union County Probate Court.

10906.

45' E. 32.24 poles to a stake in Fulton Creek; Thence down the creek due east 14.30 poles, to a Burr oak and elm, corner to land formerly owned by Foster Edwards; Thence with the west line of said Foster Edwards, land S. 8° 15' W. 164 poles, to a stake and stone, north-east corner of lands formerly owned by Charles E. Wilkins; Thence with the north line of said land N. 73° 45' W. 73 poles to a stake and stone in the center of said Summersville road; Thence with the center of said road N 19° 15' E. 137 poles to the beginning.

Containing 54.50 acres of land.

order of sale.

Second:

Beginning at a stone in the center of the Ashla and Summersville Gravel road, and at the south-east corner of a 49 acre tract of land owned by Chas. E. Blain; Thence in a southerly direction S. 10° 15' W. 49 rods to a stone at an angle in said road; Thence in a southerly direction S. 23° 10' W. 52.57 rods to the center of the south end of the bridge over Fulton Creek; Thence with the south Bank of Fulton Creek in a westerly direction N. 60° 50' W. 8.30 rods to a stone at the north-west corner of a school-house lot; Thence in a southerly direction S. 22° 50' W. 25.15 rods to a stone in the center of the Richmond and Miller Gravel Road; Thence with the center of said road in a westerly direction N. 71° 30' W. 4.85 rods to a stone; Thence in a westerly direction S. 82° 50' W. 57.60 rods to a stone; Thence in a northerly direction N. 1° 40' E. 8.51 rods to a post at the north-east corner of the cemetery; Thence in a westerly direction N. 54° 25' W. to a post at the north-west corner of said cemetery; Thence in a southerly direction S. 14° 5' W. 15.97 rods to a post at the south-west corner of the York Presbyterian Church lot; Thence in a westerly direction N. 43° 20' W. 16.72 rods to an iron stake on the east bank of Fulton Creek; Thence in a northerly direction N. 35° 10' E. 21.81 rods to an iron stake on the east bank of Fulton Creek; Thence in a northerly direction N. 4° 15' W. 109.09 rods to a large post in the south line of Harvey Donahoe's land; Thence in an easterly direction N. 82° 30' E. 145.54 rods to the beginning.

Containing 99.20 acres of land, more or less.

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Langhorst Brothers, Wapakonette, Ohio.

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Third:

Bounded on the north by Fulton Creek; on the South by the York Center and Miller Grant Road; on the East by the Grand Road leading from the said York Center and Miller Grant Road to the Boundary Road; on the West by lands owned by J. D. Cox; known as the Miller school grounds in school District No. 4.

Contains about one acre of land.

Said sale to be private and to be upon the following terms: Cash in hand on day of sale.

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

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 7 day of February, A. D. 1927.

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 10 day of February, 1927.

C. O. Wiley, Report of Sale.

Report

In obedience to the within order, I sold said premises on the 10 day of February, 1927, to O. G. Bolentough, for the sum of Fifteen Thousand Three Hundred and no/100 Dollars, said sum being the appraised value of the same.

C. O. Wiley, Vernard D. Cox.

Dated the 10 day of February, 1927.

The State of Ohio, Union County

Oath

The above named, C. O. Wiley and Vernard D. Cox, 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.

C. O. Wiley, Vernard D. Cox.

Sworn to before me, and signed in my presence, this 10 day of February, 1927.

Maud Pyles, Notary Public

10906.

Confirming Sale.

Third of J. D. Cox known as the Miller school grounds in school District No. 4. Contains about one acre of land. Said sale to be private and to be upon the following terms: Cash in hand on day of sale. You will make return of your proceedings to this Court forthwith upon execution of this order. Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 7 day of February, A. D. 1927. W. H. Husted, Probate Judge - Return To the Probate Court of Union County, Ohio: In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached. Dated the 10 day of February, 1927. C. O. Wiley, Report of Sale. In obedience to the within order, I sold said premises on the 10 day of February, 1927, to O. G. Bolentough, for the sum of Fifteen Thousand Three Hundred and no/100 Dollars, said sum being the appraised value of the same. C. O. Wiley, Vernard D. Cox. Dated the 10 day of February, 1927. The State of Ohio, Union County The above named, C. O. Wiley and Vernard D. Cox, 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. C. O. Wiley, Vernard D. Cox. Sworn to before me, and signed in my presence, this 10 day of February, 1927. Maud Pyles, Notary Public

Final Record, Union County Probate Court.

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In the Probate Court, Union County, Ohio,
No. 10906.

Entry, Confirming Sale.

Confirming
Sale.

This day this cause came on to be heard on the report of C. O. Wiley and Edward D. Cow, adms., of the estate of J. D. Cow, deceased, of their proceedings and sale under the former order of this Court: and upon motion to confirm the sale made in obedience to said order: and the Court, having carefully examined said report, and finding the proceedings in all respects correct, and being satisfied that said sale was fairly and legally made.

It is therefore ordered, that the said proceedings and sale be and hereby is approved and confirmed.

It is further ordered, by the Court that the said plaintiffs as such administrators execute and deliver a good and sufficient deed to the purchaser, O. G. Bolentaugh, for the real estate so sold upon the said purchase paying to the said adms., in each, in full, the sum of \$13300.00 the purchase price for said real estate.

It is further ordered by the Court, that this cause be continued for distribution of the proceeds received from the sale of said real estate.

W. H. Huselid, Probate Judge

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Langhorst Brothers, Wapakonetta, Ohio.

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Nov. 23-1926
M.C. Gormy
att'y.

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

Dale Harrington, Executor
of the last will and testament
of, Lorenzo D. Harrington, Deceased.
Plaintiff

no. 10909

vs
Madie Smart, Aric Taylor, adults.
Laura Myerth, Jean Myerth minors
under fourteen years of age.
sole heirs at law of
Lorenzo D. Harrington, Deceased.
Alice A. Harrington, the widow
of said Lorenzo D. Harrington
An The Actua Life Insurance
Company of Hartford, Conn.,
who claim some interest in
said land.

civil action

Petition to
Sell Real Estate

Petition

Defendants.

Petition

The Plaintiff represents that he is the duly appointed and qualified executor of the estate of Lorenzo D. Harrington late of Union County, Ohio deceased, and is still acting as such executor; that the amount of debts due from the deceased is about twenty-nine hundred (\$2900.00) Dollars; as near as can be ascertained that the charges of Administration of said estate will amount to about \$200.00 and that the total value of the personal estate and effects of said deceased, is - none - being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Lorenzo D. Harrington died in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit:

Part of Surrmys. nos-12400, 12403, 12393, and 12413 bounded and described as follows: Beginning at a stone witnessed by an ironrod in the westerly line of Surrmy nos. 12400, 12403, 12393, and 12413 and north west corner of lands formerly owned by Daniel Johnson, said stone being south 33 1/2' East 80 poles from a stone set at the northwesterly corner of said Surrmy; thence with the southerly line of said Johnson's land north 52° 30' West 194.84 poles to a stone in said Johnson's line

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and, north westerly corner of lands formerly owned by Lulu Craunston; thence with said Craunston's line south 33° 15' east 83.60 poles to a stone northwesterly corner to lands formerly owned by John M. McIlroy, thence with the northerly line of said McIlroy's land south 52° 20' west 194.84 poles to a stone in the westerly line of said survey; thence with said survey line north 33 1/2° west 83.36 poles to the beginning, containing 100 acres, more or less.

The said decedent died leaving the defendant Alice K. Harrington his widow, who is entitled to dower in said premises; that the defendants Madie Smart, Aris Taylor, Laura Myrath, Jean Myrath and your petitioner, Dale Harrington, are the only heirs at law of said decedent, having the next estate of inheritance from said Leming D. Harrington, deceased, in said premises; that the defendants, The Artua Life Insurance Company of Hartford Connecticut claim to have a mortgage lien in said premises.

The plaintiff therefore prays that the dower estate of said Alice K. Harrington in said premises may be assigned and set off to her, unless she file her answer herein and consent that the same may be sold free from her said dower; that the rights, interests and liens of the said Artua Life Insurance 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 subject to said dower, unless the widow release the same according to the statute in such case, made, and provided, and for all other proper orders, and relief in the premises.
W. C. Bony, atty. for plaintiff.

Petition

The State of Ohio, Franklin County, ss.

Dale Harrington, 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.

Dale Harrington.

Sworn to before me, and signed in my presence, this 23-day of November, 1926.

W. B. Wilson, Notary Public.

Franklin Co. Ohio.

10909

Oath

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10909

Probate Court, Union County, Ohio.
no 10909. civil action

Receipt

Receipt

To the Judge and Ex officio Clerk of said Court:
Issue Summons for said defendants: Madie Smart,
adult, Laura Myerth, and Jean Myerth, minors under
fourteen years of age, and the Artua Life Insurance
Company. Defendants directed to the Sheriff of said
County returnable according to law.
W. C. Korny, Plaintiffs atty.

In the Probate Court of Union County, Ohio,
November 23- 1926.
no. 10909

Filing

Petition

Journal entry: Filing Petition to Sell Real Estate
This day came the Plaintiff Dale Harrington, executor
of the last will and testament of Lonzo D. Harrington
deceased, and presented to this Court his petition, duly
verified, praying an order for the sale of real estate
of the said Lonzo D. Harrington, deceased, to pay the
debts and the costs of the said decedent.

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

W. H. Husted, Probate Judge.

Waiver

Waiver of Summons.

Probate Court, Union County, Ohio.
no. 10909

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 hereby consent to the sale of the
Real Estate described in the petition in said action
according to the prayer of the same,
November, 23- A. D. 1926.

Aris Taylor.

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Answer
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Final Record, Union County Probate Court.

10909

Answer of Widow.

Probate Court, Union County, Ohio.

Answer of Widow

And now comes Alice A. Harrington 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 Lorenzo D. Harrington deceased, and, as such is entitled to dower in the premises described in said petition, that her age is 69 yrs. 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

Alice A. Harrington

Oath

The State of Ohio, Union County,

Alice A. Harrington being duly sworn, says that the statements in the foregoing answer are true as she truly believes.

Alice A. Harrington

Sworn to before me, and signed in my presence this 23 day of November, A.D. 1926.

Foster C. Walker, J.P.

Summons.

Summons.

The State of Ohio, Union County.

Probate Court.

To the Sheriff of said County:

You are hereby commanded to notify Madie Smart Mother and the following named who are minor, to wit:

Laura Myrath, and Jean Myrath

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 23-day of November, 1926, Dale Harrington Ex., of the estate of Lorenzo D. Harrington, 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10909

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 26 day of December 1926 said petition will be taken as true and an order granted accordingly.

Said sheriff will make due return of this writ on the 5 day of December 1926.

Witness my hand and the seal of said Court this 24 day of November 1926.

W. H. Husted, Probate Judge

Sheriff's Return

The State of Ohio, Union County

Sheriff's

Return

Received this writ Nov. 24 - 1926 at 3 P.M. and on the days and in the same manner hereinafter named I served the same on the within named defendants viz:

Nov. 27 - 1926 on Madie Smart by personally handing to her a true and certified copy of this writ with all the endorsements thereon also Laura Myrth and Jean Myrth who are minors true and certified copies of this writ with all the endorsements thereon.

Nov. 27 - 1926 on Madie Smart the mother of the said Laura Myrth and Jean Myrth minors.

F. S. Hayer, Sheriff of Union Co. Ohio
By M. E. C. clerk.

Waiver of Summons

Probate Court Union County Ohio
No. 10909.

Waiver

We the undersigned parties Defendant to the Petition in the above entitled action do each of us hereby waive the issuing and service of Summons and voluntarily enter our appearance as such Defendants. And we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

December 15. A. D. 1926.

Artina Life Insurance Co.,

By W. H. Frankner, Its attorney.

Answer

Cross-Petition

Artina

Life Ins. Co.

Answer and Cross-Petition
of Artina Life Insurance Co.,

Dale Harrington Co. of the Last
Will and Testament of
Lornya D. Harrington, decd,
Plaintiff

-P-

10909

Mrs. Langhorst
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Final Record, Union County Probate Court.

10909

Madie Smart: Arie Taylor: adults.
Laura Myrtle, Jean Myrtle, minors,
under 14 years of age, sole heirs,
at law of Lorenzo D. Harrington, decd.,
Alice A. Harrington, the widow
of said Lorenzo D. Harrington
and, Aetna Life Insurance Co.,
of Hartford Conn., who claim
some interest in said land,
Defendants.

Case 10909
ansurr and
Cross - Petition
of
Aetna Life Insurance
Company

Aetna
Life
Insurance
Co.,

Now comes the defendant, Aetna Life Insurance
Co., of Hartford, Conn., and for ansurr to the
Petition herein admits that the Plaintiff is, the
duly appointed, qualified and acting executor
of the last Will and Testament of Lorenzo D.
Harrington, late of the County of Union, State of this,
and, that the amount of the debts of said
decedent am. as set forth in said Petition and
that the charges of administration will amount
to the claim set out in the Petition;
admits that Lorenzo D. Harrington died seized
of the real estate set out, and described in
the Petition and, that said decedent died leaving
the widow, children and grand-children, as
set forth in the Petition and answering
defendant further says, that it is a corporation
duly organized under the laws of the State of
Connecticut, and, that it has complied
with the laws of this, for doing business in
this State and denies each and every allegations
not herein expressly admitted.

Cross Petition.

Just Cause of Action. For its cross-petition herein,
the defendant, Aetna Life Insurance Company says,
there is due, it from the estate of Lorenzo D.
Harrington, deceased, the sum of Two Thousand
Three Hundred (\$2300.00) Dollars, with interest thereon
from the 1st day of January A. D. 1926, represented
by a coupon note attached to the original note
in the sum of One Hundred Fifteen (\$115) Dollars
due January 1st 1927, and coupon interest amount
for One Hundred fifteen (\$115.00) Dollars, coming due
January 1-1928, and, that said principal note
of Twenty-three hundred (\$2300.00) Dollars, and interest
coupon notes bear interest at 5% after maturity,
That, a copy of said note and coupon
interest notes are as follows:

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10909

#2301

Raymond, Ohio. April. 5-1923.

On the 1-day of January, 1928. for value. Received & promise to pay to the order of the Artina Life Insurance Company of Hartford Conn. Two thousand, Three hundred and no/100 negotiable and payable without grace at the office of said company in Hartford Conn. with interest at the rate of 5% per annum payable annually until due, and 8 per cent. after maturity until paid.

The interest on this note to maturity is represented by coupon interest notes hereto attached, which, with the Principal note, are secured by first lien on property described in the mortgagor given to secure the same.

Privilege is given to prepay the principal sum herein named, in sums of \$100 - or any multiple thereof, at any interest paying time.

Loungs D. Harrington

No. 5;

Raymond, Ohio. April. 5-1923.

On the 1-day of January 1927. I promise to pay to the order of the Artina Life Insurance Company of Hartford Conn. One hundred fifteen and no/100 Dollars negotiable and paying without grace at the office of said company, in Hartford, Conn. being the annual interest upon one principal note of \$2300- or even date herewith. This note bears 8% interest after maturity.

Loungs D. Harrington

#115-

No. 6.

Raymond, Ohio. April. 5-1923.

On the 1st day of January, 1928. I promise to pay to the order of the Artina Life Insurance Company of Hartford, Conn. One hundred fifteen and no/100 Dollars, negotiable and payable without grace at the office of said company, in Hartford, Conn. being the annual interest upon the one principal note of \$2300 of even date herewith. This note bears 8 per cent. interest after maturity.

Loungs D. Harrington.

#115;

There are no credits or endorsements on said note. Second Cause of action, at the time of said note and coupon, was delivered to secure payment of the same, the said Loungs D. Harrington, then in full life, but since deceased, his wife Alice B. Harrington joining therein for the purpose of releasing down, in the premises, duly executed and delivered to this answering defendant, Artina Life Insurance Company, their mortgagor deed conveying

Oath.

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Final Record, Union County Probate Court.

10909

the premises, described in the Petition.
 Said mortgage was conditioned that if said grantors hereof, their heirs, or, assigns, executors, or administrators, shall well and truly pay the interest and principal note, taxes, insurance and assessments and all advances which made by said grantee its successors and assigns for taxes, insurance, or assessments, or otherwise as provided according to the tenor of this instrument to the said Actna Life Insurance Company its successors or assigns then the above deed shall be void, otherwise the same shall remain in full force in virtue and law, and said notes are not now due nor have the conditions of the mortgage been broken.

on the 21 day of April 1923, at 1.45 a.m. said mortgage was duly filed for record at the Recorder's office of Union County, Ohio, and was duly recorded in Mortgage Record, 63 at page 75 of the Mortgage Record of Union County, Ohio, and thereby became a valid and subsisting first lien upon the real estate described in the Petition.

This answering defendant therefore, asks that its rights in the premises be protected, that the amount owing upon said notes to this answering defendant from the estate of George D. Harrington, deceased, may be found by the Court, and that the lien of this answering defendant upon the real estate described in the Petition may be ascertained and declared and that said premises may be sold and the proceeds applied to the payment of said claim and the interest thereon according to its priority and for such other and further relief, as in equity it may be entitled.

C. W. Lanckner, Atty. for Actna Life Insurance Co -

Oath.

State of Ohio, County of Hardin, ss.
 C. W. Lanckner, being just duly sworn, says that he is the attorney of Record for the Defendant, Actna Life Insurance Co., a corporation, duly authorized in the premises and that the statements made, and the allegations contained in the foregoing answer, and cross Petition are true as he verily believes.

C. W. Lanckner.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10909

Journal Entry: Orders on Hearing of appraisement, etc. Probate Court, Union County, Ohio, Jan. 25th, 1927.

Order of appraisement.

Hearing order of appraisement

This day this cause came on to be heard upon the petition, evidence and testimony, and the Court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance herein, and are now properly before the Court, and that the statements and allegations in said petition are true. That said Alice A. Harrington widow of said Lorenzo D. Harrington 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 Lorenzo D. Harrington described in the petition to pay his debts.

It is ordered, that John S. Robb, Elwood Shirk, and O. D. Dillon 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 Alice A. Harrington 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 27th day of Jan. 1927, and this cause is continued.

W. H. Husted, Probate Judge

Order of appraisement

Order of appraisement

The State of Ohio, Union County, Probate Court.

To Dale Harrington Executor, of the last Will and Testament, of Lorenzo D. Harrington, 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 Will and Testament of Lorenzo D. Harrington, are Plaintiff and Maddie Smart et al. are defendants, you are commanded that by the oaths of John S. Robb, Elwood Shirk, O. D. Dillon, 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

10909

Return

Oaths of appraisers

Final Record, Union County Probate Court.

10909

upon actual view, you cause - a just valuation and appraisement to be made according to law, of the following described premises, free of the debts and liabilities of Alice H. Harrington, therein, to wit:

The following Real Estate, situated in the County of Union, in the State of Ohio, bounded and described as follows: Being parts of surveys no. 12400, 12403, 12393, and 12413.

Beginning at a stone witnessed by an Ironwood, in the westerly line of surveys no. 12400, 12403, 12393, and 12413. And south west corner of lands formerly owned by Daniel Johnson. said stone being south 33 1/2° east 80 poles from a stone set at the north westerly corner of said survey. Thence with the southerly line of said Johnson's north 52° 30' west 194.84 poles to a stone in said Johnson's line and north westerly corner of lands formerly owned by Lulu Cranston. Thence with said Cranston's line south 33° 15' east. 83.63 poles to a stone north westerly corner to lands formerly owned by John W. Derry. Thence with the northerly line of said W. Derry's land south 52° 30' west 194.84 poles to a stone in the westerly line of said survey. Thence with said survey line north 33 1/2° west 83.36 poles to the place of beginning, containing 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 Mansfield, Ohio, this 25th day of Jan., 1927. W. H. Husted, Probate Judge

Return

To the Probate Court of Union County, Ohio.

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

Dated the 27th day of January, 1927.

Jale Harrington, 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 herein described real estate at its fair cash value, and perform the duties required of us, in pursuance of the foregoing order of the Court.
John S. Robb, Elwood Shirk, O. S. Dillon, apprs.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10909

Brought to before me, and signed in my presence. This 20th day of Jan'y. 1927. F.C. Walker. J.P.

Appraiser's Return

Appraiser's Return

In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises therein described, we, the undersigned, appraisers, estimate the value of said real estate at Four thousand (\$4000.00) Dollars, free from any donor estate.

Given under our hands, this 20th day of January, 1927. John S. Robb. Elwood Shirk. O. D. Dillon.

Probate Court, Union County, Ohio, Jan. 20th - 1927.

Confirming appraisement.

Confirming appraisement

This day came, the said Plaintiff, by his attorney, ^{and} produced to the Court, the report of an appraisement herein made, by John S. Robb, Elwood Shirk and O. D. Dillon 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:

Witness my hand, Probate Judge

Order of Sale.

Order

In Probate Court, Union County, Ohio, no. 10909.

This day this cause came on to be heard upon the petition of the plaintiff filed for the purpose of having the real estate therein described sold, to pay the debts and costs of administration of the deceased, and, also, upon the return of the summons, issued, and the answer of The Artua Life Insurance Company of Hartford Conn. defendant named herein, as well as by the answer of Alice A. Harrington, widow of deceased.

And, the Court, being fully advised in the premises finds that all the defendants herein have been legally served with process, or, have voluntarily entered their appearance in the case; and, that all have been notified of the pendency and progress of the litigation as prescribed by law. And, the Court further finds that Alice A. Harrington widow of the said Lorenzo D. Harrington, deceased, claims as in her answer herein set forth, assignment of her dower in said premises, in metes and bounds, and, desires that the same, may be sold clear and free of her said dower, and that the Court,

Legal notice

Sale

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Final Record, Union County Probate Court.

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set off to her out of the proceeds of the sale of said premises such a sum of money as may be just and reasonable in lieu of her said dower interest; and the Court finds that the allegations of said petition are true, and that it is necessary to sell the real estate in 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 \$6500.00 and the Court also finds that the bond heretofore given by the plaintiff as executor in the amount of \$1000.00 is not sufficient. It is therefore ordered, that further appraisement and additional Bond of \$4000.00 be given.

It is now ordered, that said Dale Harrington as such executor proceed to advertise for sale at the door of the Court House said real estate for four consecutive weeks in a newspaper of general circulation in said county, in which said land is situated and he is further ordered, to sell the same, at not less than 2/3 of the appraised value and on the following terms, to wit:

One-third cash in hand and the balance in one and two years from day of sale, deferred payments to be secured by mortgages on the premises sold and to bear interest, and said plaintiff is ordered to make return to this Court immediately after such sale.

W. H. Husted, Probate Judge

Legal Notice

Executors Sale

Sale

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction on the 26-day of February, 1927, at 11:30 P. M. at the door of the Court House in the Village of Mansfield, Ohio, the following described real estate:

Being part of surveys nos- 12400, 12403, 12393, and 12413, bounded and described as follows: situated in the County of Union and State of Ohio.

Beginning at a stone witnessed by an iron nail in the westerly line of surveys nos- 12400, 12403, 12393, and 12413, and said corner of lands formerly owned by Daniel Johnson, said stone being south 33 1/2° East 80 poles from a stone set at the north westerly corner of said survey; thence

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10909

with the southerly line of said Johnson's land, north 52° 30' west 194.84 poles to a stone in said Johnson's line and northwesterly corner of lands formerly owned by Lulu Crauston; thence with said Crauston's south 33° 15' east 83.60 poles to a stone northwesterly corner to lands formerly owned by John M. M.D. Gray; thence with the northerly line of said Mr. Gray's land south 52° 30' west 194.84 poles to a stone in the westerly line of said survey; thence with said survey line north 33½° west 83.36 poles to the place of beginning.

Containing 100 acres, more or less.

appraised as follows: \$4000-

Terms of Sale: One third cash in hand on day of sale. One third in one year and one third in two years, from day of sale. Deferred payments to be secured by mortgage on the premises and to bear interest from the day of sale, payable annually.

Dale Harrington

By M.C. Korry, his atty.

Feb 2-1927.

The State of Ohio, Union County, ss.

Oath

Personally appeared before me Lena Huber, and made solemn oath that the notice, a copy of which is hereto attached was published for four consecutive weeks, on and next after February 2-1927 in the weekly Marysville Tribune, a newspaper of general circulation in the county aforesaid.

Done to before me, and signed in my presence, this 25th day of Feb., 1927.

Penalty fees \$14.00

Probate Court, Union County.

Case No. 10909

Entry

Confirming an

Distributing Proceeds

Confirming sale and Distributing Proceeds. This day this cause came on to be heard upon the report of a public sale of the property described in the Petition herein; and there appearing to be no objections to the sale, and it was submitted to the Court upon such return of sale.

It further appearing to the Court, as heretofore found in this proceeding that Aetna Life Insurance Company holds a first mortgage upon the property described in the petition and herein sold in the sum of \$2300.00 and that the purchaser

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Confirmation of Sale

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Final Record, Union County Probate Court.

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 Confirmation
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 Sale.

has made application to the said Company, mortgagor
 to continue said loan to its maturity, January 1-
 1928. and said Company, mortgagor, having consented
 and agreed to continue said mortgage to the
 purchaser hereof until its maturity upon the terms
 and conditions set out in the mortgage as
 originally made and executed and, the purchaser
 having agreed to assume said mortgage and
 pay the same saving the estate herein from any
 liability on account thereof. Whereupon, the
 Court finds after due and careful examination
 of the proceedings that said sale has been duly
 and legally made in conformity to law, and the
 former orders of the Court.

Wherefore it is ordered, that the same
 be and is hereby approved and confirmed subject
 to the agreement herein made between the
 mortgagor and purchaser in lieu of distribution
 to said mortgagor for the same.

It is further ordered that said Dale
 Harrington as such Executor make to the
 purchasers Jay W. Mullaney and Laura Mullaney
 a good and sufficient deed for the premises
 sold.

And the said Jay W. Mullaney and Laura
 Mullaney desiring to pay the balance of the
 purchase money after deducting the sum of
 \$2300.00 the face of the mortgage to be assumed
 by them in cash, said Executor is ordered
 to accept the same. And the said Alice W.
 Harrington having by her answer elected to
 receive in lieu of her dower in said real estate
 its value in money after having waived the
 assignment thereof by metes and bounds or by
 rents and profits, the Court finds that after
 deducting the mortgage, indebtedness, costs
 and taxes which preclude the allowance of dower
 that there is no funds left, out of which to pay
 the dower and for that reason, no sum
 is allowed.

And the Court coming now to distribute
 the cash proceeds of said Sale amounting to
 \$400.00 after deducting the mortgage
 assumed by the purchaser, the said purchasers
 Jay W. Mullaney and Laura Mullaney have
 elected to pay the same in cash, it is
 ordered that said Executor out of the money

Final Record, Union County Probate Court.

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Dec. 14. 1926
D. B. McMill
att'y.

Petition to Sell Real Estate
In the Probate Court of Union County, N.C.
L. B. McMill, Executor of
The Last Will and Testament
of
Highalmer R. Van Houten,
Deceased,
Plaintiff.

Petition
To Sell Real Estate
10 922.

Della main, Marie Nicholson
and Harry J. Rider
Defendants.

Plaintiff represents that he is the duly appointed and legally qualified executor of the last will and testament of Highalmer R. Van Houten late of Union County, N.C., deceased. That the said will of Highalmer R. Van Houten was duly admitted to probate in the Probate Court of Union County, N.C. and is recorded in Volume 2, P. 9324, of the Will Records of Union County, N.C.

That Item Eleven (11) of the last will and testament of Highalmer R. Van Houten, deceased, reads as follows:

Petition

'Eleventh': I hereby direct and in my will that my executor hereinafter named reduce all my real estate to money by sale through the Probate Court, and from the proceeds of such sale pay all the legacies above made.

Should, however, the proceeds of such sale be insufficient to pay all of the legacies in full I direct and it is my will that the legacies made in Items second, third, fourth and fifth paid in full, and those legacies made in Items sixth, seventh, eighth, ninth and tenth, like or be paid proportionately from the residue of the funds arising from the sale of my real estate.

Plaintiff further represents that said Highalmer R. Van Houten, died seized in fee simple of the following described real estate, situated in the County of Union, and State of N.C., to-wit:

Situated in the County of Union, in the State of N.C. and described as follows: Being part of Survey No. 10240, Virginia Military Lands, and beginning at a stone and piece of rock in the center of the Bonum Road; thence S. 10° and 25" E. 140 1/2 poles to a stake fallen water ash and fallen elm on the easterly side of the N. Y. P. & O. Railroad; thence S 79° 15'

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10922

N. one hundred and forty four poles to a stone and pieces of creek in the Bown Road; thence with said road one hundred and forty one and a half poles to the place of beginning, containing one hundred and twenty six (126) acres and one hundred and forty six (146) poles more or less, but subject to all legal highways.

Excepting from the above described tract the following: Situated in the township of Jackson, County of Union and State of Ohio, and known as being part of survey No. 10240 Virginia Military Lands, and beginning at a stone and pieces of creek in the center of the Bown Road; thence S. 15° and 25" E. one hundred and forty one and a half (141½) poles to a stake fallen water ash and fallen elm on the easterly side of the N. Y. P. and O. railroad; thence S. 79° and 45' W. one hundred and forty two (142) poles to a stake, beech, and ash; thence N. 10° 15' W. ninety poles to a point; thence east parallel with the south line of this tract eighty (80) poles to a point; thence N. 10° 15' W. fifty four (54) poles to a point in the center of said Bown Road; thence with the said Road easterly sixty one and one half (61½) poles to the place of beginning containing one hundred (100) acres of land.

Petition

Also, the following: situated in the Township of Jackson, County of Union and in the State of Ohio, and being part of Survey number 10240, Virginia Military Lands, located in the name of Wallace and Watts, and bounded as follows:

Beginning at a stone in the center of the Bown Road 75 and 79/100 rods easterly from a stone and pieces of creek north corner of H. R. Van Bouter's land; thence north 79 3/4° East 11 57/100 rods to a stone; thence 10 1/2° East 134 and 57/100 rods to a stone in the center of the Bown Road aforesaid; thence South 79 1/2° West 11 57/100 rods to the place of beginning containing 10 acres more or less, but subject to all legal highways.

Also, the following: situated in the Township of Jackson, County of Union and State of Ohio, being part of Survey number 10240, Virginia Military Lands located in the name of Wallace and Watts, and bounded as follows: Beginning at a stone in the center of the Bown Road, 23 3/100 rods easterly from a stone and pieces of brick at the north west corner of H. W. Van Bouter's land; thence N. 10 1/4° West 134 22/100 rods to a stone; thence N. 79 3/4° East 11 - 41/100 rods to a stone; thence S. 10 1/4° East 134 - 42/100 to the center of the Bown Road aforesaid; thence 79 1/2° West 11 99/100 rods to the place of beginning, containing 10 acres to the

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Petition

Final Record, Union County Probate Court.

10922

same more or less but subject to all legal high ways,
 also situated in the Township of Jackson, County of
 Union and State of Ohio, and known as being part of
 Survey numbered 10240 Virginia Military lands
 located in the name of Wallace, and Watts and
 bounded, as follows: Beginning at a stone and a
 piece of rock in the center of the Bourn Road,
 north west corner to H. R. Van Houtens land; thence
 $10\frac{1}{4}^{\circ}$ West 134 rods to a stone;
 thence north $79\frac{3}{4}^{\circ}$ East $11\frac{9}{100}$ rods to a stone; thence
 south $10\frac{1}{4}^{\circ}$ East 134 - $\frac{1}{100}$ rods to a stone in the center
 of the Bourn Road aforesaid; thence south $79\frac{1}{2}^{\circ}$ West
 $11\frac{9}{100}$ rods to the place of beginning, containing 10
 acres more or less.

Petition

also, the following described real estate, situated
 in the township of Jackson, County of Union and
 State of Ohio, and being part of Survey number, 10240
 Virginia Military lands, located in the name of
 Wallace and Watts and bounded as follows:
 Beginning at a stone in the center of the Bourn
 Road $11\frac{9}{100}$ rods east nearly from a stone and
 piece of rock, north west corner of H. R. Van Houtens;
 thence north $10\frac{1}{4}^{\circ}$ West 134 $\frac{1}{100}$ rods to a stone;
 thence north $79\frac{3}{4}^{\circ}$ East $11\frac{9}{100}$ rods to a stone, in the
 center of the Bourn Road aforesaid; thence South
 $79\frac{1}{2}^{\circ}$ West $11\frac{9}{100}$ rods to the place of beginning
 containing ten acres more or less, but subject
 to all legal high ways.

also, situated in the Township of Jackson, County
 of Union and State of Ohio, and known as being
 thirty nine and seventy nine one hundredths acres of
 the East part of the 110 acre tract as described
 in the Unit of Partition: beginning at a stone
 at the south east corner of 110 acre tract; thence
 South $82\frac{1}{2}^{\circ}$ West along the center of the Bourn Road
 36 rods to a stone; thence north $7\frac{1}{2}^{\circ}$ West $132\frac{57}{100}$
 rods to a stone in the north line of said 110
 acre tract; thence north $82\frac{1}{2}^{\circ}$ East on said north
 line 36 rods to a stone at the north east corner of
 said 110 acre tract; thence south 8° East on the
 east line of said 110 acre tract $131\frac{9}{100}$ rods to the
 place of beginning, containing $29\frac{79}{100}$ acres, more
 or less, but subject to all legal high ways.

also, the following real estate: situated in the
 City of Marion, County of Marion, and State of Ohio,
 known as Lot 217 in Thompsons addition located
 on the east side of Sharp Street in said City
 of Marion, Ohio.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10922

Also lot number 3709 in Dwyer Addition to the City of Marion, Ohio, located on the north side of Mab Center Street, Marion, Ohio.

The Plaintiff says that the Defendants Della Main, Maria Nicholson, are the residuary legatees mentioned in the Will of said Highalmer upon the farm herein described located in Jackson Twp. Union County, Ohio. That you, said decedent died leaving no widow.

Plaintiff therefore prays that an order may be issued out of this Court and that he be authorized and ordered to sell said real estate to comply with Item Eleventh of the last will and testament of said Highalmer R. Van Bonten deceased, and for all other proper orders and relief on the premises.

L. B. Mc Neal, Executor.

Back

The State of Ohio, Union County, ss.

L. B. Mc Neal, 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.

L. B. Mc Neal.

Brought to before me, and signed in my presence this 14 day of Dec. 1926.

W. H. Husted, Probate Judge.

Filing Petition

Journal entry: Filing Petition to Sell Real Estate. In the Probate Court of Union County, Ohio Dec. 14 - 1926.

Sell Real Estate

This day came the Plaintiff L. B. Mc Neal, ex. of the estate of Highalmer R. Van Bonten, and presented to this Court his petition duly verified, praying an order for the sale of real estate of said Highalmer R. Van Bonten deceased to pay 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, & this cause is continued.

W. H. Husted, Probate Judge.

Pracise

Pracise To the Judge and Ex-officio Clerk of said Court: Issue Summons for said Della Main, and

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Final Record, Union County Probate Court.

10922

Marie Nicholson, directed to the Sheriff of Marion County, Ohio, and to Harry B. Rider directed to the Sheriff of Union County, Ohio. Sale of real estate to conform to directions of Will prayed for L. B. Mc Neal, Plaintiff

Summons.

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

Summons.

you are commanded to notify Harry B. Rider that on the 14-day of Dec. 1926, L. B. Mc Neal executor of the estate of Highamner R. Van Houten, 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 making distribution of the said estate, and that unless they answer by the 15-day of January 1927, 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 Dec. 1926.

Witness my hand and the seal of said Court this 15-day of Dec. 1926.

W. H. Husted, Probate Judge

Sheriff Return

Sheriff's Return

The State of Ohio, Union County.

Receives this writ December 15-1926 at 3. P.M. and pursuant to its command, on the 17-day of Dec-1926, I served the within named, defendant,

Harry B. Rider, by leaving for him at his usual place of residence a true and certified copy of this writ with all the endorsements thereon,

F. S. Hager, Sheriff B. M. E. C - Clerk.

Sheriff's Fees.

Service and Ret. 75 47 miles at 84 - 376 Total \$ 4.51

Summons.

Summons.

The State of Ohio, Marion County. Probate Court.

To the Sheriff of Marion County, Kentucky:

you are commanded to notify Della Main and Marie Nicholson, that on the 14 day of December, 1926, L. B. Mc Neal, executor of the estate of Highamner R. Van Houten, 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10922 said petition described, for the purpose of complying with the conditions of the will of the said Highalmer B. Van Houten, and that unless they answer by the 15 day of January 1927, 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 Dec. 1926.

Witness my hand, and the seal of said Court, this 15 day of Dec. 1926.

W. H. Husted, Probate Judge

Sheriff's Return

Sheriff's Return

The State of Ohio, Marion County

Received this writ Dec. 16 1926, at 9 o'clock a.m. and pursuant to its command, I made diligent search and failed to find the within named defendants within my bailiwick

James A. Deal Sheriff

Service and return 75 mans, 25 2 mi. at 8.16 total \$ 1.60

Summons

Summons

Probate Court, Union County, Ohio. In the undersigned party defendant. 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.

Dec. 28 - 1926.

Marie Nickelson

Mrs. Della Marie

Order on Hearing for Public Sale

Journal Entry: Order on Hearing for Public Sale, etc, Probate Court, Union County, Ohio February 28 - 1927. Order of Sale

This day this cause came on to be heard upon the petition, evidence and testimony, and the Court, being fully advised in the premises finds: that all the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance, herein, and are now properly before the Court. That the statements and allegations in said petition are true. That said Highalmer B. Van Houten, deceased, did not leave a widow entitled to dower in the estate to be sold, and an appraisement of such real estate

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Order on Hearing for Public Sale, 570.

Final Record, Union County Probate Court.

10922

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 decedent described in the petition to pay his debts, and the legacies. It is therefore further ordered, that said Louis B. McNeal as such Executor, proceed according to law to sell said real estate free of down at public auction for not less than 2/3 the appraised value thereof on the following terms, to wit: Cash in hand on day of sale.

It is further ordered, that said petitioner give notice 3 weeks consecutively of the terms and place of sale, in some newspaper printed and of general circulation in Union County where said real estate is situate.

and it further appearing to the Court that the Bond heretofore given by said Louis B. McNeal, as the Executor of the estate of Highlander R. Van Bonten deceased, insufficient in amount to secure the additional assets in case of sale of said real estate.

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

W. H. Husted, Probate Judge

Order
on
Hearing
for
Public Sale.
see page
570.

Journal entry: Orders on Hearing for Public Sale - Probate Court, Union County, Ohio, Order of Sale.

Feb. 28 - 1927 see page 570

Louis B. McNeal, Ex. of
Highlander R. Van Bonten
Plaintiff

v.
Harry R. Ruder
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 Highlander R. Van Bonten deceased did not leave a widow, entitled to dower in the estate to be sold, and an appraisement

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Langhorst Brothers, Wapakonetta, Ohio.

10922

of such real estate is contained in the inventory. It is ordered that another appraisement be and hereby is discussed with. and the court being satisfied that it is necessary to sell the real estate of said Highmaster R. Van Houten described in the petition to conform to the terms of the will of said decedent.

It is therefore further ordered that said Louis B. M. Neal, as such executor, proceed according to law, to sell real estate, free and down at public auction for not less than three-fourths 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 of general circulation in Union County, 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. Husted Probate Judge

Legal notice

Legal notice

In the Probate Court of Union County, Ohio,
Louis B. M. Neal, executor, Last Will and Testament of Highmaster R. Van Houten, deceased, Plaintiff, against Harry J. Rider et al Defendants, vs. 10922.

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction on the 2-day of April A.D. 1927, at the door of the Court House in Mansfield Ohio, the following described real estate.

Description

Situated in the Township of Jackson, County of Union State of Ohio, and

Being a part of Surveys nos. 10704 and 10705 and 10240, bounded and described as follows:

Commencing at a stake in the center of the Bowen Grove Road, and south east corner to D. H. and L. Wesserback's land; thence with the east line of said Wesserback's land, N 7° W. 133 poles to a stake north east corner to Surveys no. 10704 and 10705; thence north with the east line of Survey no. 9943, N 6° W. 2.70 poles to a stake, a corner to the lands of Adaline J. Martin thence with the southerly line of said Martin's land; and the lands of John T. Rich N. 13° 30' E. 47.70 poles to a stake, corner to the lands of Daniel W. Black; thence with the westerly line of said Black's land, S 6° 30' East 134.72 poles to a stake in the center of said

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Legal Notice

Final Record, Union County Probate Court.

10922

Bourn Gravel Road; thence with the center of said Bourn Gravel Road N. 84° 30' E. 32.50 poles to a stake, corner to the lands of Elizabeth Johnson; thence with the line of said Johnson's land S. 7° 30' E. 55.72 poles; thence with another line of said Johnson's land, and the lands Kenneth A. and Lee Beris S. 86° 30' W. 50.20 poles to a stake in the westerly line to Survey, No. 10240 and center of the Gravel Road; thence with said survey line, and said Gravel Road, N. 6° 15' W. 57.80 poles to a stake, center of the Bourn Gravel Road; thence with the center of said Bourn Road, S. 84° 30' W. 36 poles to the place of beginning.

containing 96.60 Acres, more or less.

also Graham, County Surveyor, Marysville, Ohio (Van Bonten Land)

Said premises being located in Jackson Township Union County, Ohio, ~~one~~ ^{one} mile west of Centerville about 5 miles north west of Prospect, Marion County, Ohio, and about five miles north east of Richmond, Union County, Ohio.

and being the farm known as the Van Bonten homestead. Said farm is appraised at \$12000.00 and cannot be sold for less than 2/3 of the appraised value, Term of Sale; Cash on hand on day of sale, or when deed is delivered.

Louis B. Mc Neal, Executor.

March 10 - 1927. 47.

The State of Ohio, ss. Union County,

Personally appears before me, Lena Huber and made solemn oath, that the notice, a copy of which is hereto attached, was published for four consecutive weeks, on and next after March 10 - 1927 in the Marysville Tribune, a news paper of general circulation in the county aforesaid.

Lena Huber

known to before me and signed in my presence this 2-day of April, A. D. 1927.

J. M. Huber, Notary Public

Prize \$22.50

Legal Notice

Legal notice

In the Probate Court of Union County, Ohio, Louis B. Mc Neal, executor, of the Last Will and Testament of Highalmer R. Van Bonten, deceased, Plaintiff against Harry J. Rider et al. Defendants. No 10922. In pursuance of an order of the Probate Court of

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10922

Union County, Ohio. I will offer for sale at public auction on the 16 day of April A. D. 1927 at the door of the Court House at Marysville, Ohio the following described real estate.

Description

Situated in the Township of Jackson, County of Union State of Ohio, and

Description

Being a part of Surveys No. 10704 and 10705 and 10740. Bounded and described as follows:

Commencing at a stake in the center of the Bourn Grand Road and south east corner to D. W. L. Trassback's; thence with the east line of said Trassback's land N 7° W. 133 poles to a stake northeast corner to Survey No. 10704 and 10705; thence north with the east line of Survey No. 9943 N. 6° W. 2170 poles to a stake, a corner to the lands of Adaline J. Martin; thence with the southerly line of said Martin's land and the lands of John G. Rutz N. 83° 30' E. 47.80 poles to a stake corner to the lands of Daniel K. Black; thence with the westerly line of said Black's land S. 6° 30' E. 134.72 poles to a stake in the center of said Bourn Grand Road; thence with the center of said Bourn Grand Road N. 84° 30' E. 32.50 poles to a stake corner to the lands of Elizabeth Johnson; thence with the line of said Johnson's land S. 7° 30' E. 55.72 poles; thence with another line of said Johnson's land and the lands of Kenneth A. and Lee Davis. S. 30° 30' W. 85.25 poles to a stake in the westerly line to Survey No. 10240 and center of the Grand Road; thence with said survey line and said Grand Road N. 6° 15' W. 51.80 poles to a stake, center of the Bourn Grand Road; thence with the center of said Bourn Road, S. 84° 30' W. 36 poles to the place of beginning, containing 96.60 acres, more or less

Alien Graham, Co. Surveyor, Marysville, Ohio (van Houten's)

Said premises being located in Jackson Township Union County, Ohio, one mile west of Centerville, about five miles north west of Prospect, Marion County, Ohio, and about five miles north east of Richmond, Union County, Ohio.

And being the farm known as the Van Houten homestead. Said farm is appraised at \$12,000.00 and cannot be sold for less than 2/3 of the appraised value.

Terms of Sale: cash on hand on day of sale or when deed is delivered

Louis B. Mc Neal, Executor.

April 6 - 1927 - 2t.

10922

Order of Sale Free of Dower

The Person here was married in the State of Ohio this 1st day of April 1927. I do hereby certify that the above described premises are the property of the said Louis B. Mc Neal, Executor of the last will and testament of the said Alien Graham, deceased, and that the same are being sold at public auction on the 16th day of April 1927 at the door of the Court House at Marysville, Ohio. Witness my hand and seal of office this 1st day of April 1927.

Final Record, Union County Probate Court.

10922

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 one consecutive week, on and next after April 6- 1927, in the Mansfield Tribune, a newspaper of general circulation in the County aforesaid

Lena Huber

known to before me, and signed in my presence, this 16- day of April, A.D. 1927.

J. M. Huber, Notary Public.

Exp. \$9-

Order of sale - Free of, Down.

Order of the State of Ohio, Union County, Probate Court,
To L. B. Mc Neal, Executor of the estate of Highamer R. Van Bortin, 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 Executor are Plaintiff and Della Main, Marie Nicholson, and Harry J. Rider 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 down, the following described premises, to wit: Situated in the County of Union, in the State of Ohio, and described as follows:

Being part of Survey No. 10240 Virginia Military Lands and beginning at a stone and piece of rock in the center of the Down Road; thence S. 10° and 25' E. one hundred, and forty and a half poles to a stake fallen water ash, and fallen elm on the easterly side of the N. Y. P. and O. railroad; thence S. 79° 15' W. one hundred and forty-four poles to a stone and piece of rock in the Down Road; thence with the road one hundred and forty-one and a half poles to the place of beginning containing one hundred, and twenty-six (126) acres and one hundred and forty-six (146) poles more or less, but subject to all legal highways,

excepting from the above described tract the following:

Situated in the Township of Jackson, County of Union and State of Ohio, and known as being part of Survey No. 10240 Virginia Military Lands and beginning at a stone and piece of rock, in the center of the Down Road; thence S. 10° and 25' E. one hundred, and forty-one, and a half (141 1/2) poles to a stake fallen water ash and fallen elm

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10922 on the easterly side of the U. S. P. & O. Railroad; thence S. 79° and 45' N. one hundred and forty two (142) poles to a stake, beech and ash; thence N. 10° 15' W. ninety poles to a point; thence east parallel with the south line of this tract eighty (80) poles to a point; thence N. 10° 15' W. 54 poles to a point in the center of said Bourn Road, thence with said Road easterly sixty one and one-half (61 1/2) poles to the place of beginning, containing one hundred (100) acres of land.

Said sale to be free of doubt and public outcry and to be upon the following terms: cash in hand at time 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 Marysville, Ohio, this 28. day of Feb. 1927.

W. H. Stusted, 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 16. day of April 1927.

Louis B. Mc Neal, Executor.

Report.

Report.

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Evening Tribune, Marysville, Ohio, 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 16. day of April, 1927, the day of sale therein mentioned; stating in the notice the time, place, and terms of sale; and on said day, at hour of 2. o'clock P.M. I attended the --- and offered said real estate for sale free of doubt, where Miss Strozyder bid to pay for the same, the sum of Eight thousand dollars, which being the highest and best bid that was offered, and being 7/8 of the appraised value, of said premises.

I then and there sold the same, to Miss Strozyder for that sum.

Louis B. Mc Neal, Executor of the Last Will, and Testament of

Highlander R. Saw Bottom, deceased.

Dated the 16. day of April, 1927.

Report of sale

Report of Sale - Union County, Ohio.

10922

orders of Confirmation of Distribution ref

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Final Record, Union County Probate Court.

10922

The above named, Louis B. McNeal, executor of Highlander R. Van Houten, 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.

Louis B. McNeal,

Sworn to before me, and, signed in my presence, this 25-day of April, 1927.

W.H. Husted, Probate Judge

Journal entry: Orders of Confirmation, Distribution Probate Court, Union County, this, April, 16-1927.

orders of Confirmation Distribution

This day, this cause came on to be heard on, the report of Louis B. McNeal, executor of Highlander R. Van Houten 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; 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 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 Highlander R. Van Houten in said real estate, to the purchaser, Mills Stronnyder upon the said purchaser executing to said petitioner 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 eight thousand dollars:

It is further ordered, that said petitioner, out of the money in his hands, pay:

- First: To the Treasurer, of this County, the sum of \$--- being the taxes, penalty and interest then due against said property
- Second:

The costs and expenses, incurred in the sale of said property including an attorney fee of \$ 330.00

W.H. Husted

Probate Judge

See Page 589-590

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10 928

Dec. 20-

1926

Mrs. L. Myers,
attorney

Norman C. Bown, Adm.,
with the will annexed,
of the estate of
Lorinda E. Perkins, Deceased.
Plaintiff

v.

Walter Perkins
Florence Perget.
Mabel J. Barlow, and
The Mutual Benefit Life
Insurance Company.
Defendants.

no. 10928

Petition

Now comes Norman C. Bown and represents to the Court that on the 19-day of February, 1926, he was duly appointed by the probate court of Union County, Ohio as adm., with the will annexed, of the estate of Lorinda E. Perkins, deceased, and that he duly qualified as such administrator in said Court, and is still acting as such: and, as such adm. says:

That the whole amount of the personal estate and assets of the said Lorinda E. Perkins owned by her at the time of her death was approximately \$1100.00

Petition

That the said Lorinda E. Perkins, at the time of her death, owed approximately \$7000.00 and the cost of administering her estate will amount to about \$500.00 and that the said personal estate will be wholly insufficient to pay said indebtedness.

That the said Lorinda E. Perkins died the owner of, and seized in fee simple of the following described real estate, to-wit:

Situated in the State of Ohio, County of Union and Township of Union, and a part of Survey no. - - - to-wit:
Beginning at a tile at the north-west corner of George Woodworth's land, and, in the east line of the Thomas Stillings land; thence with the said Stillings line North 34° East 104 poles to a stake in the center of the Urbana and Milford Center Pike; thence with the center of said road, South 72° 30' East 164.40 poles to a stone at the north west corner of James M. W. Elroy's land; thence with the west line of said land South 41° West 151.60 poles to a stone in the north line of George Brandall's land; thence with said line and the north line of said Woodworth's land North 57° West 147 poles to the place of beginning, containing 124.75 acrs. more or less.

10 928

Petition

Filing
Petition

Final Record, Union County Probate Court.

10 928

Further, the plaintiff says, that the said Louisa E. Perkins, died leaving J. W. Perkins, her widower, who died on the 5-day of February, 1926, and the defendants, Walter Perkins, Florence Perfect and Mabel J. Barlow her only children, and heirs at law having a next estate of inheritance from the said Louisa E. Perkins, deceased.

That the defendant, The Mutual Benefit Life Insurance Company, has, or, claims to have some claim or lien on said real estate.

Further, the said plaintiff says, that it will be necessary to sell real estate herein described, to pay the debts and cost of administering the estate of the said decedent.

Wherefore, the plaintiff prays, that he may be ordered and directed to sell said real estate to pay the debts and the costs of administering said estate, and that the said defendants, The Mutual Benefit Life Insurance Company, be required to set up, its claim or be forever barred from asserting the same, and for such other and further relief in the premises as may be just and equitable.

Mrs. L. Myers, Attorney for Plaintiff.

State of Ohio, Union County, ss.

Norman C. Bower, being duly sworn, says that the facts stated and the allegations made and contained in the foregoing petition are true as he verily believes.

Norman C. Bower,

Sworn to before me and signed in my presence, this 14, day of Dec. 1926.

Wm. Maud Piers, Notary Public.

In the Probate Court, Union County, Ohio
Filing Petition

Filing Petition

This day came, Norman C. Bower, admr. with the will annexed, of the estate of Louisa E. Perkins, deceased, and filed herein his petition for the sale of the real estate therein described for the purpose of paying debts of the said deceased.

It is therefore, ordered, that this cause be set for hearing for the 15-day of January, 1927, at ten o'clock, A.M. and this cause is continued.

W. H. Hasted

Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10928

waiver

waiver

I, the undersigned, defendant named in the above entitled case, do hereby voluntarily enter my appearance, herein, and, waive the issuing and service of summons, and process or service by publication.

Dated Dec. 21- 1926.

Florence Perfect.

Walter Perkins Mabel J. Barlow.

answer

of mutual life Ins. Co.

Answer of Mutual Life Insurance Company, Inc. the Probate Court.

Case no 10928.

Answer.

First Defense.

Comes now The Mutual Benefit Life Insurance Company one of the defendants herein, and, for its just defense herein, says, that it is a corporation duly organized and existing under, and by virtue of, the laws of the State of New Jersey, having its principal place of business in the City of Newark, Essex County, New Jersey and duly authorized to do business in the State of Ohio, by its attorney Howard A. Sommer, and hereby waives service of summons, and notice by publication herein, and, says, that it claims to have, and does have a mortgage lien upon, the premises described in plaintiffs petition in the amount of \$7000 with interest thereon and that said lien is the just, valid and subsisting lien upon the said land.

It further says that it has no information or knowledge regarding the other arrangements in the said petition contained and, therefore denies all other allegations in the petition set forth and each and every of them.

Second Defense

By way of second and further defense to the plaintiffs petition, the plaintiff the Mutual Benefit Life Insurance Company by Howard A. Sommer its attorney, says, that it is a corporation duly organized and, existing under and by virtue of the laws of the State of New Jersey, and on the 5 day of November, 1917, the plaintiffs decedent, Lorrinda E. Perkins, who is one and the same person as, Lorrinda E. Perkins, together with her husband Joseph W. Perkins, who released his dower therein, duly executed, and, delivered to this defendant their certain mortgage dated Nov. 5- 1917, upon the

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Final Record, Union County Probate Court.

10928

following described real estate, to wit:
 Beginning at a tile at the north-west corner of
 alongs Woodworth's land, and, in the east line
 of the Thomas Stillings land: thence with the said
 Stillings line north 34° East 154 poles, to a stake
 in the center of the Urbana and Milford Center Pike
 thence with the center of said road south 72°
 30' East 164.40 poles to a stone at the north-west
 corner of James Mc Elroy's land: thence with the
 west line of said land South 41° West 151.60 poles
 to a stone in the north line of George Brandall's
 land: thence with said line and the north line
 of said Woodworth's land North 59° West 147 poles
 to the place of beginning, containing 124.75
 acres more or less, in Union Township, Union Co.,
 State of Ohio.

Said mortgage contained the condition
 that if the said Lorinda E. Perkins and
 Joseph W. Perkins, their heirs, executors, or
 administrators, should pay or cause to be paid
 to this answering defendant, its successors,
 or assigns the principal sum of \$7000 on the
 1st day of November, 1927, with interest thereon
 at the rate of 5% per annum, payable semi-
 annually according to the tenor and effect
 of a promissory note and interest coupons
 attached thereto, executed by the said Lorinda
 E. Perkins and Joseph W. Perkins her husband
 bearing date of Nov. 5th 1917, the said mortgage
 should be void, otherwise to be and remain
 in full force, and effect.

Said mortgage was on the 13th day of November,
 1917, at 10:25 o'clock A. M. duly filed for
 record in the recorder's office of Union County,
 Ohio, and was duly entered for record in
 Mortgage Book 58 Pg. 442, in said office, and is
 still a valid and subsisting lien against the
 premises and remains wholly unpaid.

This defendant further says, that the said
 principal sum was not paid on the due
 date thereof, to wit: Nov. 1 - 1927. In contemplation
 of not being able to pay said indebtedness
 said decedent Lorinda E. Perkins, together with
 her husband Joseph W. Perkins, on or about
 October 13 - 1922, executed and certain
 agreement whereby they did promise and
 agree to pay the said sum of \$7000 -
 on Nov. 1 - 1927. With interest thereon at the

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10928

rate of 5 1/2% per annum, in consideration of which the said mortgagee the Mutual Benefit Life Insurance Company was to and did extend the time of payment to said date.

This defendant further says that the interest on the said principal note has been paid to the 1st day of November 1926, and no part of the said principal note or debt in the amount of \$7000- has been paid and no interest has been paid thereon since the said date.

Wherefore this answering defendant prays that its said mortgage be declared a first, valid and subsisting lien on the said real estate and prior to all other liens thereon and that in any sale which may be made herein of the premises the lien of the said mortgage may be ordered to attach to the proceeds of such sale in the hands of the administrator with the will annexed and be first paid therefrom. This defendant further prays that it may recover its costs herein and for all other and further proper relief in the premises.

The Mutual Benefit Life Insurance Company,
By: Howard A. Sommer, Its attorney.

State of Indiana, Montgomery Co., ss.

Orde

The undersigned, being duly sworn, upon his oath deposes and says that he is the duly qualified and authorized attorney of the defendant, The Mutual Benefit Life Insurance Company, and that the said defendant is a non-resident of the County of Union, State of Ohio, and that the facts set forth in the foregoing answer are true in substance, and in fact, as he verily believes.

Howard A. Sommer.

Subscribed and sworn to before me, this 22 day of December, 1926.

Maudie Langhorst, Notary Public
my Commission expires, Aug. 16-1928

In the Probate Court, Union County, Ohio
No. 10928.

Mutual
Ins. Co.

The Mutual Benefit Life Insurance Co., one of the above named defendants, does hereby voluntarily enter its appearance in the above entitled cause, and waives the issuing and service of summons and process or service by publication.

The Mutual Benefit Life Insurance Co.,
By: J. H. Baldwin,
Vice-President

Dated December 20 - 1926.

10928

Order on
Hearing
for
Private Sale

Application
to
Sell at
Private Sale

Final Record, Union County Probate Court.

10928

Journal Entry: Order on Hearing, for Private Sale,
Probate Court, March 4 - 1927

Order of Sale.

Norman C. Bourn, adur., etc.,

of Lorinda E. Perkins, deceased,

Plaintiff

Order on
Hearing
for

v.

Private Sale, Walter Perkins, et. al.

Defendants.

Order of Sale-

This day this cause came on to be heard upon the petition, evidence and testimony, and the answer of The Mutual Benefit Life Insurance Company 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 Lorinda E. Perkins 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 Lorinda E. Perkins, 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 Norman C. Bourn, as such adur., 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

application
to

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

Sell at

no. 10928. Application

Private sale

The said Plaintiff represents that it would be for the best interest of the said estate

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10928

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

First, that said real estate can be sold, at once, at private sale, for the appraised value thereof, for cash, in full.

Second, To sell at private sale, will save the costs, expenses, and time of advertising and offering for sale at public sale.

Third, that the appraised value of said real estate, to wit: \$11,000.00 is all said real estate is reasonably worth, and he therefore asks for an order authorizing him to sell said real estate at private sale.

Norman C. Boun. adur - et al.

The State of Ohio, Union County

Norman C. Boun, being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.

Norman C. Boun

Sworn to before me, and signed in my presence, this 4 day of March, 1927.

Maud Piers, Notary Public

affidavit of Disinterested Person

The State of Ohio, Union County

Willard E. Winters and F. H. Galloway 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 said estate to sell said real estate at private sale, than at public sale, as they verily believe.

Willard E. Winters, F. H. Galloway

Sworn to before me, and signed in my presence, this 4. day of March, 1927

Maud Piers, Notary Public

Order of Sale

The State of Ohio, Union County

Probate Court

To Norman C. Boun, 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 adur, with the Will annexed, of the estate of Lorinda Perkins, deceased, are Plaintiff and Walter Perkins et al. are Defendants you are Commanded to proceed according to law,

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Final Record, Union County Probate Court.

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to sell at private sale, for not less than \$11000⁰⁰ the appraised value thereof, the following described premises to wit:

Situated in the State of Ohio, County of Union township of Union, and a part of Survey no --- and Beginning at a tile at the north-west corner of Alongo Woodworth's land, and in the east line of the Thomas Stelling land; thence with the said Stelling line north 34° east 104 poles to a stake in the center of the Urbana and Milford Center Pike; thence with the center of said road, South 72° 30' East 164.40 poles to a stone at the north-west corner of James McElroy's land; thence with the west line of said land, South 41° West 151.60 poles to a stone in the north line of George Brandall's land; thence with said line and the north line of said Woodworth's land north 59° West 147 poles to the place of beginning

containing 124.75 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 4th day of March, A.D. 1927. ~~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 so will fully appear by the proceedings thereto attached. Dated the 4th day of March, 1927.

Norman C. Bourn.

Report

of Sale

Report of Sale

In obedience to the within order, I sold said premises, on the 4th day of March, 1927, to Elmer Adams, and Provis Adams, for the sum of Eleven Thousand, and ⁰⁰/₁₀₀ Dollars, said sum being the appraised value of the same. Norman C. Bourn, Adm. etc.,

Dated the 4th day of March, 1927.

The State of Ohio, Union County. The above named Norman C. Bourn, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10928

could get for said property.

Norman C. Down.

Brought to before me and signed in my presence this 4th day of March, 1927.

Maud Myers, Notary Public

Journal entry: Order approving and confirming sale Probate Court Union County Ohio March 4 - 1927.

Order approving and confirming sale.

Order approving

confirming sale.

This day this cause coming on to be heard on the report of Norman C. Down, adm. with the will annexed of the estate of Lorrinda E. Perkins, 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 conveyance, for in said real estate to the purchasers, Elinor Adams, and Provis Adams.

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

10943

Jan. 7-

1927

F. Z. Ballinger atty.

W. E. B. W. S. M. N. H. B. S. a. M. W.

Final Record, Union County Probate Court.

10943.

Jan. 7-

1927.

F. Z. Ballinger
atty.

Corra Barron, as administratrix
of the estate
of Emma White Emory, deceased,
Plaintiff

No. 10943

civil action

W. H. Whitterson, widower of
Emma White Emory, deceased,
Ben L. Bartmell, son,
Union County Savings and
Loan Company,
B. E. Baker.

Petition

To

sell Real Estate

Petition

Defendants

The Plaintiff represents that she is the duly appointed and qualified adm. of the estate of Emma Whitterson late of Union County, Ohio, deceased, that the amount of debts due from the deceased, is, nine hundred dollars, as near as can be ascertained that the charges of administration of said estate will amount to about seventy-five dollars; and that the total value of the personal estate and effects of said deceased, is but - none - being wholly insufficient to pay the debts and costs appraised.

Petition

The Plaintiff further represents that said Emma Whitterson died seized in fee simple of the following described real estate, situated in the County of Union, Village of Oneford Center, and State of Ohio:

Being in lot no. 118, in Kensington and Miller's sub-division of the South part of sub. lots no. 8 and 9 in said village; for a more definite description hereof reference is hereby made to the Recorded Plat of said sub-division in the office of the Recorder of said Union County and volume (26) page (662)

The said decedent died leaving the defendant W. H. Whitterson her widower, who is entitled to dower in said premises; that the defendant Ben L. Bartmell is the only heir of said decedent, having the next estate of inheritance from said Emma Whitterson, deceased, in said premises; that the defendant Union County Savings and Loan Company claims to hold a mortgage on said premises for five hundred dollars executed by the said Emma Whitterson and W. H. Whitterson

The Plaintiff therefore says that the dower

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10943

of said W. H. Whittemore in said premises may be assigned and set off to him; that the rights, interests and liens of the said Union County Savings and Loan Company be required to answer setting forth more fully the amount and date of said mortgage lien, that it 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 debt according to the statute in such case made and provided, and for other proper order and relief in the premises.
 Frank J. Ballinger Atty. for Plaintiff.

10943

Answer and
 Cross-Petition
 of
 The Union
 County Sav.
 Loan Co.

Oath

The State of Ohio, Union County, ss.
 Frank J. Ballinger atty. for 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 J. Ballinger atty. for Plaintiff
 Sworn to before me, and signed in my presence this 7 day of Jan'y. 1927. ^{seal} W. H. Husted, P.J.

Filing
 Petition

In the Probate Court of Union County, Ohio.
 Jan. 7 - 1927. no. 10943.
 Filing Petition to Sell Real Estate.
 This day came the Plaintiff ^{born Parr} ady. of the estate of Emma Whittemore and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said Emma Whittemore, 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

Waiver

Waiver

Probate Court, Union County, Ohio.
 No. 10943.
 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

Final Record, Union County Probate Court.

10943
Answer and
Cross-Petition
of
The Union
County Sav.
Loan Co.

Real estate described in the petition in said
action according to the prayer of the same.
Ben L. Hartnell. Flora Hartnell.

Answer and Cross-Petition of
The Union County Savings and Loan Co.

In the Probate Court of Union County, Ohio
No. 10943.
Petition to Sell Real Estate.

Laura Parr, adm^r of the estate of
Emma Whittlemore, deceased,
Plaintiff

vs
W. H. Whittlemore et al.
Defendants.

Answer and Cross Petition
of
The Union County Savings
Loan Company.

Now comes the defendant, The Union County Savings
and Loan Company, and states that it is duly
incorporated under the laws of Ohio, for the
purpose of loaning money among its members
for use in buying lots, or building or repairing
houses, and other purposes. That the said
Emma Whittlemore, deceased, was one of its
members. That on, or about, the 28th day of Oct. 1925,
it paid to the said Emma Whittlemore the sum
of Five Hundred Dollars (\$500.00) the estimated
value of Five Shares on a contract then and
there made and entered into, with interest
at 7 per cent per annum, by which said Emma
Whittlemore agreed to repay said sum to this
defendant, in weekly installments of dues,
interest, premiums, and fines, and according to the
terms and conditions of a certain mortgage
deed hereinafter set forth. This defendant
further says that in order to secure the
performance of said contract, and to enable
it to enforce the payments of said sums, coming
due, and payable thereunder, the said Emma
Whittlemore and W. H. Whittlemore, her husband, on or
about the 30 day of October 1925, executed and
delivered to said Loan Company, its successors
and assigns, their certain mortgage deed, with
release of dower, for the following described real estate:
Situating in the village of Milford Center, Union County
and State of Ohio, to-wit:

Being in lot No. 118 in Kennigaton's and
Miller's sub-division of the South part of sub-lots

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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W^o- 88.9 in said Village.

For a more definite description hereof, reference is hereby made to the recorded plat of said sub-division in the office of the Recorder of said Union County, in Vol. 26, page 662.

That said mortgage deed contains the following conditions:

Now if the said W. H. Whitemore and Emma Whitemore shall pay to the said Union County Savings and Loan Company, its successor, or assigns, the said sums of money, as set forth in said note and contract as they respectively come due and payable, and shall further pay all taxes and assessments on said premises and shall keep the building thereon insured in favor of the said Union County Savings and Loan Company, to the acceptance of the company, and further that all insurance that is effected by mortgagor to cover said property shall be made payable to the Union County Savings and Loan Co.,

then these presents shall be void; otherwise to remain in full force and effect: provided that if said W. H. Whitemore and Emma Whitemore shall fail to make said weekly payments for the period of 8 weeks in accordance with said contract, or fail to make any of said payments when due, or shall sell and convey said premises, or shall fail to pay said taxes or assessments or keep said premises insured for the benefit of the mortgagor as aforesaid, then the whole amount of said loan then remaining unpaid shall forthwith become due and collectible and this mortgage shall become absolute.

Said Loan Company on the 3rd day of November, at 11:30 o'clock, A. M., 1925, delivered said mortgage to the Recorder of Union County, Ohio, and said mortgage was on the 5th day of November, 1925, duly recorded in book 97, page 333, of Union County records, and the claim of said county, thereby became and still is the first and best lien upon said premises. This defendant further says that neither Emma Whitemore nor her legal representatives comply with terms and conditions of said mortgage, and did not make payment as aforesaid agreed.

That said Emma Whitemore has paid but \$70.⁰⁰ and no more which deducted from \$500.⁰⁰ principal and \$40.²² accrued interest or \$540.²² which leaves a balance due this defendant of \$470.22, with

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interest at 7% per annum from December 31-1926, wherefore defendant prays that an account may be taken of the amount due on said mortgage when a decree shall be taken that said premises may be sold to satisfy said mortgage and the interest, premiums and fines due at the time, and for all proper relief.

Oath

Oath

The State of Ohio, Union County, ss.
Pearl McIlroy being just duly sworn, says he is the Secretary of the Union County Savings and Loan Co., that the facts stated in the foregoing answer and cross-petition are true, as he truly believes.

Pearl McIlroy.

Sworn to before me this 12 day of January 1927.

E. H. Holton, Notary Public.

Waiver

Waiver

Probate Court Union County Ohio
no. 10943

I, the undersigned party Defendant to the Petition in the above entitled action hereby waive the issuing and service of Summons, and voluntarily enter my appearance as such Defendant and I 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 ask that my claim of \$168²⁵ and interest be protected.

B. E. Baker.

Orders

Approving Court

for

Private Sale.

Journal Entry: Orders approving Court for Public Sale - Probate Court, Union County, Ohio April 4-1927.

This day this cause came on further to be heard, and it appearing to the Court that the said Board Passer as Adm^r the plaintiff above named, having given sufficient bond upon appointment as Adm^r, no further bond is required. Also appraisement is contained in the Inventory, and is hereby dispensed with.

It is therefore further ordered that said Board Passer as such Adm^r proceed according to law to sell the real estate described in the petition, free of, down, at public auction the said premises for not less than 2/3 the appraised value thereof, on the following terms, to-wit:
Cash in hand on day of sale.

Langhorst Brothers, Wapakonetta, Ohio.

10943

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

and said petitioner is ordered, to make return to this cause is continued.

W. H. Huated, Probate Judge

In the Probate Court, Union County, Ohio
No. 10943.

Motion

is how comes Cora Carr, adx. of the estate of Emma Whittleman deceased, and says, that she has offered the real estate of said Emma Whittleman for sale at public auction twice, once on the 7th day of May, and again on June 11-1927, that she was unable to receive a bid on same she asks, the Court to fix a price or value, on said premises, for which same can be sold, under Sec. 10802 of the Gen. Code of Ohio.

The Court thereupon fixes the value of \$800⁰⁰ on said premises and directs said adx. to sell said premises for not less than \$800- and make due return to said Court.

W. H. Huated, Probate Judge

Answer of Widower

Probate Court, Union County, Ohio

And now comes W. H. Whittleman 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 Emma Whittleman, deceased, and, as such, is entitled to dower in the premises, described in said petition, that his age is 84 yrs, and he waives issue and service of summons herein and he freely consents to said sale, as prayed for, and waives the assignment of dower in said premises by writ and bonds, or in rents and profits and asks the Court that said premises may be sold free from his dower estate therein, and that the value of such dower estate may be accorded 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 dower interest in said real estate.

Frank J. Bullinger atty. for
Defendant. W. H. Whittleman

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Motion

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Final Record, Union County Probate Court.

10943

The State of Ohio, Union County,
 Frank J. Ballinger being duly sworn, says that the
 statements in the foregoing answer are true as he
 truly believes.
 Frank J. Ballinger
 Sworn to before me, and signed in my presence, this
 12-day of Jan. 1927.
 W.H. Husted, Probate Judge

Motion

Motion No- 10943

Bora Parr, as adx.,
 of the estate of
 Emma Whittenmore, dec'd,
 Plaintiff
 now comes, Bora Parr, adx., of the estate
 of Emma Whittenmore, deceased, and says that
 pursuant to the order of this Court heretofore
 made and the appraisement thereunder proceed
 after due advertisement of the same, to offer at
 public vendue, at the Court House of said County
 Ohio, once on the 7th day of May, 1927, and
 again on the 11th day of June, 1927 that she
 received no bids at two-thirds the appraisement
 as required by Sec. R. S. 10802. The highest price
 that after diligent effort, was offered was \$800.⁰⁰
 She says that she believes it to be for the best
 interest of said estate to sell at that price.
 She therefor moves the Court to fix the price
 for which she may sell said Real Estate under
 authority granted the Court under R. S. 10802
 Bora Parr.

State of Ohio
 Union County, ss.
 Bora Parr, adx.,
 Sworn to before me, this 11-day of June, 1927.
 W.H. Husted, Probate Judge

Order of Sale

Order of Sale Free from Doubt.
 The State of Ohio, Union County, Probate Court.
 To Bora Parr, as adx., of the estate of Emma
 Whittenmore, 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, such adx., are Plaintiff and W.H. Whittenmore
 et al. are Defendants, you are commanded to proceed
 according to law, to sell at public sale, for not less

Langhorst Brothers, Wapakonetta, Ohio.

10 943

than 2/3 the appraised value, thereof free from the donor of W. H. Whittlemore, widower of Emma Whittlemore, deceased, the following described premises, to-wit:

Being in Lot no. 118 in Ferrington and Miller sub-division of the south part of sub-lots 8 and 9 in said village.

For a more definite description hereof reference is hereby made to the Recorded Plat of said sub-division in the office of the Recorder of said Union County and Vol. 26 Pg. 662.

Said sale to be free of donor of W. H. Whittlemore and to be upon the following terms:

Cash in hand on day of sale or 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 Mansfield, this 4th day of April, 1927
W. H. Whittlemore, Probate Judge

Return

Return

To the Probate Court, Union County.

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 June 11-1927

Corra Parr. adx.

Report

Report of Sale.

of Corra Parr, as adx., of the estate of Emma Whittlemore deceased, vs. W. H. Whittlemore, et. al.

In pursuance of the order of the Court in this case, I gave notice of the sale by publication in The Milford Center Ohioan, a weekly newspaper of general circulation in the County of Union, for at least four consecutive weeks, prior to the 7th day of May, 1927, and on that day at 1. P. M. at the north door of the Court House, in said County in accordance with said notice I offered the Real Estate in the petition described for sale free from the donor of W. H. Whittlemore therein, when M. H. Warner bid to pay for the same the sum of \$800.00 and his bid being less than 2/3 of the appraised value of said premises I again gave notice of sale by publication in the Milford Center Ohioan a weekly newspaper of general circulation of said County of Union for at least four consecutive weeks prior to the 11th day of June, 1927, and on that day at 1. P. M. at the north door of the Court House, of said

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born offer for a these the and 2/3 upon said R. S. when there Real the

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Proof of Publication

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Final Record, Union County Probate Court.

10943

County in accordance with said notice. I again offered the real estate in the petition described for sale from the above estate of W. H. Whittmore therein, when M. H. Warner bid to pay for the same the sum of \$800.00 and his bid being the highest and best that was offered, which was less than 2/3 of the appraised value of the said premises, whereupon motion for Court to fix the price for which the said Real Estate might be sold, under authority of R.S. # 10802, the said Court fixed the price for which said real estate might be sold at \$800.00 thereupon Cora Parr, adx., sold said Real Estate to M. H. Warner for the sum of \$800.00 being the highest and best bid obtained.

Cora Parr, adx., of the estate of Emma Whittmore, Decd.

Dated June 11-1927.
Known to before me, and signed in my presence, this 11-day of June, 1927. ~~W. H. Whittmore~~ Probate Judge

Legal Notice
Adx. Sale

Legal Notice

In pursuance of an order of the Probate Court of Union County, Ohio Village of Miford Center, I will offer for sale, at public auction at the north door of the Court House in Mansfield, Ohio, on the 11-day of June 1927, at or about the hour of one o'clock P.M. the following described real estate to-wit:

Being in lot, no. 115 Kenningson and Miller sub-division of the South part of lots no. 8 and 9 in said Village; for a more definite description hereof reference is hereby made to the Recorded Plat of said sub-division in the office of the Recorder of said Union County and vol. 26 page 662.

Lot being 47 x 275 feet situated on the south side of West Center St.,
appraised at \$1500.00
Terms of sale - cash -
Cora Parr, adx.,
Frank J. Ballinger - atty
May 12-1927 4t.

Proof of Publication

Proof of Publication
State of Ohio, Union Co - ss:
The undersigned being duly sworn says that a copy of the annexed notice was published for 5 consecutive weeks in the Miford Center Ohio a newspaper of general circulation in the County of Union,

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10 943

said publication beginning with issue of April 6- and May 9-1927.

H. L. Agner.

Known to and subscribed before me, this 9-day of June, 1927.

Printed for ^{at} John A. Kensington, Notary Public
9 14¹⁸

Journal Entry: Probate Court, Union County,
Date June 11-1927,
Order of Confirmation.

Order of Confirmation

Bora Carr, ad. Adm.,
of the estate of
Emma Whittmore, Deceased.

Plaintiff

v-

M. H. Whittmore, et al.
Defendants.

This cause coming on to be heard on the return of the ad. aforesaid of her proceedings, and sale under the order of this Court, and on her motion to confirm the same, was submitted to the Court, and upon consideration thereof the Court after having carefully examined said return and being satisfied that such sale has been in all respects legally made, does hereby approve and confirm the same, and order that said ad. make to the purchaser M. H. Warner a proper deed for the premises so sold.

M. H. Husted,

Probate Judge

11031

April 8-1927
F. L. Roy, cum
attorney.

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Final Record, Union County Probate Court.

11031
April 8-1927
F. de Roy Allen
attorney.

Petition to Sell Real Estate,
Probate Court, Union County, Ohio.
J. E. Clark, Adm.,
with the Will annexed.
of the estate of
Hannah Williams, Deceased
Plaintiff.

Civil action

Silas Brinklinger
William Williams
Elias Williams
Hosa Williams
Anna Chapman,
Belle Spurgeon
Richard Williams
Peter Williams^{jr.}
Mattie Williams

Petition to Sell Real Estate

Petition

Defendants.

The Plaintiff represents that he is the duly appointed and qualified adm., with the Will annexed, of the estate of Hannah Williams late of Jackson Township Union County, Ohio, deceased; that the amount of legacies due from the deceased is one thousand fifty and ^{no} 00/100 dollars, as near as they can be ascertained.

That said Hannah Williams deceased, died leaving a Will with the following terms therein to wit:

Fourth: after the death of my husband the real estate herein devised shall be sold and the proceeds equally divided between my nine children to wit Silas Brinklinger, William Williams, Elias Williams, Hosa Williams, Anna Chapman, Belle Spurgeon, Richard Williams, Peter Williams, and Mattie Williams to them their heirs and assigns share and share alike.

That said husband is now deceased, and that the within sale of Real Estate is asked for to carry out said provisions of said Last Will and Testament as provided by General Code Section 10817 of the Laws of the State of Ohio.

that the charges of administration of said estate will amount to about \$50- and that the total value of the personal estate and effects of said deceased is - nothing - being wholly insufficient to pay debts & costs aforesaid

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11031

The Plaintiff further represents, that said Hannah Williams 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 Jackson, and in the Village of Essix town:

Bring the north half of Lot # 32. For further description see the plat of above village in Records of Union Co. Ohio

Also, sixteen and one half feet off the south side of Lot number 30 in said village and adjoining Lot. no. 32 on the north (Vol. 8. Pg. 191)

Also the following described tract of land, situated in Jackson Township, Union County, Ohio, and in the said village of Essix and bounded and described as follows:

Being Part of Lot number 30 in the village of Essix and lying in an oblong square eight rods in length east and west and four rods in width north and south, and bounded on the north by Marion Street and on the south by lot no. 32 owned by E. W. Price (Vol. 66. Pg. 632)

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 Ten Hundred Fifty and no Dollars.

The said decedent died leaving the defendants Silas Brinlignes, William Williams, Rosa Williams, Elias Williams, Anna Chapman, Belle Spurgon, Richard Williams, Peter Williams, and Mattie Williams as the only legatees and next of kin of said decedent. The next estate of inheritance from said Hannah Williams, deceased, in said premises

that there are no liens whatever of any kind and nature against said premises other than that of said legatees

The Plaintiff therefore prays that your petition may be authorized and ordered to sell said real estate from from any said dower according to the Statute in such case made and provided, and for all other proper orders, and relief in the premises

J. E. Clark, admsr

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Fixing Time

Affidavit of Service by Publication

Service.

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Final Record, Union County Probate Court.

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The State of Ohio, Union County,
J. E. Clark, admr., with the will annexed, the
within named Plaintiff, being duly sworn, says that
the various matters and things set forth in
said petition are true to the best of his
knowledge and belief.

J. E. Clark admr.,
I now to before me, and signed in my presence
this 8 day of April 1927.
F. LeRoy Allen, Notary Public

In the Probate Court of Union County, Ohio,
Journal entry, Filing Petition to Sell Real Estate

Filing
Time

This day came the Plaintiff J. E. Clark
admr., and presented to this Court his petition
duly verified, praying an order for the sale
of real estate of the said Harman Williams
deceased, to pay the legacies and the costs of
administering the estate of the said decedent.

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

Affidavit for Service by Publication.

Affidavit
of
Service
by
Publication

State of Ohio, Union Co. ss
J. E. Clark, being first duly sworn says that
service of summons can not be made in this
State on the defendant, William Williams,
that the residence of said William Williams
is unknown and cannot with reasonable
diligence be ascertained and that the cause
is one of those mentioned in Section 11292 of the
General Code of Ohio, being an action by an
admr., seeking the direction of the Court
respecting property to be administered and the
rights of the parties in interest.

J. E. Clark
I now to before me, and subscribed in my
presence, this 8 day of April, 1927.
F. LeRoy Allen,
Notary Public

Service.

Entry: Service by publication p. 44, Pg. 454

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11031

Waiver of Summons.

Probate Court, Union Co., Ohio.

Waiver

We, the undersigned parties Defendant to the Petition in the above entitled action, do each of us hereby waive the issuing and service of Summons, and voluntarily enter our appearance as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action, according to prayer of the same.

April 8-1927.

Anna Clara Chapman,
Pete B. Williams
D. R. Williams
Martha Williams

Elias Williams
Belle Spurgeon
H. A. Williams
B. E. Brintlinges

11031

Probate Court, Union County, Ohio

June 2-1927.

Order

Order for Private Sale, etc.

This day this cause came on to be heard upon the Private Sale. Petition, evidence and testimony and, the Court being fully advised in the premises finds: That all the defendants 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 Hannah Williams deceased, did leave a widow, entitled to dower in the estate to be sold, but at this time is deceased, 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 Hannah Williams, described in the petition to comply with conditions of her Will. 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. E. Clark, as such Adm. proceed, to sell said real estate, for of dower, at private sale for not less than the appraised value thereof, on the following terms, to wit: Cash in hand on day of sale.

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

Oath

affidavit of Disinterested Person.

Legal Notice

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Final Record, Union County Probate Court.

11031

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 Hannah Williams, deceased, to sell the real estate described in the petition in this case at private sale, for the following reasons:

- First: The estate is small.
- Second: To save the cost of advertising.
- Third: The nature and location of the property to be sold.

And, he therefore asks, for an order authorizing him to sell said real estate at private sale.
J. E. Clark, admr., etc.,

The State of Ohio, Union County,

J. E. Clark, admr., being duly sworn, says that the various matters set forth in the foregoing application are true, as he verily believes.
J. E. Clark

Sworn to before me, and signed in my presence this 1st day of June, 1927.
F. DeRoy, Notary Public

affidavit

affidavit of Disinterested Persons

The State of Ohio, Union County,

John M. Cobb, Shur Cheney, being duly sworn, say that they have no interest whatsoever in the matter therein referred to, and that it will be more for the interest of the said estate of Hannah Williams deceased, to sell said real estate at private sale, than at public sale - as they verily believe.

John M. Cobb, Shur Cheney
Sworn to before me, this 4 day of June - 1927
F. DeRoy, Notary Public

Legal notice

Legal notice

J. E. Clark, admr. etc. of the estate of Hannah Williams, deceased, plaintiff v. Silas Bruntlinger et al. defendants.

In the Probate Court of Union Co. O. case 11031, William Williams whose residence is unknown will take notice that J. E. Clark, as admr. of the estate of Hannah Williams deceased, on the 10th day of Apr. 1927, filed his petition in the Probate Court of Union County, Ohio, alleging that by the terms

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11031

of the last Will and Testament of said Harman Williams deceased, and in order to carry out the provisions of the same, since the decease of Jesse Williams life tenant, it has become necessary for him as such Adm. to sell the following described real estate, to wit:

Situated in the Township of Jackson, in the village of Essig, in the county of Union and State of Ohio and being all of Lot no. 30 and the north one-half of Lot no. 37 in said village as the same is designated on the recorded plat of said village of Essig in the Recorder's office at Mansfield, Ohio, to which plat reference is hereby made.

The prayer of said petition is that the said property be sold as directed by said Will

The said William Williams is hereby notified that he has been made a party defendant to said petition and that he is required to answer the same on or before the 1-day of June, 1927.

J. E. Clark, Adm.
F. Leroy Allen, atty. April 28-1927.

State of Ohio Union Co.

oath

Personally appeared in open court, O. A. Krigley and made oath that the notice, a copy of which is hereto attached, was published for 6 consecutive weeks on and after April 28, 1927, in the Richmond Gazette a newspaper of general circulation in the county aforesaid

O. A. Krigley
Sworn to before me, May 27, 1927.

Paul B. Van Mickle, Notary Public

Printers fees - \$14²⁵

Journal 40, Pg. 526.

Order

of Sale.

Order of Sale, Free from Dower.
The State of Ohio, Union County, Probate Court.
To J. E. Clark, adm. etc. 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 J. E. Clark, adm., vs. the Will annexed, of the estate of Harman Williams, deceased, an Plaintiff and Silas

Brintlinges 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 any dower the following described premises, to wit:

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Final Record, Union County Probate Court.

11031

Situated in the County of Union, in the State of Ohio, in the Township of Jackson, and in the Village of Essex, Cont;

Being part of Lot # 30 in said Village of Essex and bounded and described as follows:

Lying in an oblong square 8 rods in length east and west and 14 rods in width north and south and bounded on the north by Marion Street and on the south by Lot No. 32 owned by E. W. Rice (Being the same premises conveyed by Sarah E. Rice and John L. Rice to Hannah Williams by Warranty Deed dated Oct. 1, 1888 and recorded in Deed Book no. 66 page 632 in the Union County Rec. of Deeds) also the following premises situated in the County of Union in the State of Ohio, in the Township of Jackson, and in the Village of Essex and bounded and described as follows:

Being the north half of Lot no. 32 (For further description see the Plat of the above village in Record of Union County Ohio).

also sixteen and one half (16 1/2) feet of the south side of Lot no. 30 in said Village and adjoining lot no. 32 on the north (Being the same premises conveyed by E. W. Rice and wife to Hannah Williams by Warranty Deed dated Dec. 20 - 1900 and recorded in Deed Book no. 86 page 191 in the Union Co. Rec. of Deed).

Said sale to be 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 Probate Court at Marysville, Ohio, this 1 day of June 1927.

W. W. Husted, Probate Judge

Return

Return

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

Dated the 2-day of June, 1927.

J. E. Clark

Report of Sale - Private

In obedience to the within order, I, sold said premises on the 2-day of June, 1927, to C. S. Allen, for the sum of Two hundred fifty.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11031

Dollars. said sum being the appraised value of the same.
Dated June 1- 1927.

J. E. Clark.

The State of Ohio, Union County.

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

Sworn to before me, and signed in my presence, this 2. day of June, 1927. ~~Wm~~ F. LeRoy Allen, Notary Public

Journals entry: Orders approving and confirming sale.

Probate Court, Union County, Ohio.

order

Confirming

This day, this cause coming on to be heard, on the report of J. E. Clark, administrator of Hannah Williams, dec'd, 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 Hannah Williams, deceased, in said real estate, to the purchaser C. S. Allen upon the said purchaser paying the purchase money in full to the said J. E. Clark, administrator.

It is further ordered, that this proceeding be recorded, and that said petitioner pay costs \$8.72⁰⁰

W. H. Husted, Probate Judge.

11098

Filed

June 20- 1927.

J. W. Dailey
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Final Record, Union County Probate Court.

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Filed
June 20-
1927.
J.W. D. Riley
atty.

Petition to Complete Contract,
Probate Court, Union Co. Ohio,

H. D. Burlingame, executor, no. 11098
of the estate of
Samuel B. Russell,
Plaintiff

Civil action

v.
H. May Russell, and
Lurana M. Burlingame,

Petition to
Complete Real Contract

Defendants. Petition.

The Plaintiff represents that he is the duly appointed and qualified executor of the estate of Samuel B. Russell, and is now acting as such.

Petition

That on the 1-day of December, 1925, the said Samuel B. Russell then in full life, entered into a contract in writing with the said Isaac Jelliff for the sale of the following described real estate, situate in the County of Union and State of Ohio, to-wit: Being lot no. 36 in the village of Pharisburg Leesburg Twp. Union Co. Ohio, upon the following terms:

For the sum of Three hundred dollars at the rate of Ten Dollars per month, beginning on the 1-day of January, 1926, and continuing therefrom until the sum of \$300- was paid.

Conditional Sale Contract.

Contract

This agreement witnesses that S. B. Russell has this day sold to Isaac Jelliff, the following property viz: one house and lot in Pharisburg Leesburg Twp. Union Co. O. said property being the same as deeded and transferred by the heirs of Elsie H. Bleninger to S. B. Russell.

That the said Isaac Jelliff agrees to hold the same as the sole property of the said S. B. Russell until he shall have paid the said S. B. Russell the sum of \$300- which sum shall be paid as follows:

Ten Dollars (\$10-) each month until the whole sum of \$300- shall be paid in full. Said payments to begin with January 1926.

Said Isaac Jelliff agrees to keep said property in repair, pay all taxes and other assessments and keep said property insured

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11098 in the name of the said S. B. Russell, who shall hold said insurance policy and collect all insurance in case of loss; but in no case shall the said S. B. Russell retain more insurance collected than the balance due him on said property.

If said Isaac Jolliff fails to fulfill his part of this agreement or fails to make payments as provided herein he shall return said property to the said S. B. Russell in as good condition as he received it, and forfeit all money paid thereon as rent therefor while in his custody, and no title to any of said property shall pass to said Isaac Jolliff until the above sum has been paid in full. But, be it known that when the above sum has been paid, the said S. B. Russell shall furnish the said Isaac Jolliff a deed for said property and surrender all claims ^{to} right to same.

S. B. Russell.

Isaac L. Jolliff
Marjia Jolliff

P.S.

It is agreed that the missing of an occasional payment by the said Isaac Jolliff shall not be considered a violation of this agreement, but it is further agreed that no two consecutive payments shall be missed, and no payments shall be missed except after two or more consecutive monthly payments.

Said Isaac Jolliff paid to said Samuel B. Russell, in his lifetime the sum of Forty Dollars, and is ready and willing to pay the balance due upon, and to perform his part of said contract as soon as a valid deed can be made, to him for said premises.

That defendants H. May Russell and Eunice W. Burlingame, are the only heirs at law of said Samuel B. Russell, dec'd.

Your petitioner desires to complete said contract, ^{&c.} therefore pray that said heirs at law, may be made defendants to this petition, and that he may be authorized to complete said contract, and upon payment of the residue of said purchase money, to execute and deliver to said Isaac Jolliff for, and on behalf of the aforesaid heirs at law of said decedent, ^{and} all other persons interested, a deed in fee simple for the real estate hereinbefore described, and for all other proper orders and relief in the premises.

H. P. Burlingame, By John W. Dairley
atty. for Plaintiff

11098

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Final Record, Union County Probate Court.

11098

The State of this Union County, S.S.

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

H. D. Burlingame

Sworn to before me this 18th day of June, 1927

John W. Darley, Notary Public -

orders fixing time.

Journal Entry: orders fixing time of hearing for summons June 18-1927.

Petition to Complete Real Contract

This day H. D. Burlingame executor of the estate of S. B. Russell, appeared in open court and filed his petition duly verified praying for authority to complete a certain real contract as therein described.

It is ordered that the time of hearing said petition be and hereby is fixed for 18th day of June, 1927 at 3 P.M. all interested parties in court.

W. H. Husted, Probate Judge -

Witness.

Witness

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. H. May + Russell.

(mark)

Witness J. Gail Young - Ruby Burlingame, Emma Burlingame.

Journal 40. P. 417.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11028
Apr. 7-1927

Mich. L. Myers
att'y.

Guardian's Petition to Sell Real Estate.
Probate Court, Union County, Ohio,
No. 11128,
Petition.

Chas. S. Larson, Guardian of
Sarah H. Larson.
Plaintiff

vs.
his Ward,
Sarah H. Larson,
Mrs.
C. S. Larson.
Defendants.

The Plaintiff represents that he is the duly appointed and qualified Guardian of Sarah H. Larson, of the age of 85 years, on the 24th day of January, 1927, and residing at Milford Center, O.

That on the 7th day of July, 1926, he was appointed as such Guardian by the Probate Court of Union Co., Ohio, and is still acting Guardian.

That said Ward is the owner in fee simple the following described real estate, situated in the County of Union, State of Ohio, and in the village of Milford Center, to-wit:

Being sub-divisions 4-5-6 of In-lots No. 39 of said village of Milford Center, Ohio.

Petition

For a more definite description of said In-lot No. 39 reference is hereby made to the recorded plat of said village as found in the office of the Recorder of said Union County, Ohio.

Said real estate has worth annually \$200-

That said plaintiff has received -- rents from -- the real estate of his Ward.

in the sum of \$16.00 per month since his appointment as such Guardian, which is not sufficient income to pay taxes and keep the said real estate in repair

That the buildings on the said real estate is now in need of repair and improvements, and that the said guardian or his said Ward has not sufficient funds with which to repair and improve said real estate.

That the sale of said real estate would be for

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Final Record, Union County Probate Court.

the best interest of his said Ward, so that the proceeds received from said sale may be reinvested as may be ordered by the Court, that the said real estate can now be sold to our advantage

Further the said plaintiff says, that his ward, the said Sarah H. Lawson, has no husband living, and that her only children and next of kin entitled to the next estate of inheritance in said real estate is the said C. S. Lawson herein named, he being her only child.

The plaintiff therefore prays that said Sarah H. Lawson, his ward, and, he the said C. S. Lawson, may be made Defendants to this petition, and notified of the pendency hereof, according to law, and that Plaintiff may be ordered to sell said real estate for the reasons and purposes herebefore proposed, and for other proper relief.

C. S. Lawson. Edna Sarah H. Lawson.

The State of Ohio, Union County
C. S. Lawson, 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.

C. S. Lawson.

Known to before me, and signed in my presence this 7 day of April, 1927.

Miles L. Myers, Notary Public.

Journal entry: Orders Fixing Time of Hearing for notice.
Probate Court Union County, Union Co. Ohio.
April 7-1927. order

This day C. S. Lawson, Edna of Sarah H. Lawson appeared in open Court and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his ward.

It is ordered that the time of hearing said petition be, and hereby is fixed for the 7 day of May, 1927.

It is further ordered, that said Guardian cause notice thereof, and of the filing and demand of said petition, to be given to said Sarah H. Lawson his ward, and to C. S. Lawson, 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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. Trustad, Probate Judge
Summons on Petition to sell Real Estate

Summons

The State of Ohio, Union County, Probate Court.

To the Sheriff of said County:

You are commanded to notify Sarah H. Lawson, and C. B. Lawson, that on the 7 day of April 1927, C. B. Lawson guardian of the estate of Sarah H. Lawson, deceased, filed his petition in the Probate Court of said Union Co., against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of re-investing it being for the best interest of said ward.

and that unless they answer by the 7 day of May, 1927, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 18 day of April, 1927.

Witness my hand, and the seal of said Court this 7 day of April, 1927

W.H. Trustad, Probate Judge

Sheriff's Return

Sheriff's Return

The State of Ohio, Union County,

Received this writ April 7 1927 at 2 P.M. and pursuant to the command on the 7 day of April 1927. I served the same on the within named defendants personally, and on the same date and at the same date and at the same time I served a copy of the within writ on C. B. Lawson Guardian of the said Sarah H. Lawson and wife whom she resides.

F. S. Hoyer, Sheriff by M. E. C. Deputy.

In the Probate Court, Union County, Ohio No. 11078.

Ordering appraisement.

ordering appraisement

On the 9 day of May, 1927, this cause came on to be heard upon the petition of C. B. Lawson, as guardian of Sarah H. Lawson, for an order of this Court authorizing said Guardian to sell the real estate in the petition described; and the same was submitted to the

order of appraisement.

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Final Record, Union County Probate Court.

Court upon the pleadings evidence and statements of Counsel in the case, whereupon and the Court being fully advised in the premises and on consideration thereof finds that all the parties defendant, have been served with notice as required by law, and the former order of the Court, or have voluntarily entered their appearance, herein and are properly before the Court. The Court further finds that the said guardian was duly appointed as such by the probate Court of this County, and duly qualified therein; and that it is necessary to sell and will be for the best interest to sell the real estate in the petition described as set forth and alleged therein; and that the allegations of said petition are true. It is therefore ordered by the Court that L. H. Osborne, H. L. Agner, and M. T. Flaherty three suitable and judicious free-holders of the vicinity of said real estate be, and they hereby are appointed to appraise said real estate at its true value, in cash, and return their proceedings to this Court, for further action, and this cause is continued.

W. W. Husted, Probate Judge

order of appraisement.

Order of appraisement

The State of Ohio, Union County, ss.
 Probate Court,
 To C. S. Lawson, Secretary:
 In the 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 Guardian of Sarah H. Lawson, are Plaintiff, and Sarah H. Lawson, et. al. are Defendants, your command that by the oaths of L. H. Osborne, H. L. Agner, and M. T. Flaherty 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 down estate of Sarah H. Lawson therein to wit,
 Situated in the County of Union, State of Ohio and in the village of Milford Centre, and being sub-division nos 4-5 and 6 of In-lots 39 of said village of Milford Centre, Ohio.

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

For a more particular description of said In-lot # 39 reference is hereby made to the recorded plat. to said village as found in the office of the Recorder of said Union 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 Marysville, Ohio, this 10 day of May, 1927.
~~Seal~~ W. H. Stusted, 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 May 10 - 1927.

L. S. Lawson.

Clerk 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.

L. H. Osborne, H. L. Ayner, M. T. Flaherty, Appraisers.

Done to before me, and signed in my presence, this 10 day of May, 1927. ~~Seal~~ M. S. Myers Notary Public.

Appraisers Return

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

Eighteen Hundred Dollars

Given under our hands, this 10 day of May, 1927.

L. H. Osborne, H. L. Ayner, M. T. Flaherty, Appraisers.
 Fees 1⁰⁰ each per day.

Probate Court, Union Co. Ohio, May 10 - 1927
 Confirming appraisement, and
 Ordering Bonds

This day came, the said Plaintiff, by his attorney and produced to the Court, the report of an appraisement herein made by L. H. Osborne, H. L. Ayner & M. T. Flaherty, in pursuance of a former order of this Court, and it appearing upon examination that said report is in all respects regular

Final Record, Union County Probate Court.

and correct, it is ordered, that the same be and hereby is approved and confirmed.

It is further ordered, that said G. S. Larson execute within five days, to the State of Ohio, a Bond with sufficient freehold sureties, to be approved by the Court, in the sum of Thirty-six hundred dollars, Conditioned according to law, and this cause is continued.

W. H. Husted, Probate Judge

Guardian's Bond

Know all men by these Presents: That we G. S. Larson, L. H. Osborne and H. L. Ayner, are here and jointly bound, unto the State of Ohio, in the sum of Thirty-six hundred dollars, for the payment of, which we hereby jointly and severally bind ourselves, our heirs, executors and administrators Signed by us, and dated at, Marysville, Ohio, this 10 day of May, 1927.

The Condition of the above obligation is such, that, whereas, the above bound G. S. Larson, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Sarah H. Larson,

and, whereas, the said G. S. Larson 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 Eighteen Hundred and 00/100 Dollars.

and, whereas, said Court, on, the 10- day of May, 1927, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided,

now, if the said G. S. Larson, 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.

G. S. Larson, L. H. Osborne, H. L. Ayner.

This bond approved, in open Court, this 10 day of May, 1927. W. H. Husted, Probate Judge

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Application to Sell Real Estate at Private Sale -
 Probate Court, Union County, Ohio,
 no. 11028,
 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 the said real estate can be sold for the appraised value, \$1800.00 forthwith.

Second:
 that said real estate can be sold for cash, in hand, in full, on day of sale.

Third:
 that the appraised value is all said real estate is reasonably worth.

Fourth
 To sell at private sale will save the expense of advertising and offering the same for sale at public sale.

And he therefor asks for an order authorizing him to sell said real estate at private sale -
 C. S. Lawson. Edm. of Samuel H. Lawson.

The State of Ohio, Union County

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

Sworn to before me, and signed in my presence,
 this 10 day of May, A.D. 1927,
 Paul Mand Pyles, Notary Public

Affidavit of Disinterested Persons

The State of Ohio Union Co.

E. H. Hammer, and H. C. Dollinger 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, that it will be done for the interest of the said estate to sell said real estate at private sale, than at public sale, as they verily believe.
 E. H. Hammer. H. C. Dollinger.

Sworn to before me, and signed in my presence this
 10 day of May, 1927.
 Paul Mand Pyles, Notary Public.

Final Record, Union County Probate Court.

Journal Entry: orders approving Bond for Private Sale.
Probate Court, Union County, Ohio.
May 10-1927.
Order of Sale.

This day this cause came on further to be heard, and it appearing to the court that the said C. L. Lawson the plaintiff above named, has given bond as heretofore ordered, in the sum of thirty-six hundred and no/100 dollars, with L. H. Osborne, and H. L. Agner, Executors as sureties, it is ordered, that said bond, do, and hereby is approved.

and it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale; it is therefor further ordered that said C. L. Lawson, as such guardian proceed to sell said ^{real} estate at private sale, for not less than \$1,500 - 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.

Witness my hand and seal of the Court, this 10th day of May, 1927.
W. H. Husted, Probate Judge -
Order of Sale.

The State of Ohio, Union Co. Probate Court,

To C. L. Lawson, 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 Edm. of Sarah H. Lawson are Plaintiff and Sarah H. Lawson, et. al. are Defendants; you are commanded to proceed according to law, to sell at private sale, for not less than \$1,500 - the appraised value thereof, the following described premises, to wit:

Situated in the county of Union, State of Ohio, and in the village of Milford Center, and being sub-division, no. 4-5 and 6 of, In - lot no 39 of said village of Milford Center, to-wit:

For a more particular description of said in lot no. 39 reference is hereby made to the recorded plat to said village as found in the office of the Recorder of said Union Co. Ohio.

Said sale to be private, on following terms:

Cash in full, in hand, on day of sale.

You will make return of your proceedings to this

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court at Mansfield, O. this 10-day of May, 1927.

[Signature] Probate Judge

Return

To the Probate Court, Union County, Ohio

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

Dated the 15-day of May, 1927.

O. S. Lawson.

Report of Sale.

In obedience to the written order, I sold said premises on the 15th day of May, 1927, to Frank Wilson for the sum of eighteen hundred and no/100 Dollars, said sum, being the sum, being the appraised value of the same.

C. S. Lawson.

Dated the 15-day of May, 1927.

The State of Ohio, Union County.

The abov named, C. S. Lawson, 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. Lawson.

Sworn to before me, and signed in my presence, this 10-day of May, 1927.

[Signature] Mand. Pyles, Notary Public

Journal entry: orders, approving and confirming sale.
Probate Court, Union County, Ohio
May, 10-1927.
Orders-

This day, this cause coming on to be heard on the report of C. S. Lawson, guardian, of Sarah B. Lawson 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 proceeding 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

Final Record, Union County Probate Court.

execute a deed of all the right title and interest of the said Sarah H. Lawson, in said real estate to the purchaser Frank Wilson, and, it is further ordered, that the said Guardian invest the funds received from the sale of said real estate, less costs and attorney fees in state or U.S. Bonds or 1- mortgages on Real Estate

It is further ordered, that this proceeding be recorded, and that said petitioner pay costs taxed at \$ - within ten days.

W.H. Husted, Probate judge-

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10 901
Mar. 23-1927

Petition to Borrow money, and Mortgage Real Estate.
In the Probate Court of Union County, Ohio.

D. B. Cheney, guardian
of Ellen Rush.
Plaintiff

v.

Ward ^{and} Ada E. Martins
Berit Rush, Ira D. Mc Carney,
Sister F. Rush, Gorman Rush,
Opa P. Huffman, Bessie C. Cheney,
Lawrence D. Rush, Orus F. Rush,
Clifford Rush, Zelma Wilson
Virgit Rush, George W. Lee, and
The Richmond Banking Co.
Defendants.

Petition to Borrow money
and
Mortgage Real Estate
Petition

The plaintiff represents that he is the duly
appointed and qualified guardian of Ellen Rush of the
age of 64 yrs. and residing in the village of Richmond
County of Union and State of Ohio, that he was
appointed such guardian of the person and estate
of said Ellen Rush, an incompetent, by the Probate
Court of Union County, Ohio, in case no. 10901 on the
12 day of November 1926 and is now acting as such
guardian

Petition

That the names and residences of the next
of kin of said ward residing in this State are
as follows to wit:

- Ada E. Martins residing in Jackson Twp.,
Union Co. O.
- Berit Rush residing at La Rue, Marion Co. O.,
- Sister F. Rush " " Hardin Co. O.
- Gorman Rush " " Millersburg, Holmes Co. O.
- Opa P. Huffman " " Prospect, Marion Co. O.
- Bessie C. Cheney " " Sunbury in Michigan,
- Lawrence D. Rush " " Jackson Twp., Union Co. Ohio,
- Orus F. Rush " " Richmond " " "
- Clifford Rush " " Jackson Twp. " " "
- Zelma Wilson " " Marion Ohio. " " "
- Virgit Rush " " Hardin Co. Ohio,

That said ward is the owner in fee simple
of the following described real estate, situated
in the County of Union State of Ohio, and in the
Township of Jackson, to wit:

Being part of Survey # 9898, and bounded
and described as follows:

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Final Record, Union County Probate Court.

10901

Beginning at three beeches and an ash, the oak the original N.W. Corner, of said Survey: Thence with the north line of said Survey N. 80 1/4° E. 117 11/17 poles; Thence S. 10 1/4° E. 136 poles; Thence S. 80 1/4° W. 117 11/17 poles to a stake N.W. Corner to D. G. Bronsland: Thence N. 10 1/4° W. 136 poles to the place of beginning

Containing one hundred acres of land.

That the Last will and Testament of Benjamin Franklin Rush, deceased, was produced and duly admitted to probate and record in Case No. 9983 in the Union Co. Probate Court, on Dec. 21-1922, which said last will and Testament contained the following item, to wit:

Second.

Second:

I give devise and bequeath to my beloved wife Susan Ellen Rush, all my property, both personal and real, to have and to hold and enjoy the rents and income from the same during her natural life time. In case the income is not sufficient for her maintenance and happiness, then she is to have the privilege of either selling a portion of the property sufficient for her comfort and happiness.

At her death and after the expenses of her last illness and funeral have been fully paid the residue shall be divided equally among the following children, share and share alike.

Ada Ethel Martins, Ernest Cecil Rush, Ira Dell McCarry, Lester Forest Rush, Cecil Pearl Huffman, Bessie Elva Cherry, Chester Gorman Rush, Elnor Virgil Rush, Lawrence Delmer Rush, Bruce Frank Rush, Charles Clifford Rush, Emma Elizabeth Rush.

That by said provisions in said last will, Testament, said ward, is the owner in and of a life estate and as is provided in said item in said will she is the owner in fee simple, should it become necessary for her maintenance and happiness, of the following described real estate, to wit:

Situate in the township of Jackson, Co. of Union E. State of Ohio, and in Survey No 9898 and bounded and described as follows:

Beginning at a point in the N.E. Corner of Ella Rush's land: Thence N. 80 1/4° E. 30 42/1000 poles to a stake; Thence S. 10 1/4° E. 131. 10/17 poles parallel with the said Ella Rush's East line and the Gravel Road; Thence S. 80 1/4° W. with said road 30 1/42/1000 poles to said Ella Rush's East line; Thence N. 10 1/4° W. 131. 10/17 poles with said Ella

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10901

Rush: line to the place of beginning, containing twenty-five acres of land. That the income from said property is no longer sufficient for said ward's maintenance and happiness and the same should now be mortgaged for her maintenance and better care.

That this ward on the 13 day of Sept. 1926 executed and delivered to the Richmond Banking Co., her note for the sum of \$2175.00 due in one year from date bearing 7% interest from date interest payable semi-annually, and in order to secure the payment of the same, executed and delivered to said Richmond Banking Co. her first mortgage on the one hundred acre tract of land above described, and thereafter on the 14 day of Sept. 1926 was duly filed for record and was thereafter recorded in the Union County Record of Mortgages in the Recorder's office at Marysville Ohio, and thereby became and still is a valid and subsisting lien on said premises just above described.

That George H. Lee on Dec. 20- 1926 obtained two cognovit judgments against said ward in cases No. 11851, and 11852, in the Union County Common Pleas Court, obtained an execution therefrom issued to the Sheriff of Union County and that said Sheriff of said Union Co. Ohio, on the 21- day of Dec. 1926, levied on the 2 tracts of land above described for the total sum of \$327.50 with 8% int. from Dec. 20, 1926, and for \$12- costs in the two cases, as is found in Execution Docket No. 38, pages 134 and 135- respectively which said judgments thereby became and still are valid and subsisting liens on said premises.

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

To Harold Kerns for groceries due now.	\$150.00
" L. G. Benton " Coal, fuel now due,	42.50
" B. W. Lee note due Jan 1- 1927 with 8% int.	75.00
" H. D. Cameron House rent now due	60.00
" Richmond Farmers Exchange Co. for coal	20.00
" " Banking Co- note due Sept. 13- 1927	2175.00
" " " " " " " " " " " " " "	76.13
" Treasurer of Union Co - Taxes due, Dec 20- 1926-	129.
" " " " " " " " " " " " " "	129.
" B. W. Lee Judgment lien " Dec. 20 " "	327.40
Total	3183.53

10901

Handwritten notes on the right margin of the page, partially cut off.

Final Record, Union County Probate Court.

10901

That the income from the real estate described herein is about \$500.00 per year.

That said Ward has no income from personal property, all of said personal property owned by her being her household furniture, reasonably worth about \$200 - and this amount includes the value of her personal wearing.

That the amount probably necessary to maintain said Ward will be at least \$500 - per year.

That the nature of the infirmity of said Ward is confirmed and will continue during the remainder of her natural lifetime.

That the intention as expressed by Benjamin Franklin Rush, deceased, husband of the said Ward in his last will and testament, heretofore set up was that she should have the sole privilege and the legal right to use any or all of the said 25-acre tract of land owned by him at the time of his decease during her life time whenever it became necessary for her maintenance and happiness and that it is now necessary so to do.

That the said Ward, is known as Susan Ellen Rush, Ellen Rush, Mrs B. F. Rush, and S. Ellen Rush, the same being one and the same person, and that the defendant Jennie Wilson was formerly Jennie Rush before her marriage.

Wherefore, plaintiff prays that said Ward and they said, Ada E. Mortens, Cecil Rush, Ira D. McCrary, Victor F. Rush, Norman Rush, Osa P. Huffman, Bessie B. Cheney, Lawrence S. Rush, Mrs F. Rush, Clifford Rush, Jennie Wilson, Virgil Rush, Geo. H. Lee, and the Richmond Banking Co. may be made parties defendant to this petition, that they may be notified of the pendency and prayer being in such way as the Court shall direct that he may be authorized to borrow the sum of Three Thousand One Hundred eighty three Dollars and fifty three cents (\$ 3183.53) to pay such mortgage, debts and judgments and such additional sum as the Court shall deem necessary to maintain said Ward, and to mortgage all of the within described lands of said Ward if necessary to secure such loan, and for other proper relief.

S. H. Cherry, Esq. for Ellen Rush, Incompetent

State of Ohio Union Co-ss.

S. H. Cherry, Esq. the Plaintiff named in the foregoing petition, being duly sworn, says that

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

he believes the facts stated in said petition are true.
S. H. Chaney

Inwrit before me, and subscribed in my presence
March 23 - 1927.
F. LeRoy Allen, Notary Public

10902

Motion

Motion

now comes the plaintiff by his attorney
F. LeRoy Allen, and moves the Court to dismiss
his action at his cost.

Dismissal
Case.

F. LeRoy Allen, atty. for Plaintiff
Entry. Dismissing Case

Upon motion of the plaintiff and for good cause
shown and upon the consideration thereof, it is
hereby ordered that his action be dismissed
and that this plaintiff pay the costs herein.
W. H. Husted Judge

10902.
Nov. 9, 1926

Guardian's Petition to Sell Real Estate,
Probate Court, Union County, Ohio

R. D. Cannon
att'y.

Josephine B. Ritchie
Edu. of
Mary B. Ritchie
Jerome C. Ritchie
John F. Ritchie

Plaintiff

No. 10902.

Petition.

v.

Petition to Sell Real Estate

Her said wards
Mary B. Ritchie
Jerome C. Ritchie an.
John F. Ritchie an. also.
Warren H. Ritchie an.
Cecilia H. Ritchie
Josephine B. Ritchie.

Defendants.

Petition.

The Plaintiff represents that she is the duly appointed
Guardian of Mary B. Ritchie, of the age of
twenty years, on the 22-day of July, 1926.
and of Jerome C. Ritchie aged 18 yrs. on the 16. day of
July, 1926
and of John F. Ritchie aged 16 yrs. on the 14 day of
June 1926 and all residing with the Plaintiff
Josephine B. Ritchie, their mother on R. F. D. #1,
Marionville, in Union Co. Ohio.

That said wards are the owners in fee simple

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of the following described real estate, situated in the County of Union State of Ohio and in the Township of Sestburg, to-wit:

Part of Survey No. 5630 and 6570.

Being the undivided Three - tenths of the following described real estate.

Beginning at a stone, north west corner to Joseph Cuder in the east line of Survey no. 5386 and north 8 1/4° East 79.92 poles from a stone at the Southeast corner to said Survey; thence with the north line of said Joseph Cuder South 81 1/2° East 133.80 poles to a stone, south west corner to C. Mackling; thence with his west line north 8 1/2° East 106.12 poles to a stone, north west corner to Mackling, and in the South line of Roland Koppoth; thence with said line north 82° West 134.50 poles to a stone, the east line of said Survey no. 5386; thence with said line South 8 1/4° West 105 poles to the beginning, containing 88 acrs. and 60 poles, to the same more or less.

Said real estate is worth annually nothing -

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

Petition.

The defendant Josephine B. Ritchie has a dower estate in the undivided one-fourth interest of the tract of land, described herein as, the widow of Joseph W. Ritchie deceased, which said dower estate is upon the undivided three-tenths of said tract sought to be sold herein.

That the sale of said real estate will be for the best interest of the said wards for the reason that said real estate is owned by said wards as tenants in common with the following named adults to-wit:

Ettie M. McAllister, Herbert S. Ritchie; and

Blanche Livingston who each own an undivided one-fourth interest in said lands and with Warren H. Ritchie and Cletus W. Ritchie who each own an undivided one-tenth interest in said land.

That all of said adults are desirous of selling said land and said real estate of said minors is suffering unavoidable waste and a better investment of its value can be made and a sale will be for the benefit of said minors.

The Plaintiff therefore prays that said Mary B. Ritchie, Jerome C. Ritchie, and John S. Ritchie, her wards, and Warren H. Ritchie and Cletus W. Ritchie

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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who have the next estate of inheritance in such real estate, 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 herein before proposed, and for other proper relief
Josephine B. Ritchie, Guardian.

oath

The State of Ohio, Union County, ss.
Josephine B. Ritchie 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.

Josephine B. Ritchie

Sworn to before me, and signed in my presence, this 9 day of Nov. 1926. W.H. Husted, Probate Judge -
Journal 40. Pg 242. Nov. 9-1926.

Filing
Petition

This day Josephine B. Ritchie Guardian of Mary B. Jerome C. and John F. Ritchie appeared in open court and filed her petition duly verified, asking for the sale of real estate therein described, belonging to her said wards, Mary B. Jerome C. and John F. Ritchie.

It is ordered that the time of hearing said petition be, and hereby is fixed for the 11 day of Dec. 1926. 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 Mary B. Ritchie, Jerome C. and John F. Ritchie her wards, and to Warren H. Ritchie and Oletus H. Ritchie 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, - 7 days before said day of hearing and this cause is continued.

W.H. Husted, Probate Judge

Summons

Summons on Petition to Sell Real Estate

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

You are commanded, to notify Mary B. Ritchie a minor of the age of twenty years, Jerome C. Ritchie a minor of the age of 18 yrs, and John F. Ritchie, a minor of the age of 16 yrs, and Josephine B. Ritchie their mother with whom they reside, on R. F. D. 1, Mansville, Union Co. Ohio,

that on the 9 day of Oct. A.D. 1926. Josephine B. Ritchie Guardian of the said minors, filed her petition in the Probate Court of said Union County, Ohio against

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Final Record, Union County Probate Court.

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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 wards, in said petition described, for the purpose of joining other adult owners in the sale of said real estate and preventing the same from suffering unavoidable waste and making a better investment of the value of the same for the benefit of said minors, and that unless they answer by the 11th day of December, 1926, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 22nd day of November, 1926.

Witness my hand, and the seal of said Court, this 9th day of November, 1926.

~~Seal~~ Witnessed, Probate Judge.

Sheriff's Return

Sheriff's Return

The State of Ohio, Union County,

Receives this writ Nov. 9th 1926.

at 10th A.M. and pursuant to its command, I served the writ in named minors Mary B. Ritchie by personally handing to her a true copy, and on the same day I served Jerome L. Ritchie, and John F. Ritchie minors by leaving true and duly certified copies at their usual place of residence and on the same day I served Josephine B. Ritchie, Edm., of the above minors and the person with whom they reside by personally handing to her a true and duly certified copy of this writ.

F. S. Hoyer, Sheriff

By J.R.C.

Waiver of Summons.

Waiver

We, the undersigned parties Defendant to the Petition in the above entitled action, do each of us hereby waive the issuing and service of Summons and voluntarily enter our appearance as offt. and we do hereby consent to the sale of real estate described in petition.

Jan. 18-1927

6 letus W. Ritchie

Warren B. Ritchie

Answer of Widow

Answer of Widow

Now comes Josephine B. Ritchie, one of the Defendants, in the above entitled cause, and voluntarily enters her appearance herein, and for her answer herein says: that she is the widow of Joseph W. Ritchie deceased, who was a son of Jerome Ritchie, dec'd, that said Joseph W. Ritchie died on or about

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The 25. day of February, 1919. seized of an estate in fee simple in the undivided one-fourth of the lands described in the plaintiffs petition herein which estate he had inherited from his father the said Jerome Ritchie, deceased. That as such widow the said Josephine B. Ritchie, this answering defendant, is entitled to dower in the undivided one-fourth of the premises described in the plaintiffs petition including the interests of the minor heirs of said Joseph H. Ritchie which are sought to be sold in this action.

That she is fifty years of age and she freely consents to the sale of said premises as prayed for in the petition, 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.

Richard L. Cameron
Atty. for answering defendant.

State of Ohio, Union County, ss:

Josephine B. Ritchie being duly sworn says that she is the answering defendant and that the facts stated and allegations made in her foregoing answer are true, as she truly believes.

Josephine B. Ritchie.

Brought to before me, and signed in my presence, this --- day of January, 1927.

Louise Tappan, Notary Public
Union Co., Ohio

Entry.

Order to appraise

This day this cause came on to be heard upon the petition of Josephine B. Ritchie, guardian of Mary B. Ritchie, Jerome B. Ritchie, and John F. Ritchie, 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 finds that all of the parties defendants have been served with notice as required by law and the former

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Final Record, Union County Probate Court.

10902

order of the Court or have waived the issuing and service of notice and entered their appearance herein: 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.

The Court further finds that Josephine B. Ritchie the widow of Joseph W. Ritchie deceased, has a dower estate in said lands as such widow and that she has filed her answer herein waiving the assignment of such dower estate by metes and bounds or in the rents and profits and electing to take the value of the same in money.

It is therefore ordered, that said premises be appraised free of the dower estate of said Josephine B. Ritchie therein.

It is therefore ordered, that E. H. Hutton, Pearl M. Droy and H. D. Huffman, three judicious free holders of the County in which said real estate is situated, 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. Husted, Probate Judge
Order of appraisement.

order of appraisement

The State of Ohio, Union County, Probate Court,
To Josephine B. Ritchie, 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 Mary B. Ritchie, Jerome C. Ritchie and John F. Ritchie are Plaintiff and your wards et al, are Defendants, you are commanded that by the oaths of E. H. Hutton, Pearl M. Droy, and H. D. Huffman, 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 Josephine B. Ritchie therein, to wit:

Part of Survey, nos. 5630, and 6510.

Situated in the County of Union, State of Ohio, and in the Township of Leesburg: Being the undivided three-fourths of the following described real estate. Beginning at a stone north west

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Langhorst Brothers, Wapakonetta, Ohio.

10902

Corner to Joseph. Brider on the East line of Survey no. 5382. and north 8 1/4° East 79.92 poles from a stone at the Southeast corner to said Survey; thence with the north line of said Joseph Brider South 8 1/2° East 133.80 poles to a stone, south west corner to E. Mackling; thence with his west line north 8 1/2° East 106.12 poles to a stone, north west corner to Mackling, and in the South line of Roland Koppoth; thence with said line north 82° West 134.50 poles to a stone, the East line of said Survey no. 5382; thence with said line South 8 1/4° West 105 poles to the beginning containing 88 acrs. and 60 poles to the same more or less.

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

Witness my signature and the seal of said Probate Court at Mansville, Ohio, this 20 day of Jan., 1927.
W. H. Husted, Probate Judge

Return

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

Dated the 27 day of January 1927
Josephine B. Pritchard

Oath of appraisers

The State of Ohio, Union Co.,
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.

E. H. Hutton, Pearl M. Derry, H. F. Huffman & appraised
brought before me, and signed in my presence this 27 day of Jan., 1927
Louise Lyrell - Notary Public

application to sell at Private Sale.

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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 \$9000.00 free of down estate of Josephine B. Pritchard
brought under our hands, this 27 day of Jan., 1927.
E. H. Hutton, Pearl M. Derry, H. F. Huffman & appraised

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confirming appraisement

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Final Record, Union County Probate Court.

No. 5382.
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confirming
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sell at
Private Sale.

January 27-1927
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 \$900- free of the dower estate of Josephine B. Ritchie widow of Joseph W. Ritchie deceased. And the plaintiff above named having given bond, dated Jan. 27-1927, in the sum of fifteen hundred dollars, with Milton Braithwaite and Joseph E. White 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 free of said dower estate at private sale at not less than the appraised value thereof and upon the following terms, to wit: basis on hand day of sale.

Wm. Husted Probate Judge
Application to Sell at Private Sale.
Probate Court, Union County, Ohio
No. 10902.

The said Plaintiff represents that it would be for the best interest of the said Mary B. Ritchie Jerome C. Ritchie and John F. Ritchie to sell the real estate described in the petition in this case at private sale, for the following reasons: That said wards are the owners of the undivided three-fourths of said real estate only and the balance of the title is owned by adults; that it would be almost impossible to sell such an interest at public auction and would cause a great sacrifice of the value of the fund; that a private sale can be made with the adults selling the rest of the title that will secure to said wards the full value of the land and greatly lessen the expense of sale.

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

Josephine B. Ritchie
Gdn. of Mary B. Ritchie
Jerome C. Ritchie
John F. Ritchie

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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The State of Ohio, Union County,
Josephine B. Ritchie being duly sworn, says, that
the various matters set forth in the foregoing application
are true as she verily believes Josephine B. Ritchie
sworn to before me, and signed in my presence,
This 27th day of January, 1927.

W.H. Husted, Probate Judge

Affidavit of Disinterested Persons

affidavit
Disinterested
Person.

The State of Ohio, Union County,
A. M. Kayay, and W. P. Briggster 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 Mary B. Ritchie, Jerome C. Ritchie, John F. Ritchie to sell
said real estate at private sale than at public sale,
as they verily believe.

A. M. Kayay, W. P. Briggster,
Sworn to before me, this 27th day of January 1927.

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

Bond

Know all men by these Presents: That we Josephine B.
Ritchie, Milton Braithwaite and Joseph W. White are
hereby 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 Jan'y, 1927.

The Condition by the above obligation is such, That
whereas, the above bound Josephine B. Ritchie was
heretofore duly appointed and qualified by the Probate
Court, of Union County, Ohio, Guardian of Mary B. Ritchie
Jerome C. Ritchie John F. Ritchie

And, whereas, the said Josephine B. Ritchie
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 nine Hundred Dollars.

And, whereas, said Court, on the 27th day of
Jan'y, 1927 made an order requiring said
Guardian to execute a bond according to the statute
in such cases, made, and provided.

Now, if, the said Josephine B. Ritchie as Guardian

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10902

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.

Josephine B. Ritchie
Milton Britherrite
Jos. E. White

This Bond approved in open Court, this 27-day of Jan'y. 1927.

Prof W. H. Husted, Probate Judge

Order of Sale - Free of, Dower.
Probate Court.

Order

17
Sale.

To Josephine B. Ritchie, Exr. of Mary B. Jerome E. and John F. Ritchie - 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 Exr. of Mary B. Jerome E., and John F. Ritchie are Plaintiff and your wards et. al. are Defendants you are commanded to proceed according to law, to sell at private sale for not less than the appraised value thereof free of the dower of Josephine B. Ritchie, widow of Joseph W. Ritchie deceased, the following described premises, to wit: Situated in the County of Union, State of Ohio and in the Township of Luskung, Part of Survey No. 5630, and 6570

Being undivided three-fourths of the following described real estate.

Beginning at a stake north west corner to Joseph Crider on the East line of Survey No. 5388 and north 8 1/4° East 79.92 poles from a stone at the south east corner to said Survey; thence with the north line of said Joseph Crider South 8 1/2° East 133.80 poles to a stone, south west corner to E. Mackling; thence with his West line north 8 1/2° East 106.72 poles to a stone, north west corner to Mackling, and in the south line of Roland Koppsthi thence with said line north 82° West 134.50 poles to a stone, the east line of said Survey No. 5388; thence with said line South 8 1/4° West 105 poles to the beginning containing 88 acres, and 60 poles by the same more or less.

Said Sale to be: Cash on day of sale.

You will make return of your

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Langhorst Brothers, Wapakonetta, Ohio.

10902

proceedings to this Court forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court, at Mansfield, Ohio, this 27th day of January, 1927. ~~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 appear by the proceedings attached.

Dated the 1st day of Feb. 1927.

Josephine B. Ritchie

Report of Sale - Private.

Report

In obedience to the within order, I sold said premises on the 1st day of Feb. 1927, to

Sale

Richard Simkins and Merle Simkins for the sum of nine hundred dollars, said sum being the appraised value of the same.

Dated the 1st day of Feb. 1927.

Josephine B. Ritchie

The State of Ohio, Union County.

Costs

The above named Josephine B. Ritchie 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.

Josephine B. Ritchie

Shown to before me, this 1st day of Feb. 1927

~~W. H. Husted~~ Probate Judge

Journal 40 Pg. 347

Confirming an

Journal Entry: orders approving and Confirming Sale. Probate Court, Union County, Ohio. Feb. 1st, 1927.

approving sale.

This day this cause coming on to be heard on the report of Josephine B. Ritchie, Adm. of Mary B. Ritchie 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

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Final Record, Union County Probate Court.

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petitioner execute a deed of, all the right, title and interest of, the said Mary B. Pitelie in said real estate to the purchaser, Richard Simpkins and Merle Simpkins upon the said purchaser paying purchase price thereof.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs taxed at \$13.00
W. H. Husted, Probate Judge

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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

Feb. 1.

1927

W. W. Coffman, Administrator

no. 10967.

John W. Dailey
Atty.

of the estate of
Emma Youker deceased,
Plaintiff

Civil action

v.

Alice Mitchell,
William Coffman,
W. R. Coffman,
Frank L. Coffman,

Petition
to

Sell Real Estate

Blara W. Westy,
Defendants

Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Emma Youker late of Plain City, Union Co. O. deceased; that the amount of debts due from the deceased is about Five 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 \$375.00 being wholly insufficient to pay the debts and costs aforesaid.

Petition

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

In the township of Washington and being a part of Survey No. 2542 v. M. Land, and that part of land of Marianda Coffman, deceased, set off to said Emma Youker in an amicable partition among the heirs of said Marianda Coffman. Beginning at an iron pipe in the center of the Post Road N. 72.5 W. 458, 30 feet distant from a stone at the south west corner of the Martin Thompson former owner land; thence N. 18.25 E. 1962.50 feet to a stone; thence N. 84.25 W. 755 feet to a stone in the southeast corner of the Henry Coffman land; thence along a south line of said Henry Coffman land, S. 89 W. 165 feet to a post; thence along an east line of said Henry Coffman S. 3.5 E. 1848 feet to the center of the Post Road; thence along the center of said Road, S. 61.5 E. 165 feet to an

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Petition

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angle in said road: thence S. 72.5° E. 458.30 feet to the beginning.

Containing 24.752 acres of land, except one-half acre of land, out of the south west corner hereof now owned by James D. Brown, formerly A. Thompson, and also, except four and one-half acres from the remaining parcel, being described as follows:

Beginning in the center of the Dublin and Plain City Pike, South west corner said William Coffman land; thence with his west line north 40 rods one foot; thence west 29 rods to the East line of land formerly owned by Chas. Howray; thence with said line and east line of James D. Brown land to the aforesaid Dublin and Plain City Pike; thence with the center of said Pike to the place of beginning containing 4.5 acres of land, more or less, said land herein conveyed

into the above exceptions thence being 19.752 more or less

The said decedent died leaving no widow, that the defendants Alice Mitchell, William Coffman, W. R. Coffman, Frank L. Coffman, and Clara Wertz, are the only heirs of said decedent leaving the next estate of inheritance from said Emma Gorker deceased, in said premises; that the petitioner prays, and that your petition 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.

John W. Dailey, Atty for Plff.

The State of Ohio, Union County, ss.

W. W. Coffman 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. W. Coffman.

Sworn to before me, and signed in my presence, this 1. day of February, 1927.

John W. Dailey, Notary Public

In the Probate Court, Union County, Ohio, Feb. 1 - 1927.

Filing Petition to Sell Real Estate

This day came the Plaintiff W. W. Coffman and presented to this Court, his petition, duly verified praying an order for the sale of real estate

Petition

Oath

Filing Petition

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10967

of the said Emma Youker deceased, to pay the debts and the costs of administering the estate of the said decedent.

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

W. H. Husted, Probate Judge.

Waiver

Waiver

We the undersigned parties, Defendant, to the Petition in the above entitled action, do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action, according to the prayer of the same.

Feb. 1 - 1927.

Mrs. Coffman - Ida Coffman.
Alice Mitchell W. R. Coffman,
Sus Coffman, May C. Smith Esq. of
Frank Coffman. N. R. C.
Clara B. Wursty.

Bond.

Bond.

Know all men by these Presents: That Mr. W. H. Coffman William Coffman are here and jointly bound unto the State of Ohio in the sum of Three Thousand Dollars, for the payment of which we hereby jointly bind ourselves our heirs, executors and administrators.

Signed by us, and dated at Mansfield Ohio this 1st day of Feb. 1927.

The condition of the above obligation is such, that whereas the above bound W. H. Coffman, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Admin. of the estate of Emma Youker deceased,

and whereas the said W. H. Coffman, 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 1st day of Feb. 1927 made an order requiring said W. H. Coffman, to execute a bond according to the statute in such cases made and provided.

Now if the said W. H. Coffman Admin.

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Final Record, Union County Probate Court.

10967

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 bond shall be sold, and to dispose of the same according to law; then this obligation to be void otherwise to remain in full force

W. W. Coffman, Wm. Coffman.

This Bond approved in open Court this 1-day of July, 1927.

W. W. Hasted, Seal

Application

application to sell Real Estate at Private Sale, Probate Court, Union County, Ohio.

to

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

Private Sale,

1. That an offer is made for the amount of the appraisement and that said offer is all that said property is reasonable worth.

2. That said property can be sold and possession given at once without further costs in advertising said property and other costs that are incident to a public sale.

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

W. W. Coffman, executor of estate of Emma Youker.

The State of Ohio, Franklin County,

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

Court

W. W. Coffman.

Done to before me, and signed in my presence, this 2-day of March, A. D. 1927.

Harry O. Whitaker Notary Public Seal

affidavit of Disinterested Person.

affidavit

The State of Ohio, Franklin County,

Disinterested Persons.

Newton J. Downey, Just. W. S. Slyh. of Dublin, Ohio being duly sworn, say, that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate to sell said real estate at private sale than at public sale, as they verily believe. Newton J. Downey, W. S. Slyh.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10967

Sworn to before me, and signed in my presence. This 2-day
March 1927. ~~not~~ Harry Whiteker, Notary Public,

Probate Court, Union County, Ohio,
April 5th 1927.

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 Emma Gouker 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 Emma Gouker 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 W. W. Coffman, 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
to this cause is continued.

W. W. Husted, Judge -

Order of Sale, Free of Dower

The State of Ohio, Union County, Probate Court

To W. W. Coffman, Adm. of Emma Gouker, Deceased: 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 Adm., are Plaintiff
and Alice Mitchell 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, the following described premises, to-wit:

- See Petition for description -

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.

10967

Return

Report

of

approving
an.

Confirming.

Final Record, Union County Probate Court.

10967

Witness my signature and the seal of said Probate Court at Mansfield, Ohio, this 5-day of April, 1927.

W. W. 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 5-day of April, 1927.

W. W. Coffman.

Report

Report of Sale Private

In obedience to the within order, I sold said premises on the 5-day of April, 1927, to William Coffman, for the sum of \$2000.00 said sum being the appraised value of the same.

Dated the 5-day of April, 1927.

W. W. Coffman

The State of Ohio, Union County.

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

W. W. Coffman.

Sworn to before me, and signed in my presence, this 5-day of April, 1927.

W. W. Husted, Probate Judge.

approving

Journal Entry: orders approving and confirming Sale. Probate Court, Union County, Ohio, April, 5- 1927.

Confirming

This day this cause coming on to be heard on the report of W. W. Coffman, Adm. of Emma Gouker, 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10967

a. deed of all the right title and interest of the said Emma Youker in said real estate to the purchaser, William Coffman, upon the said purchaser delivering to said petitioner the amount of the purchase money.

It is further ordered that this proceeding be recorded and that said petitioner pay the costs.

W. H. Husted, Probate Judge

10971

Feb. 5th 1927.
F. J. Ballinger
attorney

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

Lulu M. Haguelocker,
Administratrix
of the estate of
Henry Haguelocker, deceased,
Plaintiff

no. 10971
Civil action

Lulu M. Haguelocker,
widow of
Henry Haguelocker, dec'd.
Ralph Emerson Haguelocker,
a minor, fourteen years of age,
vs. The North Western Mutual
Life Insurance Co.
Defendants.

Petition to
Sell Real Estate

Petition

Petition

The Plaintiff represents that she is the duly appointed and qualified Adm. of the estate of Henry Haguelocker late of Mill Creek Township Union County, Ohio, deceased; that the amount of debts due from the deceased is Twenty-five hundred dollars, as near as can be ascertained that the charges of administration of said estate will amount to about Two Hundred Dollars; and that the total value of the personal estate and effects of said deceased, is but Two thousand Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The plaintiff further represents that said Henry Haguelocker died seized in fee simple of one undivided one-half of the following described real estate, situate in the County of Union Township of Mill Creek and State of Ohio, to-wit:

bounded and described as follows: Being part of Lot No. 5 of the divisions of Survey No. 2989 and described as beginning at a stone (witnessed by a Hickory Elm, and red oak,) in the South line of said survey No. 2989 and south east corner to said Lot No. 5 of the division of said Survey; thence with the east line of said

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Petition

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Final Record, Union County Probate Court.

10971

lot no. 5. north 8° and 30' west 15-2 and ⁵⁰/₁₀₀ poles to stone (witnessed by an Elm, hickory, and white oak) the northeast corner of said lot no. 5 in the south line of lot no. 3. thence with said line south 51° west 30 poles to a stone (witnessed by a lynn, white oak, and sugar). the south east corner of Lot no. 4. in the north line of lot no. 5; thence with said line south 80° west. 37 ⁴⁰/₁₀₀ poles to a stone; the north north east corner of George A. Diggets land; thence with the east line of said land. South 8° and 30' east 62 ⁶⁰/₁₀₀ poles to a stone.

Petition

the south east corner of said land; thence with the south line of the same, south 80° west 5-8 ³²/₁₀₀ poles to a stone north east corner of 11 acres of land conveyed by Daniel H. Smart to Jacob L. Kelpner. March, 26-1849. thence with the east line of said land south 8° and 30' east 91 and ⁵⁰/₁₀₀ poles to a stone, the south-east corner to said 11 acres of land and in the south line of said Survey no. 2989; thence with said line north 80° east 125 and ⁷⁰/₁₀₀ poles to the beginning.

Containing 96 ¹²/₁₀₀ acres or the same, more or less.

The said decedent died leaving the defendant Lulu M. Hagenlocker, his widow, who is entitled to dower in said premises; that the defendant Ralph Emerson Hagenlocker, is the only heir of said decedent, having the next estate of inheritance from said Henry Hagenlocker, deceased, in said premises, that the defendant The North Western Mutual Life Insurance Company claims to have a mortgage against said premises, as above described.

The Plaintiff therefore prays that the dower of said Lulu M. Hagenlocker, in said premises may be assigned and set off to her, that the rights, interests and liens, of the said North Western Mutual Life Insurance Company and Ralph Emerson Hagenlocker, may be fully determined, adjudicated and protected according to equity, and that your petitioner may be authorized and ordered to sell said real estate subject to said dower, according to the statute in such cases, made, and provided, and for all other proper orders, and relief in the premises.

Lulu M. Hagenlocker.

the State of Ohio, Union County ss.

Oath.

Lulu M. Hagenlocker, the within named Plaintiff, being duly sworn, say, that the

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10971

various matters and things set forth in said petition are true, to the best of his knowledge and belief.
Lulu M. Hagenlocker.

Known to before me, and signed in my presence. This 5 day of February, 1927. W. H. Husted, Probate Judge.

Probate Court, Union County, Ohio
Prairies

Prairies

To the Judge, and Ex-officio Clerk of said Court:
Issue summons for said Ralph Emerson Hagenlocker, The North Western Mutual Life Insurance Co., and Lulu M. Hagenlocker, Defendants, directed to the Sheriff of said County returnable according to law.
Frank J. Ballinger, Plaintiff's Atty.

In the Probate Court of Union County, Ohio.
Feb. 5th 1927. No. 10971

Journal entry: Filing Petition to Sell Real Estate

Filing
Petition

This day came the Plaintiff Lulu M. Hagenlocker, and presented to this Court her petition, duly verified, praying an order for the sale of real estate of the said Henry Hagenlocker, deceased, to pay the debts, and the costs of administering the estate, of the said decedent.

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

W. H. Husted, Probate Judge.

Summons on Petition to Sell Real Estate.

Summons
on
Petition

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

You are commanded to notify Lulu M. Hagenlocker, mother of Ralph E. Hagenlocker, and Ralph E. Hagenlocker, a minor, that on the 5th day of Feb. A. D. 1927, Lulu M. Hagenlocker adx., of the estate of Henry Hagenlocker deceased, filed his petition in the Probate Court, of said Union County Ohio, against them ^{an}, 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 5 day of March, 1927, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ

10971

Sheriff's
Return

answer
of
widow.

Death

Final Record, Union County Probate Court.

petition
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Insurance,
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Real Estate
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This writ

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Sheriff's
Return

on, the 14. day of February 1927.
Witness my hand and the seal of said Court, this
5. day of Feb. 1927. W. H. Husted Probate Judge.
Sheriff's Return
The State of Ohio, Union County
Received this writ February 5-1927, at 2.30 o'clock
P.M. and pursuant to its Command, forthwith
on the 5 day of February 1927. I served the
within named defendants, Ralph E. Hagenlocker,
(a minor) and Lulu M. Hagenlocker, by personally
handing to each of them a true and certified
copy of this writ with all the endorsements thereon
and at the same time, I served the said Lulu
M. Hagenlocker with a true and certified copy
thereof with all the endorsements thereon, she being
the mother of the said Ralph E. Hagenlocker, (a minor)
and with whom said minor resides.
L. S. Hoyer, Sheriff, By. M. E. C. Clerk.

answ
of
widow.

Answer of Widow
Probate Court, Union County, Ohio,
and now comes, Lulu M. Hagenlocker, 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 Hagenlocker
deceased, and, as such is entitled to her dower,
in the premises described in said petition, that
her age is fifty-two 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.

Oath

Lulu M. Hagenlocker,
The State of Ohio, Union County,
Lulu M. Hagenlocker, being duly sworn, says,
that the statements in the foregoing answer are
true, as she verily believes.
Lulu M. Hagenlocker,
Sworn to before me, and signed in my presence,
this fifth day of February, A.D. 1927.
W. H. Husted, Probate Judge.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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We the undersigned parties defendant to the Petition in the above entitled action, do each of us hereby 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, 8, 1921.

The Northwestern Mutual Life Insurance Co.,

By, Hale and Mc Gur its attorney.

Answer and cross Petition of

The Northwestern Mutual Life Insurance Company.

Answer and cross Petition of The Northwestern Mutual Life Insurance Co., Lulu M. Hagenlocker, adx., of the estate of Henry Hagenlocker, deceased. Plaintiff

No 10971

Lulu M. Hagenlocker, widow of Henry Hagenlocker, Ralph Emerson Hagenlocker, a minor, fourteen years of age, and The Northwestern Mutual Life Insurance Company Defendants.

Answer and cross Petition of The Northwestern Mutual Life Insurance Company.

now comes defendant The Northwestern Mutual Life Insurance Company, and says that it is a corporation duly organized under the laws of the State of Wisconsin, and having its principal place of business in Milwaukee, in said State, and not having information as to the truth or falsity of the allegations set out in the plaintiff's petition this answering defendant denies each and every of such allegations, except that it claims to have a mortgage against the premises in said petition described.

cross Petition.

This answering defendant says that on the 13 day of March, 1922, the said Henry Hagenlocker and Lulu M. Hagenlocker wife his wife, executed and delivered to this answering defendant, The Northwestern Mutual Life Insurance Company, this note for Three Thousand Dollars, payable in five years from date with interest at six per cent, payable semi-annually, a copy of which note

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Petition

Exhibit: a

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Final Record, Union County Probate Court.

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with all endorsements thereon is attached hereto, and, marked, Exhibit "a" and, made a part hereof. There is due, this answering defendant from the said Henry Hagenlocker and Lulu M. Hagenlocker, on said note, the sum of twenty-five hundred dollars, with interest on Fifteen Hundred Dollars, at six per cent per annum, payable semi-annually and on one thousand dollars at five and one fourth per cent per annum, payable semi-annually, both from September 13- 1926.

Second cause of action.

Petitioner

For second cause of action this answering defendant says, that to secure the payment of their said note, the said Henry Hagenlocker and Lulu M. Hagenlocker, executed and delivered to this answering defendant their certain mortgage covering 96.12 acres of land more or less as described in the plaintiff's petition, which mortgage was recorded March, 27- 1927, at 9.15 o'clock a.m., in book No. page, 212, of the mortgage records, of Union County, Ohio, and thereby became a valid first lien upon the premises aforesaid.

This answering defendant therefore prays, that the court may determine the priority of its mortgage lien, and that should said premises be sold, or any part thereof, that it may be paid the proceeds of such sale, or such part thereof, as may be required to satisfy its claim of \$2500.00 with interest from September 13, 1926, at six per cent on \$1000.00 and from said date at five and one fourth per cent on \$1000.00 and for other relief to which the court may find it entitled.

The North Western Mutual Life Insurance Co.

By H. Hale, and W. Lee, Its attorneys,
Exhibit "a".

Union County, Ohio, Nov. 13- 1927,

Exhibit "a"

\$3000.00

For value received, we, jointly and severally promise to pay to the order of The North Western Mutual Life Insurance Company at its office in the city of Milwaukee, Wisconsin, the sum of Three Thousand Dollars, at the expiration of five years, from the date hereof, with interest thereon from date until paid at the rate of six per cent per annum, payable semi-annually with the privilege of paying one hundred dollars or more of said principal sum at the end of

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10971

Exhibit
a

one year, and at interest periods hereafter provided at least one-half of said principal sum shall run until maturity, and with the additional privilege in case of a bona fide sale of the mortgaged premises after the first year, of paying the entire principal sum with interest to date of payment and sixty days interest additional and in case of such sale during the first year, of paying the entire principal sum, with interest to the end of the first year and sixty days interest additional; and we further promise and agree to pay a reasonable attorney's fee to be fixed by the court, in case said principal sum shall not be paid at maturity or when declared due in accordance with the provisions herein contained, and in case suit shall be brought for the collection of said principal sum, or for the foreclosure of the mortgage given to secure this note.

This note is secured by a mortgage of even date herewith executed by Henry Hagenlocker, and Lulu M. Hagenlocker, his wife, to said The Northwestern Mutual Life Insurance Company on lands in Union County, Ohio, which is the first lien on the property therein described, and in case the interest on this note is not fully paid when due, or in case of default in the performance of any or either of the terms and conditions of said mortgage, the whole indebtedness secured by said mortgage shall, at the option of the said The Northwestern Mutual Life Insurance Company become due and payable at once, without notice (notice of the exercise of such option being hereby expressly waived).

No payment of the principal of this note shall be deemed valid except upon the receipt of the authorized officers of said The Northwestern Mutual Life Insurance Co.

Henry Hagenlocker. Lulu M. Hagenlocker.

Internal Revenue Stamps in sum of .60 cancelled.

Payments:

Sept. 13 - 1922	received interest to	Sept. 13 - 1922
Mar. 12 1923	" "	Mar. " 1923
Sept. 12 "	" "	Sept. 13 1923
Mar. 13 1924	" "	Mar 13 - 1924
Sept. 12 - "	" "	Sept. 13 " "
Mar. 12 1925	" "	Mar 13 1925
Sept. 11 - 1925	" "	Sept. 13 "
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Cash

Application
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Final Record, Union County Probate Court.

10971

\$500 - Sept. 11 - 1925. receives Five Hundred Dollars.
of the principal to be applied as of Sept. 13 - 1925.

State of Ohio, Logan County, ss.

Oath

J. J. McLee, being duly sworn deposes and says, that he is one of the firm of Hale, and McLee, attys for the defendant. The Northwestern Mutual Life Insurance Co., that the foregoing pleading is based upon an instrument for the unconditional payment of money, and that the said instrument is in their possession, and that the allegations made in said pleading are true as he verily believes.
J. J. McLee.

Sworn to before me, and subscribed in my presence, this 8. day of March, 1927.

Dea Delphia O Peelle

Notary Public, Logan Co., Ohio.

Application
for
Cpt.
Guard. ad
litem

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

March, 12 - 1927.

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

The undersigned Lulu M. Hagenlocker adx., of the estate of Henry Hagenlocker, makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case.

The defendant Ralph Emerson Hagenlocker, under the age of 14 years, and, has been duly served with summons, herein.

The undersigned suggests that Jennie Cherry who, is a suitable person to be appointed as such Guardian ad litem.

Respectfully,

Lulu M. Hagenlocker, adx.

Probate Court, Union County, O. March, 12 - 1927

Appt. of Guardian ad litem.

This day Lulu M. Hagenlocker, adx., of the estate of Henry Hagenlocker appeared in open court, and made application for the appointment of a Guardian ad litem for the minor defendant, in this case.

And it appearing to the Court, that the defendant Ralph Emerson Hagenlocker is under the age of 14 years, and, has been duly and, legally served with summons herein

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10971

It is ordered, that Jeannine Cherry, be and she hereby is appointed Guardian for the suit, for said minor defendant.

and now comes the said Jeannine Cherry and in open court accepts said appointment

W. Trusted, Probate Judge

Answer of Guardian ad litem,

Answer

of

Gdn. ad. litem

and now comes the said Ralph Emerson Hagenlocker the minor defendant to the petition in said cause by Jeannine Cherry 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 he is of tender years, and not acquainted with the law in such cases, and therefore pray the Court to protect their rights in this cause, and for such relief as may be just.

Dated this 12 day of March,

Ralph Emerson Hagenlocker,

Journal Entry: ordering Private sale. March 12-1927.

This day this cause came on to be heard upon the petition evidence and testimony, the answer of the widow Mrs. Hagenlocker, and the answer and cross petition of the defendant. The Northwestern Mutual Life Insurance Company, and the Court, being fully advised on 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 Hagenlocker deceased, did leave a widow entitled to dower in the estate to be sold who by answer asked that premises be sold free from her dower and she be paid the reasonable value thereof out of the proceeds, and an appraisement of such estate is contained in the inventory.

It is ordered that another appraisement be and Henry, is dispensed with and same be sold free from dower of said widow

And the Court being satisfied that it is necessary to sell the real estate of said Henry Hagenlocker, 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

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application

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sell at

Private sale.

Oath

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Final Record, Union County Probate Court.

10971
application
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further ordered. that said Lulu M. Hagenlocker,
as such Ady., proceed to sell said real estate, free from
doubt, at private sale, for not less than the appraised
value thereof, on the following terms
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
Application to Sell at Private Sale,
Probate Court, Union County, Ohio.
vs. 10971

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:

The estate being the undivided, one-half owned
under the sale at public outcry difficult
and precarious

The said Ady., believes that she can sell
at the appraised value, by proper effort.

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

Lulu M. Hagenlocker Ady.

Oath

The State of Ohio, Union County,
Lulu M. Hagenlocker, being duly sworn, says that
the various matters set forth in the foregoing
application are true, as she verily believes.
Lulu M. Hagenlocker.

Sworn to before me, and signed in my presence
this 12 day of March, 1927.

W.H. Husted, Probate Judge

Affidavit of Disinterested Person.

Disinterested
Persons

The State of Ohio, Union Co.
Eber W. Dillon and Elmore S. Davis being duly
sworn, say that they know the facts set forth in
the application to which this affidavit is attached;
they 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.

Eber W. Dillon, Elmore S. Davis

Sworn to before me, and signed in my presence,
this 12 day of March, 1927.

W.H. Husted,
Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10971

Bond.

Know all these presents: That, we, Lulu M. Hagenlocker and William Hagenlocker, we hold and firmly bound unto the State of Ohio in the sum of Five thousand Dollars, for the payment of which we hereby jointly and severally bind ourselves our heirs, executors and administrators.

Bond.

Signed by us, and dated at Marysville, Ohio, this 12th day of March, 1927.

The condition of the above obligation is such - That whereas, the above bound Lulu M. Hagenlocker was heretofore, duly appointed and qualified by the Probate Court of Union County, Ohio, Adm. of the estate of Henry Hagenlocker deceased,

and whereas, the said Lulu M. Hagenlocker, 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 12th day of March, 1927, made an order requiring said Lulu M. Hagenlocker to execute a bond according to the statute in such cases, made, and provided.

Now, if the said Lulu M. Hagenlocker 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.

Lulu M. Hagenlocker. William Hagenlocker.

This Bond, approved in open Court, this 12th day of March, 1927. W. H. Tristed, Probate Judge.

approving Bond.

Journal Entry: orders, approving Bond, for Private Sale, Probate Court, Union County, Ohio, March, 12- 1927

This day, this cause came on further to be heard and it appearing to the Court that the said Lulu M. Hagenlocker, the plaintiff above named, has given bond, as heretofore ordered, in the sum of Five thousand Dollars, with William Hagenlocker, her holder, as sureties, it is ordered, that said bond, be, and hereby, is approved.

And, it being made to appear to the Court, upon satisfactory evidence, that it would be more for the interest of said estate to sell the real estate described in the petition at private sale; it is therefor ordered, that said Lulu M. Hagenlocker,

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order of sale.

Free from Dower.

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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.

WTTusted. Probate Judge.

Order of Sale.
Free from Dower.

Order of Sale. free from dower.
The State of Ohio, Union County. Probate Court.
To Lulu M. Hagenvolker, adx., of the estate of Henry Hagenvolker, deceased. Meeting;

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in an certain cause, wherein you as Adx., as aforesaid an Plaintiff and, Ruelph Emerson Hagenvolker, 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 Lulu M. Hagenvolker widow of Henry Hagenvolker, deceased, the undivided one-half of the following described premises, to wit

(see application for description.)

Being part of Lot No. 5 of the division of Survey no. 2989 and described as beginning at a stone (witnessed by a hickory elm, and red oak) in the south line of said survey no. 2989, and south east corner to said lot no. 5: of the division of said survey; thence with the east line of said lot no. 5 north 8° and 30' west 152, and 50/100 poles to stone (witnessed by an elm, hickory and white oak) the north east corner of said lot no. 5 in the south line of lot no. 3 - thence with said line South 81° west 30 poles to a stone (witnessed by a lynn, white oak, and sugar) the south east corner of lot no. 4, in the north line of Lot no. 5; thence with said line South 80° west 37 4/100 poles to a stone; the north east corner of George A Lizzert's land; thence with the east line of said land, south 8° and 30' east 62 60/100 poles to a stone, the south east corner of said land; thence with the south line of the same, South 80° west 58 37/100 poles to a stone north east corner of 11 acres of land conveyed by Daniel H. Smoot to Jacob L. Falkner, March 26- 1849, thence with the east line of said land, South 8° and 30' East 91 50/100 poles to a stone, The south east

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10971 corner to said 1/2 acrs. of land, and in the south line of said survey, no. 2959; thence with said line north 80° east 125' and 7 2/100 poles to the beginning, containing 9 6 7/100 acrs. by the same survey or less.

Said sale to be for of the dowry of Lulu M. Hagenlocker 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 Mansfield, Ohio, this 12th day of March, 1927.

W. H. Trustad, 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 attended.

Dated the 12th day of March, 1927. Lulu M. Hagenlocker.

Report of Sale.

Report of sale. In obedience to the within order, I sold said premises on the 12th day of March, 1927, to William Hagenlocker, for the sum of forty eight hundred dollars, said sum being not less than the appraised value of the same.

Lulu M. Hagenlocker, adx., Dated the 12th day of March, 1927.

The State of Ohio, Union County.

Each I, Susan, 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.

Lulu M. Hagenlocker, adx.

Known to before me, and signed in my presence this 12th day of March, 1927. W. H. Trustad, Probate Judge.

Orders of Confirmation: Distribution March, 12 - 1927.

Orders of Confirmation This day this cause came on to be heard, on the report of Hagenlocker adx., of the estate of Henry Hagenlocker deceased, of her proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; and the Court, having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being

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Final Record, Union County Probate Court.

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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 Henry Hagenlocker deceased, in said real estate, to the purchaser upon the said purchaser executing to said estate a mortgage upon the premises sold to secure the deferred payments of purchase money. And now this cause coming on further to be heard upon the pleadings herein, and upon the motion to distribute the proceeds of the sale amounting to the sum of forty eight hundred dollars, and the said Lulu M. Hagenlocker widow having by answer herein waived the assignment of dower in said premises by metes and bounds, or in rents and profits, and asked that the value of such dower be allowed and paid her out of the proceeds of the said sale; the Court finds the just and reasonable value of her dower interest in said real estate to be the sum of - - - - - Dollars.

Confirmation

The Court finds that there is due the said The North Western Mutual Life Ins. Co. upon the note set forth in her answer and cross petition the sum of Twenty-five Hundred and seventy one and ²⁵/₁₀₀ Dollars, with interest thereon from date of this entry; that the said Henry Hagenlocker and said Lulu M. Hagenlocker 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 the 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 Co. this, according to law.

The Court further finds that since the filing of the answer and cross-petition of said The North Western Mutual Life Insurance Co. that said Adm. has paid to said Company the sum of Five Hundred seventy one ²⁵/₁₀₀ Dollars leaving a balance due said Company of Two Thousand Dollars.

It is further ordered that said Adm. out of the money in her hands, pay:

First: To the Treas. of this County the sum of - - -

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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bring, the taxes, penalty and interest thereon, against said property.

Second. The costs and expenses incurred in the sale of said property, including an atty. fee of \$25.00 to Frank J. Pullinger, and \$39.00 the percentage of said Lulu M. Haganlocker herein, amounting to the sum of \$210.00

Third: To Lulu M. Haganlocker, widow the sum of \$514.20 which the Court finds to be the value of her dower interest in said premises.

Fourth. To North Western Mutual Life Ins. Co. on the note and mortgage set forth and described in this answer and cross-petition herein, the sum of \$1000.00 which the Court finds to be the amount due them.

Fifth:

Lulu M. Haganlocker, paying \$1000.00 individually said land being in joint ownership the two said amounts making the amount set forth in the answer and cross-petition of the said Insurance Co.

It is further ordered, that the balance of said proceeds amounting to the sum of \$2063.00 be accounted for by said Adm. according to law. And it is further ordered, that this proceeding be recorded, and that said petitioners pay the costs herein taxed at \$39.00 out of the proceeds of said sale.

W. H. Husted, Probate Judge.

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Jan. 24

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Petition

Final Record, Union County Probate Court.

10976
Jan. 24
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Eva Morlock

Petition for Sale of Real Estate to Pay Debts,
Probate Court, Union County, Ohio.
Eva Morlock.
Anna Mary Morlock, Adm.,
of the estate of,
Chas. A. Morlock, deceased,
Plaintiff

No. 10976.

8-
Eva Morlock.
Charles S. Morlock, a minor.
George A. Morlock a minor
Blanche S. Morlock, mother of
said minors.

Petition
to
Sell Real Estate

Defendants.

Petition

The Plaintiff represents that they are the duly appointed and qualified administrators of the estate of Chas. A. Morlock, late of Marysville, Union County, Ohio, deceased; that the amount of debts due from the deceased, is Five Hundred Dollars as near as can be ascertained, that the charges of administration of said estate will amount to about One Hundred Dollars, and that the total value of the personal estate and effects of said deceased is - none - being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Chas. A. Morlock, died seized in fee simple of the following described real estate, situate in the County of Union and State of Ohio, to-wit:

Petition

The undivided one-half interest in part of In Lot 83 in the Village of Marysville, Union Co. Ohio, described as follows:

Being ^{sixty} (62) feet off of the south side of said In Lot eighty-three (83) situated on South Plum Street and extending one hundred and thirty-two (132) feet to an alley - parallel to Plum Street and also.

The undivided one-half interest in all of In Lot number two hundred and five (205) part of Matt Biott's Addition, to the Village of Marysville Union Co. Ohio.

The said decedent died leaving the defendant Eva Morlock his widow, who is entitled in said premises; that the defendants Eva Morlock, Charles S. Morlock, minor, George A. Morlock, minor, Blanche S. Morlock, mother of said minors, are the only heirs of said decedent, having the next estate of inheritance from said

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Charles A. Monrook, deceased, in said premises:
The Plaintiff therefore prays, that the dower of said Eva Monrook in said premises may be assigned, and set off to her; that the rights, interests and terms of the said defendants may be fully determined, adjusted, and protected according to equity, and that your petition may be authorized and ordered, to sell said real estate free of said dower, according to the statute in such cases made and provided, and, for all other proper orders, and relief in the premises.

Eva Monrook, Annamary Monrook.

The State of Ohio, Union County ss.

Oath

Eva Monrook, and Annamary Monrook, 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 their knowledge and belief.

Eva Monrook, Annamary Monrook.

Sworn to before me, and signed in my presence, this 24 day of Jan. 1927. W.H. Husted Probate Judge -

Probate Court, Union County, Ohio.

Filing of Petition. Jan. 24 - 1927.

Filing Petition

This day came, the Plaintiff Eva Monrook, and Annamary Monrook, and presented to this Court their petition, duly verified, praying an order for the sale of real estate of the said Charles A. Monrook, deceased, to pay the debts, and costs of administering the estate, of the said decedent.

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

W.H. Husted, Probate Judge -
Surremon.

Surremon.

The State of Ohio, Union County, Probate Court,
To the administrator of the estate of Charles A. Monrook, deceased,

You are commanded to notify Charles S. Monrook, George A. Monrook, minors and Blanche S. Monrook mother of said minors, that on the 24 day of Jan. A. D. 1927. Eva Monrook, and Annamary Monrook, Adm^s of the estate of Charles A. Monrook,

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Final Record, Union County Probate Court.

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deceased, filed his petition in the Probate Court of said Union County, Ohio against them and others; the object and prayer of which petition is to obtain an order for the sale of certain real estate belonging to said decedent, in said petition described, for the purpose of pay debts of said estate and, they unless they answer by the 26 day of February, 1927, said petition will be taken as true and an order granted accordingly.

Said Advers. will make due return of this writ on the 7 day of Jan. 1927.

Witness my hand and the seal of said Court this 24 day of Jan. 1927.

W. H. Husted, Probate Judge

The State of Ohio, Union County

I, Eva Monlock, being duly sworn, say that on the 24 day of Jan. 1927, I served this writ by delivering a copy thereof personally to the following named persons, to wit:

I served the within notice of Charles S. Monlock, George A. Monlock minors and Blanchie Monlock, mother of said minors by handing each a true copy of this notice.

Eva Monlock

Subscribed before me and signed in my presence this 24 day of Jan. 1927.

W. H. Husted, Probate Judge

Answer of widow.

Probate Court, Union County, Ohio.

Answer

And now comes Eva Monlock, 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 Chas. A. Monlock deceased, and as such is entitled to widow's dower in the premises described in said petition, her her age is sixty-one 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 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.

Eva Monlock

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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The State of Ohio, Union County.

Court

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

Eva Morlock.

Sworn to before me, and signed in my presence, 27 day of February, A.D. 1927.

W.H. Husted, Probate Judge

appl- for appointment

application for appointment of Guardian Ad Litem, Probate Court, Union County, Ohio.

February, 27- A.D. 1927.

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

Gen. ad litem

The undersigned Eva Morlock, Anna Mary Morlock, make application for the appointment of Guardian ad litem for the minor defendants in the above entitled case.

The defendants: Charles S. Morlock, age 10 yrs, George A. Morlock, age 8 yrs

under the age of fourteen years, and have been duly served with summons, herein, and have neglected

The undersigned suggests that Mabelle Newlove who is a suitable person be appointed as such Guardian ad litem.

Respectfully,

Eva Morlock.

Anna Mary Morlock.

Probate Court, Union County, Ohio, February 26-1927, no. 10976.

appt. of

appointment of Guardian ad litem. This day Eva Morlock appeared in open Court and made application for the appointment of a Guardian Ad litem for the minor defendants in this case.

Gen. ad. litem

And it appearing to the Court that the defendants: Charles S. Morlock, George A. Morlock under the age of fourteen years, and have been duly and legally served with summons herein. It is ordered that Mabelle Newlove do, and she hereby is appointed Guardian for the suit, for said minor defendants.

And now comes the said Mabelle Newlove, and in open Court accepts said appointment.

W.H. Husted, Probate Judge.

Answer of Guardian ad litem

Probate Court, Union County, Ohio,

no. 10976.

Answer of

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And now comes the said Charles S. Morlock and George A. Morlock, the minor defendants to the petition in said cause, by Mabelle Newlove their Guardian Ad litem, heretofore appointed in said cause, by said Court, and for answer to said

10976

application

in

Court

affidavit of disinterested persons.

Final Record, Union County Probate Court.

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petition, deny, all the material allegations here 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.

Charles B. Morlock.

Georgia A. Morlock.

Dated this 24. day of February, A. D. 1927.

By, Mabelle Newlove, Adm. ad. litem,

Application

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

bill at

Private Sale,

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

To avoid expense of public sale, and having a good offer at private sale.

And they therefore ask for an order authorizing them to sell said real estate at private sale - Eva Morlock, and Anna Mary Morlock, Adms., of Chas. A. Morlock, Estate.

The State of Ohio, Union County,

Oath

Eva Morlock, being duly sworn, says, that the various matters set forth in the foregoing application are true, as they truly believe.

Eva Morlock.

Sworn to before me, and signed in my presence this 26. day of Feb. 1927.

W. H. Husted, Probate Judge.

Affidavit of Disinterested Persons.

Affidavit

of Disinterested Persons.

The State of Ohio, Union County,

Marguerite Trumble, and Mabelle Newlove, and Clara Huber, being duly sworn, say, that they know the facts as 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 defendants to sell said real estate at private sale than at public sale, as they truly believe.

Marguerite Trumble, Mabelle Newlove, Clara Huber. Sworn to before me, this 26. day of Feb. 1927.

W. H. Husted

Probate Judge

Langhorst Brothers, Wapakonetta, Ohio.

10976

Probate Court, Union County, Ohio
February 26 - 1927,

Order for Private Sale, etc.

Order for
Private Sale

This day, this cause, came on to be heard upon the petition, evidence and testimony Eva Monrook and Annamary Monrook 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 Chas. A. Monrook 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 Chas. A. Monrook, 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 Eva Monrook the Anna Mary Monrook, as such Adm^{rs}, proceed to sell said real estate, free of dower, at private sale, for not less than \$500⁰⁰ the appraised value thereof on the following terms, to wit: Cash in hand on day of sale.

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

W. H. Trustad, Probate Judge

Order of Sale, Free of Dower.

Order of Sale.

The State of Ohio, Union County, Probate Court.
To Eva Monrook, Annamary Monrook, Adms^{rs} of the Chas. A. Monrook, estate. Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Administrators of the estate of Chas. A. Monrook are Plaintiffs and Charles S. Monrook, et al. are Defendants, you are commanded to proceed according to law, to sell at private sale, for not less than \$500⁰⁰ the appraised value, thereof free of the dower of Eva Monrook widow of Chas. A. Monrook, deceased, the following described premises, to wit:

The undivided one-half interest in part of In lot, number eighty-three (83) in the village

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of Marysville, Union County, Ohio. Described as follows:
 Lot: Being 62 ft. off the south side of said lot
 number eighty three (83) situated on South Plum Street
 and extending one hundred and thirty-two (132)
 feet to an alley, parallel to said Plum Street.
 Said sale to be private and to be upon the following
 terms: Cash in hand, on day of sale -
 you will make return of your proceedings
 to this Court forthwith upon execution of this order.
 Witness my signature and the seal of said
 Probate Court, at Marysville, Ohio, this 26. day of
 Feb. 1927.

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 26. day of February, 1927.
 Eva Morelock, Anna Mary Morelock adms.

Report of Sale, Private

Report

In obedience to the within order, I sold said
 premises on the 26. day of February, 1927, to
 O.M. Scott and Sons Co. for the sum of Five
 Hundred Dollars, said sum being more than
 the appraised value of the same.
 Dated the 26. day of February, 1927.
 Eva Morelock and Anna Mary Morelock.

of
sale

Cash

The State of Ohio, Union County.
 The above named Eva Morelock, and Anna
 Mary Morelock, 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.
 Eva Morelock. Anna Mary Morelock.

Sworn to before me, and signed in my
 presence, this 26. day of February, 1927.
W. H. Husted, Probate Judge

orders
approving
and

Journal Entry: orders approving and confirming sale.
 Probate Court, Union County, Ohio.
 February, 26 - 1927.

Confirming
sale.

This day this cause coming on to be heard
 on the report of Eva Morelock & Anna Mary Morelock,
 Adms. of the estate of O. M. Scott.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10976

deceased, of their proceedings and sale under the former order of this court: and upon the motion of said petitioner to confirm the sale made, in obedience to said order: The court having carefully examined said report and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made.

It is ordered, that the same be, and hereby is approved, and confirmed.

It is further ordered, that said petitioner execute a deed of all the right, title and interest of the said Charles A. Morlock in said real estate, to the purchaser, C. M. Scott and Sons Co. upon the said purchaser, paying the sale price for same.

It is further ordered, that this proceeding be recorded, and that said petitioner pay the costs taxed at \$13.⁰⁰

W. H. Stuebel Probate Judge -

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Final Record, Union County Probate Court.

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Petition for Sale of Real Estate to Pay Debts.
 Probate Court, Union County, Ohio.
 L. G. Croft, Adm. of
 the estate of
 Mary T. Croft, deceased.
 Plaintiff

No. 10983,
 civil action

Edward J. Croft, a minor,
 aged 19 yrs.
 Marie Salern,
 L. G. Croft, ^{tr.}
 The Citizens Home & Savings Co.,
 of Mansville, Ohio.
 Defendants

Petition to Sell Real Estate.

Petition.

Petition

The Plaintiff represents that he is the duly appointed and qualified administrator of the estate of Mary T. Croft late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is six hundred dollars, as near as can be ascertained being the mortgage and note due to The Citizens Home and Savings Company of Mansville, Ohio, that the charges of administration of said estate will amount to about \$150.00 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 Mary T. Croft, 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 Mansville, Ohio:

Being the West half of Lot No. 73 of the village of Mansville Union County, Ohio, as designated on the recorded plat of said village as found in the office of the County Recorder, 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 Twenty-five hundred dollars.

The said decedent, died leaving the defendant L. G. Croft her widow, who is entitled to dower in said premises; that the defendants, Edward J. Croft, who is a minor aged 19 years, and Marie Salern are the only heirs at law and

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10983

next of kin of said decedent, having the next estate of inheritance from said Mary T. Croft deceased, in said premises, that the defendants The Citizens Home and Saving Co. of Mansfield Ohio claim a lien and interest in said real estate of some nature.

The Plaintiff therefore prays that the dower of said L. G. Croft in said premises may be assigned and set off to him; that the rights, interests and liens of the said Mary Salen, Edward J. Croft, and The Citizens Home and Saving Company of Mansfield 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 free from said dower, according to the statute in such case, made, and provided and for all other proper orders, and relief in the premises.

L. G. Croft. Adver.

The State of Ohio, Union County

Oath

L. G. Croft, 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.

L. G. Croft,

Sworn to before me, and signed in my presence this 11 day of February, 1927.

Richard C. Thrall, Notary Public.

Receipt.

Receipt

Issued summons for said Edward J. Croft, and his father L. G. Croft, the person with whom he resided. Defendants directed to to the Sheriff of said county, returnable according to law.

Richard C. Thrall, Att'y.

In the Probate Court of Union County Ohio
Feb. 11 - 1927. No. 10983

Filing

Petition

To sell Real estate

Filing Petition to sell Real Estate

This day came, the Plaintiff L. G. Croft, Adver. of the estate of Mary T. Croft, deceased, and presented to this Court, his petition, duly verified, praying an order for the sale of real estate of the said Mary T. Croft, 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

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Final Record, Union County Probate Court.

10983.

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

W. H. Husted, Probate Judge

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County.

Probate Court.

Summons

To the Sheriff of said County:

You are commanded to notify Edward J. Croft, a minor, and L. G. Croft, father of said minor, that on the 11 day of Feb. A.D. 1927, L. G. Croft administrator of the estate of Mary T. Croft 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 12 day of March, 1927, said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due return of this writ on the 21 day of Feb. 1927.

Witness my hand and the seal of said Court, this 11 day of Feb. 1927.

W. H. Husted, Probate Judge.

Sheriff's Return

Sheriff's Return

The State of Ohio, Union County.

Received this writ February 11-1927, at 3 o'clock P.M. and pursuant to its command, on the 12 day of February, 1927, I served the within named defendants Edward J. Croft (a minor) and L. G. Croft, by personally handing to L. G. Croft, true copies of this writ with all the endorsements thereon and at the same time I served the said L. G. Croft by personally handing to him a true copy thereof with all the endorsements thereon he being the father of the said Edward J. Croft (a minor) and with whom said minor resides.

F. S. Hager, M.E.C. Deputy

Walter of Summons

Walter

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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10983

of the Real Estate described in the petition in said action according to the prayer of the same, February 28. A. D. 1927.

Mrs. Maria S. Salen.

Answer of widow

Answer of Widower.

Probate Court, Union County, Ohio, vs. 10983.

and now comes L. G. Croft, 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 Mary T. Croft, deceased, and as such is entitled to live down in the premises described in said petition that his age is fifty-five years, and he freely consents to said sale, as prayed for, and waives the assignment of down in said premises, by notes and bonds, or in rents and profits and asks the Court that said premises may be sold free from his said down estate therein, and that the value of such down estate may be allowed and paid him in lieu thereof out of the proceeds of the sale, by such sum of money as the Court deems just and reasonable, value of his down interest in said real estate. L. G. Croft.

The State of Ohio, Union County.

L. G. Croft being duly sworn says that the statements in the foregoing answer are true as he truly believes.

L. G. Croft.

Sworn to before me, and signed in my presence, this 12 day of March, 1927.

Richard C. Small, Notary Public

Cross, Petition of Citizens Home Savng Co.

Cross-Petition of The Citizens Home, and Savings Co., In the Probate Court of Union Co. Ohio, vs. 10983.

now comes the defendant, The Citizens Home and Savings Company, and for its cross-petition says that on the 23-day of August, 1923, the said L. G. Croft and Mary T. Croft, executed and delivered to this defendant, their promissory note for the sum of \$600.00 with interest at 7% from date, payable in installments.

That there is now due on said note to this defendant, the sum of \$527.32 with interest from March 9-1927, at seven per cent

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Final Record, Union County Probate Court.

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That on said date, in order to secure the payment of said note, the said L. G. Croft and Mary T. Croft, executed and delivered to this defendant, their mortgage deed thereby conveying the premises described in the petition. That said deed was conditioned in substance as follows: That if said note be paid according to its terms and provisions, said mortgage to be void, otherwise to remain absolute.

That said mortgage was duly filed for record with the Recorder of Union County, Ohio, on the 27 day of August, 1923, at 10 o'clock, A. M. and was by him duly recorded in Book 88, Pg. 207, of the Mortgage Records, of Union County, Ohio; that said mortgage is the first and best lien on said premises.

wherefore, this defendant prays, that said premises be sold, and that out of the proceeds the amount due this defendant, on said note, with interest as aforesaid be paid.

C. A. Hoopes, Atty. for The Citizens Home and Savings Co.

State of Ohio, Union County, ss.

Oath

C. A. Hoopes, being just duly sworn, says that he is the attorney for The Citizens Home and Savings Co., that it is a corporation, and that the facts stated and allegations made in the foregoing cross petition are true as he verily believes.

C. A. Hoopes.
Sworn to before me, and subscribed in my presence, this 9 day of March, 1927.

Alice Goodwin, Notary Public

application
apt. of
Edu. ad. litem

application for appointment of Guardian ad litem
Probate Court, Union County, Ohio,
March, 12-1927.

To, the Hon. W. H. Thusted, Judge of said Court:
The undersigned L. G. Croft, Adm. of the estate of Mary T. Croft, deceased, makes application for the appointment of a Guardian ad litem for the minor defendant, in the above entitled case.

The defendant Edward J. Croft, is a minor of more than the age of fourteen years, and has been duly served with summons, herein, and has neglected for more than twenty days after the service of the summons upon him to apply

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Langhorst Brothers, Wapakonetta, Ohio.

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for a guardian ad litem

The undersigned suggests that John W. Dailey, who is a suitable person be appointed as such Gdn. ad litem Respectfully. L. G. Croft. admsr.

Probate Court, Union County, O. March 12-1927 No. 10983

Application of Gdn. ad litem

Application

This day, L. G. Croft. as. admsr. of the estate of Mary T. Croft, deceased, appeared in open Court, and made application for the appointment of a guardian ad litem for the minor defendant in this case,

and, it appearing to the Court that the defendant Edward J. Croft is a minor of more than the age of fourteen years, and has been duly and legally served with summons herein, and has neglected for more than twenty days after the service of summons upon him to apply for the appointment of a guardian ad litem it is ordered that John W. Dailey be and he hereby is appointed guardian for the suit for said minor defendant.

Order for Private Sale

and now comes the said John W. Dailey and in open Court accepts said appointment

Witnessed Judge

Admsr of Guardian ad litem

Answer of Gdn. ad litem

Probate Court, Union County, Ohio No. 10983

And now comes the said Edward J. Croft, the minor defendant to the petition in said cause, by John W. Dailey 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 defendant. They further say that they are of tender years, and not acquainted with the law in such cases, and therefore pray the Court to protect their rights in this cause, and for such relief as may be just.

Dated this 12. day of March, 1927.

Edward J. Croft. By John W. Dailey, Gdn. ad litem

Application

Application to sell Real Estate at Private Sale, Probate Court, Union County, Ohio No. 10983.

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:

Order of Sale

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10983

1. The expense and delay of public sale can thus be avoided

2. The property must be sold for the appraised or higher or bids at public sale, it can sell, as low as for ⁷³ thereof.

3. A buyer is already at hand who will give more than the appraisal.

and, he therefore asks for an order authorizing him to sell said real estate at private sale
L. G. Croft, admr.,

Probate Court, Union County, Ohio.
March, 12-1927.

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 Mary T. Croft, 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 see the real estate of said Mary T. Croft, deceased, described in the petition to pay her debts. and it being made to appear to the Court upon satisfactory evidence, that it must 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 L. G. Croft, admr. of the estate of Mary T. Croft, as such, admr., proceed to sell said real estate, free of dower, at private sale 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. H. noted, Probate Judge-

order of Sale.

Order of Sale. Free from Dower.
The State of Ohio, Union County, Probate Court,
To L. G. Croft, admr. of the estate of Mary T. Croft, dec'd: Meeting!

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10983

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 Edward J. Croft 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 L. G. Croft, widower of Mary T. Croft, deceased, the following described premises, to wit:

Situated in the village of Marysville State of Ohio, and County of Union and bounded, and described as follows:

Being the west half of Lot No. 73 of the village of Marysville, Union County, Ohio, as designated on the recorded plat of said village as found in the office of the County Recorder of Union Co. Ohio.

Said sale to be cash on hand on day of sale.

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

Witness my signature and the seal of said Probate Court, at Marysville Ohio, this 12. day of March, 1927.

L. G. Croft, Probate Judge

Return

To the Probate Court, Union County, Ohio.

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

Dated the 12. day of March, 1927.

L. G. Croft, Adm.

Report of Sale, Private

Report

7
sale

In obedience to the within order, I sold said premises on the -- day of March 1927, to Edith K. Garrison for the sum of Twenty six hundred and fifty dollars, said sum being more than the appraised value of the same.

Dated the 12. day of March, 1927.

L. G. Croft, Adm.

Oath

The State of Ohio, Union County

The above named, L. G. Croft, 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.

L. G. Croft, Adm.

Sworn to before me, and signed in my presence this 12. day of March, 1927.

Richard C. Thrall,

Notary Public.

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Final Record, Union County Probate Court.

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Journal entry: orders approving and confirming sale,
Probate Court, Union County, Ohio,
March 12-1927.

approving
confirming

This day, this cause coming on, to be heard on, the report of L. G. Croft administrator of the estate of Mary T. Croft 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 Mary T. Croft, in said real estate to the purchaser, Edith K. Yarrington, upon the said purchaser executing to said petitioner a mortgage upon the premises sold to secure the deferred payments of the purchase money, or paying all of said purchase money in full.

It is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at \$1.30.

W. H. Husted Probate Judge

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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March 11
1927

Petition for sale of Real Estate to Pay Debts,
Probate Court Union County, Ohio,
no. 10968-

Mrs. J. Porter
Attorney.

Harold A. Duffee, Administrator
of the estate of
Samuel W. Duffee,
Deceased.
Plaintiff.

Civil Action

P-

Zena DeBolt, et al.
Gherman A. Singer
Anna Mouser.
Nellie Guinnman.
Jadie O. Karra.
Mary Lucile James.
Paul Jagers.
Floyd Jagers.

Defendants.

Petition to sell Real Estate

Petition

The Plaintiff represents that he is the duly appointed
and qualified Adm., of the estate of Samuel W.
Duffee, late of Union County, Ohio, deceased; that the
amounts of debts due from the deceased, is
\$400.⁰⁰ as near as they can be ascertained
that the charges, of administration of said estate
will amount to about \$100.⁰⁰ and that the total
value of the personal estate and effects of said deceased is
nothing, being wholly insufficient to pay the debts &
costs aforesaid.

The Plaintiff further represents that said Samuel
W. Duffee died seized in fee simple the following
described real estate situated in the County of Union
State of Ohio, and in the Township of Paris to-wit:
Beginning at a stake in the center of the Mavor
Road, (or Chestnut Street, Marysville, Ohio) at the
intersection of the south line of a lot now
owned by Anna M. Bennett; thence in a southerly
direction with the center of said road 130 feet; thence in
a westerly direction parallel with the south line of
Anna M. Bennett's lot 272 feet to a stake; thence
northerly 130 feet to a stake in the south line of
Anna M. Bennett's lot; thence in a easterly direction Two
Hundred and seventy-two (272) feet with the south line
of Anna M. Bennett's lot, to the center of said
mavor road (or Chestnut Street) to the place of beginning
containing 80/100 of an acre, more or less.

Plaintiff represents that said real estate was
appraised in accordance with the order of the
Probate Court of Union County, Ohio, by the appraisers.

Petition

Receipt

Filing Petition

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Final Record, Union County Probate Court.

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of the personal estate of said decedent, and that the amount of said appraisement is \$115-00

The said decedent died leaving the, no widow, who is entitled to dower in said premises; that the defendants are the only next of kin of said decedent, having the next estate of inheritance from said Samuel W. Duffee, deceased, in said premises that the defendants, Zadie O'Hara, Zena Dr Bolt, Herman A. Singer, Anna Monser, Floyd Juggers, Paul Juggers, Nellie Guinnaw, and Mary Lucile James;

that the rights, interests and heirs of the said estate 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 case made and provided, and for all other proper orders, and relief in the premises.

William J. Porter, attorney for Plaintiff.

The State of Ohio, Union County.

Harold A. Duffee, 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.

Harold A. Duffee.

Sworn to before me, and signed in my presence, this 14 day of March, 1927.

W. H. Husted, Probate Judge
Probate Court, Union County, Ohio
no. 10965-

Receipt

Receipt

To the Probate Judge:

I have summons for said Paul Juggers, Springfield, Ohio R. 5- and Mary Lucile James, Xenon, Ohio Defendants directed to the Sheriff of said County, returnable according to law.

William J. Porter, Plaintiff Attorney.

Filing Petition

Journal Entry: Filing Petition to Sell Real Estate This day came the Plaintiff Harold A. Duffee Adm. of the estate of Samuel W. Duffee and presented to this Court his petition, duly verified praying an order for the sale of real estate of the said Samuel W. Duffee deceased.

to pay the debts, and the cost of administering the estate, of the said decedent. Whereupon it is considered and ordered by this

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10995

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.D. Husted, Probate Judge

Summons on Petition to Sell Real Estate.

Summons

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

You are hereby commanded to notify Paul Jagers a minor, R. S. Springfield, his mother, Chas. B. Jagers, father of said 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 11-day of March, 1927 the adms. of the estate of Samuel W. Duffler 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 April, 1927, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 21-day of March, 1927.

Witness my hand and the seal of said Court this 11-day of March, 1927.

W.D. Husted, Probate Judge

Sheriff's Return

Sheriff's Return

The State of Ohio, Clark County.

Received this writ March 14-1927, at 2.00'clock P.M., and on the days and in the manner hereafter named, I served the same on the within named defendants viz:

March, 17-1927, on Paul Jagers a minor March, 17-1927, on Chas. B. Jagers, the father of the said Paul Jagers.

Walker S. Lewis Sheriff of Clark County, Ohio

By A. F. Long, Deputy

Sheriff's Fees

Service & Return .75
warrant .25
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Total \$ 1.40

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application for Private sale.

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Final Record, Union County Probate Court.

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Waiver

Probate Court, Union County, Ohio,
no. 10995;

waiver

The undersigned party defendant to the Petition in the above entitled action, hereby waive 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.

Feb. 24-1927.

Berman A. Singer

Waiver

Probate Court, Union County, Ohio.

waiver

We the undersigned parties defendant to the Petition in the above entitled action, do each of us hereby waive the issuing and service of Summons, and voluntarily enter our appearance, as such Defendants, and we do hereby consent to the sale of the real estate described in the petition in said action according to the prayer of the same.

February 24-1927.

Mr. Zola O. Harris.

Mr. Floyd Jagers.

Mrs. Nellie Quinlan.

Waiver

Probate Court, Union County, Ohio.

waiver

We the undersigned parties defendant to the Petition in the above entitled action do each of us hereby waive the issuing and service of Summons, and voluntarily enter our appearance, as such Defendants, and we do hereby consent to the sale of the Real Estate described in the petition in said action according to the prayer of the same.

February 24-1927.

Mrs. Anna Monser.

Mrs. Geneva DeBoek.

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 interests of the said estate to sell the real estate described in the petition in this case, at private sale, for the following reasons: that there is not enough money to pay debts, that there is a buyer, and that the estate can be settled much cheaper than selling at a public sale.

And, he therefore asks, for an order authorizing

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10998- him to sell said real estate at private sale.
Harold A. Duffee, admr.

Oath The State of Ohio, Union County.
Harold A. Duffee, being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.

Harold A. Duffee.
Sworn to before me, and signed in my presence, this 12th day of April, 1927. W.H. Husted, Probate Judge.

affidavit of Disinterested Persons.

of
Disinterested
Person.

The State of Ohio, Union County.
E. W. Porter and M. L. Bowers, 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.

E. W. Porter. M. L. Bowers.
Sworn to before me, and signed in my presence, this 12th day of April, 1927. W.H. Husted, Probate Judge.

Probate Court, Union County, Ohio,
April 12 - 1927.
Order for Private Sale.

order for Private Sale. This day this cause came on to be heard upon the petition, evidence and testimony of Harold A. Duffee, admr., of the estate of Samuel W. Duffee and the Court being fully advised in the premises finds: that all the defendants have been duly and legally served with process and 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 Samuel W. Duffee, 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 W. Duffee 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,

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Final Record, Union County Probate Court.

10 996- that said Harold A. Dunfee, admr. of the estate of Samuel W. Dunfee as such, admr. proceed to sell said real estate, free of doubt, at private sale, for not less than the appraised value thereof, on the following terms. Cash in hand on day of sale - and said petitioner is ordered to make return to this Court, immediately after such sale is made, and this cause is continued.

W. Husted, Judge

order

Order of Sale, vs. Dour.

The State of this Union County, Probate Court, To, Harold A. Dunfee, admr. of the estate of Samuel W. Dunfee. 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 Samuel W. Dunfee are Plaintiff, and Zena Dr. Bolt, 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, there being no widow the following described premises, to wit:

Being in Paris Township, Union County, this:

Beginning at a stake in the center of the Mower Road (or Chestnut Street Mangonille this), at the intersection of the south line of a lot now owned by Anna M. Bennett; thence in a southerly direction with the center of said road 130 feet; thence in a westerly direction parallel with the south line of Anna M. Bennett's lot 272 feet to a stake; thence, northerly 130 feet to a stake in the south line of Anna M. Bennett's lot; thence in a easterly direction two hundred and seventy two (272) feet with the south line of Anna M. Bennett's lot, to the center of said Mower Road (or Chestnut street) to the place of beginning containing 5/100 of an acre, more or less.

Said sale to be April 12-1927.

and 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 Mangonille this, this 12 day of April, 1927

W. Husted,

Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10995-

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 12. day of April, 1927.
 Harold A. Dunfee.

Report

Report of Sale. Private.

In obedience to the within order, I sold said premises
 on the 12. day of April, 1927, to Lloyd D. Murray and
 Sarah E. Murray for the sum of Eleven hundred and
 fifty dollars, said sum being the appraised value of the
 same.
 Dated the 31. day of January, 1927.
 Harold A. Dunfee. Adm.

Oath

The State of Ohio, Union County,
 The above named Adm., 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.
 Harold A. Dunfee

Sworn to before me and signed in my presence this
 12. day of April, 1927. ~~not~~ Notarized. Probate Judge-
 Summons.

Summons.

The State of Ohio, Union County, Probate Court.
 To, the Sheriff of Hardin County:
 You are hereby commanded to notify Mary
 Lucile James, Fair Ground Road Kenton making
 service of this summons upon said minor, and also
 upon the guardian or father, or, if neither guardian or father
 can be found, then upon the mother, or the person having
 the care of said minor, or, with whom she lives;
 that on the 11. day of March, 1927, the administrator
 of the estate of, Samuel W. Dunfee 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
 April, 1927, 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 March, 1927.

Witness my hand and the seal of said Court.

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Final Record, Union County Probate Court.

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this 11. day of March, 1927. ~~see~~ W. H. Husted, Probate Judge

Sheriff's Return.

The State of Ohio, Hardin County.

Received this writ March, 1927. at 9. a.m. and on the days and in the manner hereinafter named. I served the same on the within named defendants, viz March, 1927. on Mary Lucile James, March, 17- 1927. on Paul James, the person having the care of - with whom lives the said Mary Lucile James.

J. H. Crooks, Sheriff,
of Hardin Co. Ohio,
By F. W. Handerhild, Deputy.

Journal Entry: Order approving and Confirming Sale -
Probate Court, Union County, Ohio,
April, 12 - 1927.

approving
and

Confirming
sale.

This day this cause coming on to be heard now the report of Howard A. Duffer administrator of the estate of Samuel W. Duffer, 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 Samuel W. Duffer, deceased, in said real estate to the purchaser Lloyd D. Murray and Sarah E. Murray upon the said purchaser, paying purchase price thereof.

It is further ordered that this proceeding be recorded, and that said petitioner pay costs.

\$13.00

W. H. Husted, Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonette, Ohio.

11 012
mar. 11-1927.
W. J. Porter
attorney.

Petition for Sale of Real Estate to Pay Debts,
Probate Court. Union County, Ohio.
No. 11 012

O. B. Poling, administrator
of the estate of
Savannah Dunbar, deceased.
Plaintiff

Civil action

Flora M. Poling et al.
Charles R. Dunbar
J. T. Dunbar
D. L. Dunbar
Gladys Griener
Hazel Wood.
Pauline Walker.
Dorothy Harrison
Stacy Harrison
Defendants.

Petition to Sell Real Estate

Petition

Petition

The Plaintiff represents that he is the duly appointed and qualified Adm. of the estate of Savannah Dunbar late of Union County, Ohio, deceased; that the amount of debts due from the deceased is twelve hundred (\$1200⁰⁰) Dollars, as near as they can be ascertained that the charges of administration of said estate will amount to about two hundred Dollars, and that the total value of the personal estate and effects of said deceased is but fifty Dollars, being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said Savannah Dunbar 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 Allen, to-wit:

Being part of Survey No. 2987.
Beginning at a stone in the center of the Allen Center and Pottersburg Gravel Road, and at the north west corner of W. H. Edmond's land; thence with the north line of said land, S. 51° 45' N. 85 poles to a stone in the east line of Jacob Wilby's land; thence with the easterly line of said land, North 37° W. 48½ poles to a stake and stone; thence N. 52° 30' E. 85 poles to an iron pin in the center of said Allen Center and Pottersburg Gravel Road; thence with the center of said Gravel Road S 37° E. 47½ poles to the place of beginning.

Containing 25½ acres or the same, more or less.
Also, another tract of land in the village of Allen Center, and Survey No. 4812.

Beginning at the southerly corner of the Church,

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Final Record, Union County Probate Court.

11 012

lot belonging to the Baptists of Allen Center and in the center of the road leading from Allen Center to Pottersburg; thence with the road and in the line of lands belonging to Henry Edwards and Henry Poling about 22 poles to the westerly corner of the School House Lot, thence northeasterly course to the northerly corner of the School House Lot about 7 poles; thence north in road and with the Allen Center and Pottersburg Road about 22 poles to the Church Lot to a stone; thence with the line of the Church Lot south west about 7 poles to the beginning

containing one acre, more or less.

Plaintiff represents that said real estate was appraised in accordance with the order of the Probate Court of Union County, Ohio, by the appraisers of the personal estate of said decedent and that the amount of said appraisement is --- Dollars.

The said decedent died leaving - no widow and that the defendants above named are the only next of kin of said decedent, having the next estate of inheritance from said Sarah Ann Dunbar deceased, in said premises that the defendants Flora M. Poling, Charles R. Dunbar, J. T. Dunbar, S. L. Dunbar, Gladys Givins Hazel Wood, Pauline Walker, Dorothy Harrison and Stacy Harrison; that the rights interests and claims of the said estate may be fully determined, adjusted and protected according to equity and that your petitioner may be authorized and ordered to sell said real estate free of debt, according to the statute in such case made and provided and for all other proper orders and relief in the premises

William J. Porter, atty. for Plaintiff

Petition

Deed

The State of Ohio, Union County.
O.B. Poling 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.

O.B. Poling.

Shown to before me and signed in my presence, this 11- day of March, 1927
and W. H. Husted, Probate Judge

Probate Court, Union County, Ohio.

Recife

To the Probate Judge,
Issue summons for said Stacy Harrison.

Prasife

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11012

Box 441, Springfield, Ohio, and Dorothy Harrison, Defendants, directed to the Sheriff of said county, returnable according to law.
William J. Porter, Plf's. atty.

Summons.

Summons on Petition to Sell Real Estate the State of Ohio, Union County. Probate Court.
To the Sheriff of said county:
You are hereby commanded to notify A.C. Harrison father of Stacy Harrison and Dorothy Harrison Box 441, Springfield, Ohio, and the following named who are minors, to wit: Stacy Harrison and Dorothy Harrison Box 441 Springfield, Ohio, making service of this summons upon said minors and also upon the father or if neither guardian or father can be found, then upon the mother or the person having the care of said minors or with whom they live; that on the 11 day of March, 1927, O.B. Poling Adm. of the estate of Savannah Deubar, 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 April, 1927, said petition will be taken as true, and an order granted accordingly.
Said Sheriff will make due return of this writ on the 21 day of March, 1927.
Witness my hand, and the seal of said Court, this 11 day of March, 1927. ~~W.J.P.~~ W.J.P. Probate Judge.

Sheriff's Return

Sheriff's Return the State of Ohio, Clark County. Probate Court.
To the Sheriff of said County:
You are hereby commanded to notify A.C. Harrison father of Stacy Harrison, Dorothy Harrison Box 441 Springfield, Ohio, and the following named who are minors, to wit: Stacy Harrison and Dorothy Harrison Box 441 Springfield, Ohio, making service of this summons, upon said minors and also upon the father or if neither guardian or father can be found, then upon the mother, or the person having the care of said minors, or with whom they live; that on the 11 day of March, 1927, O.B. Poling Adm. of the estate of Savannah Deubar deceased,

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Sheriff's Return

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Final Record, Union County Probate Court.

11012

filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition was 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 April 1927, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 21 day of March, 1927.
~~sent~~ W.H. Hausted. Probate Judge-

Sheriff's Return

Sheriff's Return.

The State of Ohio Clark County.

Received this writ March, 14-1927,

at 11 a.m. and on the days and in the manner hereinafter named I served the same on the within named defendants, viz:

March, 17-1927,

on Stacy Harrison, and Dorothy Harrison, minors March, 17-1927, on A. E. Harrison the father of the said Stacy Harrison and Dorothy Harrison, minors

Walter L. Lewis, Sheriff Clark Co. O. By A. L. Long, Deputy.

waiver

Waiver

We the undersigned parties Defendant to the Petition in the above entitled action do each of us hereby waive the issuing and service of summons, and voluntarily enter our appearance, as such Defendants, and do hereby consent to the sale of the Real Estate described in the petition in said action according to prayer of the same.

March 7-1927.

Flora M. Poling

J. T. Deubar

A. L. Deubar

Mrs Hazel Wood

Mrs Ralph H. Givens

Mrs Pauline Walker

C. R. Deubar.

Filing Petition

Filing Petition to Sell Real Estate

March, 11-1927.

This day came the Plaintiff O. B. Poling administrator of the estate of Savannah Deubar, and presented to this court his petition, duly verified, praying an order for the sale of real estate of said

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11012

Savannah Dunbar, 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.

application to sell at Private 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 Savannah Dunbar estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

That there is a buyer ready willing and able to buy.

That the estate could be settled much cheaper, and he therefore asks for an order authorizing him to sell said real estate at private sale.

O. B. Poling, admr., of the estate of Savannah Dunbar, Dec'd.

The State of Ohio, Union County,

Carth

O. B. Poling, being duly sworn, says that the various matters set forth in the foregoing application are true, as he truly believes.

O. B. Poling

Sworn to before me, and signed in my presence, this 18. day of April, A. D. 1927.

W. H. Husted, Probate Judge

affidavit of Disinterested Persons.

affidavit of Disinterested Party

The State of Ohio, Union County,

Russell S. Banks, and J. L. Mitchell being duly sworn, say that they know the facts set forth in the application to which 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 truly believe.

Russell S. Banks,

J. L. Mitchell

Sworn to before me, and signed in my presence, this 18. day of April, 1927.

William J. Porter,

Notary Public

Notary Public

11012

Order for Private Sale.

The
petition
for
private sale
of
the
real estate
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this
order.
This
18th
day
of
April,
1927.
W. H. Husted,
Probate Judge

Final Record, Union County Probate Court.

11012

Probate Court, Union County, Ohio,

April 18, 1927.

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 Savannah Dunbar, 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 Savannah Dunbar, 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 O.B. Poling 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: Probate Judge-

Order of Sale - no. Dower.

Order of Sale.

The State of Ohio, Union County, Probate Court.

To O.B. Poling, adm., of the estate of

Savannah Dunbar, 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 Savannah Dunbar, dec'd are Plaintiff, and Flora M. Poling et al. are Defendants you are commanded to proceed according to law, to sell at private sale for not less than the appraised value thereof, the following described premises, to wit:

Being part of Survey no. 2981 and being in Allen Township Union Co. Ohio.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11012

Beginning at a stone in the center of the Allen Center and Patterbury Gravel Road, and at a north-west corner of W. H. Edwards land; thence with the north line of said land S. 51° 45' W. 85 poles to a stone in the east line of Jacob Wiley's land; thence with the easterly line of said land N. 27° W. 48½ poles to a stake and stone; thence N. 52° 30' E. 85 poles to an iron pin in the center of said Allen Center and Patterbury Gravel Road; thence with the center of said Gravel Road S. 30° E. 47½ poles to the place of beginning containing 25¼ acres, more or less.

Also, another tract of land, in the village of Allen Center, and in the Survey No. 4812.

Beginning at the southerly corner of the Church Lot, belonging to the Baptists of Allen Center, and in the center of the road leading from Allen Center to Patterbury; thence with the road and in the line of lands belonging to Henry Edwards, and Henry Poling about 22 poles to the westerly corner of the school house lot; thence northeasterly course to the northerly corner of the School House Lot about 7 poles; thence northwest and with the Allen Center and Patterbury Road about 22 poles to the Church Lot to a stone; thence with the line of the Church lot south-west about 7 poles to the beginning, containing one acre, more or less.

Said sale to be for the appraised value, 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 18 day of April 1927.

[Signature] Notarized, 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 18 day of April, 1927.

O. B. Poling.

Report of Sale.

Report of

Sale.

In obedience to the within order I sold said premises on the 18 day of April, 1927, the one acre tract to B. Y. Briguttler for \$440.00 and the 25¼ acre tract to J. Y. Dunbar for the sum of Three hundred twenty five dollars said sum being not less than the appraised value of the same.

O. B. Poling, admr.

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Final Record, Union County Probate Court.

11012 Dated the 18. day of April, 1927.

The State of Ohio, Union County,
The above named O. B. Poling, admr. of the estate of Savannah Denton, 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.

O. B. Poling, admr. of the estate of Savannah Denton, decd.

known to before me, and signed in my presence this 18. day of April, 1927.

W. H. Husted, Probate Judge

Journal entry: Orders, approving, and Confirming Sale Probate Court Union County, Ohio.

April 18-1927.

approving and

confirming sale

This day this cause coming on to be heard on the report of O. B. Poling, admr. of the estate of Savannah Denton, 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 estate of Savannah Denton, deceased in said real estate, to the purchaser, J. P. Denton, W. B. T. Beigutles, upon the said purchase price, paying said purchase price.

It is further ordered that this proceeding be recorded, and that said petitioner pay costs.

W. H. Husted, Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11127
Aug. 8, 1927.

J. R. Fackler,
attorney.

L. J. McCoy, Guardian.
Plaintiff

vs.
His Ward,
D. E. Carr, and
L. J. McCoy, guardian of
D. E. Carr
Elizabeth Sloop Schu.,
of William Carr, minor
and William Carr,
Defendants.

Petition to sell Real Estate

Petition

The Plaintiff represents that he is the duly appointed and qualified Guardian of David Carr of the age of 54 years on the 1st day of May A. D. 1924 and residing with -- at Coax, Union Co. Ohio.

That said Ward is the owner of a down interest in one third of the following described real estate situated in the County of Union State of Ohio and in the village of Richmond to-wit:

Being lots number (125) one hundred and twenty-five and 126 one hundred and twenty-six in the village of Richmond, Union County, Ohio.

For further reference see recorded plat of said village.

Said real estate is worth annually no down.

That said plaintiff has received no rents from the real estate of his ward.

That the sale of said real estate is necessary for the following reasons, to-wit:

- (1) That said property is in a bad state of repair and is fast going to ruin.
- (2) That it is necessary to sell said property that the ward can have his share of the same in money to sustain him.
- (3) That it is for the best interests of all concerned.

The plaintiff therefore prays that said Lloyd Schu., Elizabeth Sloop, and Elizabeth Sloop, as Guardian of William Carr, a minor, may be made Defendants to this petition, and notified of the pendency hereof according to law, and that Plaintiff may be ordered to sell said real estate for the reasons, and purposes, herebefore proposed, and for other proper relief.

L. J. McCoy, Guardian of David Carr.

The State of Ohio, Union County.

11127

L. J. McCoy
Plaintiff

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Final Record, Union County Probate Court.

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L. J. McCoy being duly sworn, says that he is the plaintiff mentioned in the foregoing petition, and that the facts stated therein are true, as he truly believes.

L. J. McCoy.

Brought to before me, and signed in my presence, this 5-day of August 1927.

Jacob R. Frackler,

Notary Public, Union Co. Ohio

Journal entry: orders. Fixing Time of Hearing Probate Court, Union County, Ohio, August 8, 1927.

order
Fixing
Time
of Hearing

This day L. J. McCoy Guardian of David Carr appeared in open court and filed his petition duly verified, asking for the sale of real estate therein described belonging to his said ward, David Carr.

It is ordered that the time of hearing said petition be and hereby is fixed for the 27 day of Aug. 1927, 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 David Carr his ward, and to Lloyd Schultz, Elizabeth Sloop and Elizabeth Sloop, as Guardians of William Carr, a minor, 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 -- days before said day of hearing, and this cause is continued. W. H. Husted, Probate Judge.

Summons on Petition to Sell Real Estate.

Summons.

The State of Ohio, Union County, ss
To the Sheriff of Union County, Greeting:
You are commanded to notify L. J. McCoy Guardian of D. E. Carr Elizabeth Sloop, guardian of William Carr, a minor, making service of this summons upon him, and also upon his guardian, that he has been sued by L. J. McCoy guardian of the said D. E. Carr in the Probate Court of Union County, Ohio, and that unless they answer by the 27 day of August 1927, the petition of said Plaintiff for the sale of the real estate of said deceased, therein described for the best interest of said ward, against them filed in said court, such petition will be taken as true, and judgment rendered accordingly. You will make due return of this summons.

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11127

on the 20 day of August 1927.
witness my signature and the seal of said Court this
11 day of August 1927. ^{seal} W. T. Trustad. Probate Judge

Return
Sheriff.

Return
Sheriff's office, Union County, Ohio,
August 12- 1927.

Received the within writ on the 11 day of August 1927 at
11 o'clock p.m. and pursuant to its commands I served
the same by delivering a copy of it with the indorsements
thereon, personally to the within named defendants
D. E. Carr, (an incompetent person, and L. J. McCoy by
leaving for him, at his usual place of residence a true
copy of this writ, and on the same day and hour, I
served a true copy of this writ upon the within
named L. J. McCoy he being the guardian of the said
D. E. Carr, by leaving for him at his usual place of
residence a true copy of this writ with all the
indorsement thereon also on William Carr a minor
and Elizabeth Sloop his guardian.

F. S. Hayer, Sheriff M. E. C.

Sheriff's fees

Service 75
names 25
 mileage 32. 2.56 Total \$ 3.56

orders on
Hearing
of
appraisement

Journal entry: orders on Hearing of appraisement.
Probate Court, Union County, Ohio,
August 27- 1927.

This day this cause came on to be heard upon
the petition, evidence and testimony of L. J. McCoy
guardian of David Carr, and others 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 ward,
described in the petition, to pay his debts,

It is ordered, that C. F. Hill, Frank L. Crosser,
and Carl Allgower, three suitable and judicious
disinterested men of the vicinity of said real estate
who are freeholders to, and they hereby are
appointed to appraise said lands at their true
value in money, free from the dower estate
of said David Carr, therein.

It is further ordered that said appraisers be

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Final Record, Union County Probate Court.

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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 27. day of August, 1927, and this cause is continued. W.H. Husted, Probate Judge

order of appraisement

Order of appraisement
The State of Ohio, Union County Probate Court.
To L. J. McCoy, Guardian of David Carr, 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 David Carr are Plaintiff and Elizabeth Sloop, Guardian et al. are Defendants, you are commanded that by the oaths of C. F. Hill, Carl Allgorn, and Frank L. Cramer, 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 property.

Situated in the County of Union, in the State of Ohio, and in the village of Richmond and bounded and described, as follows:

Being lots one hundred and twenty-five (125) and one hundred and twenty-six (126) in the village of Richmond.

For further reference see recorded plat of said village

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

Witness my signature and the seal of said Probate Court at Mansfield, Ohio, this 27. day of Aug. 1927.

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 27. day of August, 1927.

L. J. McCoy, Guardian David Carr.

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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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real estate at its fair cash value, and perform the duties required of us in pursuance of the foregoing order.

to. F. Gill, Carl Allgover, Frank L. Cameron I appraisers sworn to before me, and signed in my presence, this 27 day of August 1927. ~~read~~ Jacob R. Lackler, Notary Public, Union Co. O. Appraisers' Return

In obedience to the foregoing order, after being just duly sworn, and upon actual view of the premises therein described, we the undersigned appraisers estimate the value of the donor interest of one-third of said property at Fifty Dollars.

Given under our hand, this 27 day of August, 1927.

to. F. Gill, Carl Allgover, Frank L. Cameron I appraisers. \$200 each per day.

Confirming appraisement

Journal entry: Confirming appraisement & ordering Bond, Probate Court, Union County, Ohio, Aug 27-1927.

Ordering Bond

This day came the said Plaintiff by his attorney, and produced to the Court the report of an appraisement herein made by to. F. Gill, Frank L. Cameron and Carl Allgover, 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 L. J. McCoy execute within 10 days, to the State of Ohio, a bond with sufficient surety to be approved by the Court, in the sum of One Hundred Dollars, conditioned according to law, and this cause is continued.

W. H. Husted, Probate Judge

Guardian's Bond

Know all men by these Presents, that Mr. L. J. McCoy, D. B. Whitehead, Dora E. Dawson, and firmey bound unto the State of Ohio, in the sum of One Hundred Dollars, for the payment of which Mr. hereby jointly and severally bind ourselves, our heirs, executors, and administrators.

Signed by us, and dated at Mansfield, Ohio, this 27 day of August, A. D. 1927.

The condition of the above obligation is such, that whereas, the above bound L. J. McCoy, was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of David Carr,

and whereas, the said L. J. McCoy, as such, Guardian has filed a petition in said Probate Court,

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asked of said bond appraisement made bond and shall be given all Recd void Executed m Aug application to Sec. at private the sale, deal at 1. 2 and for the L. J. says, forg this the

Final Record, Union County Probate Court.

111 27

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 nine hundred dollars. (being whole appraisement for fee)

and, whereas, said Court, on the 27 day of Aug. 1927, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now, if the said L.J. McCoy 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.

L.J. McCoy, D.B. Whitehead, Dora E. Damm.
Executed in Presence of
Margaret C. Cahill
J.R. Fackler.

This Bond approved in open Court, this 27 day of August, 1927. ~~at~~ W.H. Husted, Probate Judge.

application

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

to

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

- 1. It would avoid the expense of public sale.
- 2. The price for all the property is worth.

and, he therefore asks, for an order authorizing him to sell said real estate at Private Sale.

L.J. McCoy, Guardian of David Carr.

oath

The State of Ohio, Union County
L.J. McCoy Guardian of David Carr, being duly sworn, says that the various matters set forth in the foregoing application are true as he truly believes
L.J. McCoy

Sworn to before me, and signed in my presence, this 27 day of August, 1927.

~~at~~ Jacob R. Fackler, Notary Public
affidavit of Disinterested Person

The State of Ohio, Union County
H.E. Hall, and C.H. Marriott being duly sworn, say that they know the facts set forth in the

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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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 Ward to sell said real estate at private sale than at public sale, as they verily believe.

H. E. Hall, L. S. Marriott,

known to before me, and signed in my presence, this 27. day of August 1927

Jacob H. Fackler, Notary Public

Journal entry orders, approving Bond for Private Sale, etc. Probate Court, Union County, Ohio. August 27-1927.

approving Bonds.

This day this cause came on further to be heard, and it appearing to the Court, that the said L. J. McCoy the Plaintiff above named, has given bond as heretofore ordered, in the sum of one Hundred Dollars, with D. D. Whitehead and Dora Damm, 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 L. J. McCoy 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,

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

W. H. Husted, Probate Judge

Order of Sale, Free of Down.

Order

The State of Ohio, Union Co., Probate Court.

To L. J. McCoy, Guardian of David Carr, 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 Guardian of David Carr are Plaintiff and Elizabeth Sloop, Guardian of William Carr, a minor 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, the following described premises, to wit:

Situated in the County of Union, in the State of Ohio, and in the village of Pickerswood and bounded and described, as follows:-

Being a down interest in one third of the following described property, to wit:

Being Lots number one Hundred and twenty-five

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Final Record, Union County Probate Court.

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(125) and One Hundred and Twenty-six (126) in the said village of Richmond.

For further reference, see recorded Plat of said village.

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 Probate Court at Marysville, Ohio, this 27th day of August, A.D. 1927. W. H. Husted, Probate Judge

Return

Return

To the Probate Court of Union County Ohio.

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

Dated the 27th day of August 1927.

L. J. McCoy, Adm. of David Carr.

Report

Report of Sale Private.

of
Private

In obedience to the within order, I sold said premises on the 27th day of August 1927, to Elizabeth Stoop for the sum of \$58.57 said sum being all the appraised value of the same.

Dated the 27th day of August 1927.

Cash.

The State of Ohio, Union County
The above named L. J. McCoy being duly sworn, says that the sale above reported has been made, after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price. The money got for said property
L. J. McCoy.

Spoken to before me, and signed in my presence this 27th day of Aug. 1927.

W. H. Husted P. J.

Journal 40. Pg 623.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11128
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1927.

In. the - Guardian's Petition to Sell Real Estate.
Probate Court, Union County,
no. 11128.
Elizabeth Sloop, Guardian.
Plaintiff
v.
William Carr, minor
Elizabeth Sloop, adm. of
William Carr.
L. J. McCoy, adm. of
David Carr and
D. E. Carr.
Defendants.

Petition to Sell Real Estate
Petition

The Plaintiff represents that he is the duly appointed and qualified Guardian of William Carr of the age of 17 years, on the 7 day of August, A. D. 1924, and residing with David Carr, at Essex, Union County, Ohio.

That said ward is the owner in fee simple of the following described real estate of one-third interest less donor of the following described real estate, situated in the County of Union State of Ohio, and in the village of Richmond Twp:

Being lots numbered (125) and 126 in the village of Richmond, Union County, Ohio.

For further reference see recorded plat of said village.

Petition

Said real estate is worth annually, no dollars. That said plaintiff has received no rents from the real estate of his ward.

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

- 1. That said property is in bad state of repair and is fast going to ruin.
- 2. That it is necessary to sell said property that the ward can have his share of same in money to sustain him.
- 3. That it is for the best interest of all concerned.

The plaintiff therefore prays that said Sloop Schultzy and L. J. McCoy as Guardian of David Carr and Elizabeth Sloop may be made Defendants to this petition, and notified of the pendency hereof according to law, and that Plaintiff may be ordered to sell said real estate for the reasons and purposes hereinbefore proposed, and for other proper relief.
Elizabeth Sloop, adm. of Wm Carr, minor.

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Final Record, Union County Probate Court.

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The State of Ohio, Union County,
Elizabeth Sloop, 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
Elizabeth Sloop, Gdn. of Wm Carr, minor
sworn to before me, and signed in my presence, this
5 day of August, 1927.
Jacob R. Fackler, Notary Public Union Co. Ohio

Journal Entry; Orders, fixing time of hearing for notice.
Probate Court Union County, Ohio.
August 8-1927.

fixing time

This day Elizabeth Sloop, Guardian of William Carr, a
minor, appeared in open Court, and filed her petition
and verified, asking for the sale of real estate
therein described belonging to her said Ward,
William Carr, a minor.

It is ordered, that the time of hearing said
petition be, and hereby is fixed for the 27 day
of Aug. 1927, 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 William
Carr, her Ward and to Lloyd Schultz, L. J. McCoy, as
Gdn. of David Carr, Elizabeth Sloop. All persons entitled
to the next estate of inheritance in such real
estate of inheritance in such real estate. Defendants:
in writing to be served upon them personally, and by
leaving copies thereof at the usual place of
residence of each of those who can not be served
personally. -- days before said day of hearing
this cause, is continued.

W. H. Husted, Probate Judge.

Summons on Petition

The State of Ohio, Union County, vs.

To, the Sheriff of Union County: Greeting.

You are commanded, to notify Elizabeth Sloop,
Guardian of William Carr, a minor, and L. J. McCoy,
Gdn. of David Carr an incompetent,
and William Carr a minor and D. E. Carr
an incompetent making service of this
summons upon them, and also upon his
guardian, or father, or if neither can be found
upon, his mother, or the person, having the care
of such infant, or with whom he lives; that they
have been sued by Elizabeth Sloop, Gdn. of the
said William Carr a minor in the Probate Court of

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11128

Union County, Ohio, and that unless they answer by the 27 day of August, 1927, the petition of the said Plaintiff for the sale of the real estate of said deceased therein described for the best interest of said Child, against them filed in said Court, such petition will be taken as true, and judgment rendered accordingly.

You will make due return of this summons, on the 20 day of August 1927.

Witness my signature and the seal of said Court, this 11 day of Aug. 1927

Wm. H. Husted, Judge in Office Clerk.

Return

Sheriff's office, Union County, Ohio
August 12 - 1927.

Received the within writ on the 11 day of Aug. 1927, at 11 o'clock A.M. and pursuant to its command, on the 12 day of August 1927 I served the within named defendants William Carr (a minor) and Elizabeth Sloop, by personally handing to each of them a true and certified copy of this writ with all the endorsements thereon and at the same time I served the said Elizabeth Sloop with a true copy of this writ with all the endorsements thereon. She being the guardian of the said William Carr (a minor) and with whom said minor resides and on the same date I served notice on D. E. Carr, an incompetent and on L. J. McCoy guardian of D. E. Carr by personally handing them a true copy of this writ.

F. S. Hoyer, Sheriff. M.E.C

Sheriff's Fees

Service & Return. \$ 75
name 25
Mileage 42 mi. 336, Local # 4³⁶

Journal Entry: Order on hearing of appraisement.

Probate Court, Union County, Ohio,
August 27 - 1927.

Hearing of appraisement

This day this cause came on to be heard, upon the petition, evidence and testimony of Elizabeth Sloop, Guardian of David Carr, minor and others, 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 L. J. McCoy Guardian of said David Carr is entitled

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Final Record, Union County Probate Court.

11128

To Dower, in 1/3 in said real estate.

And the Court being satisfied that it is necessary to sell the real estate of said Ward, described in the petition to pay his debts.

It is ordered, that C. F. Gill, Frank L. Cramer and Carl Algover three suitable and judicious disinterested men of the vicinity of said real estate who are free holders, be and they hereby are appointed to appraise said lands at their true value in money free from the dower estate of said David Carr, therein.

It is further ordered, that said appraisers be sworn, as required by law, and afterwards, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this Court, on or before the 27. day of August, 1927, and this cause is continued.

W. H. Husted, Probate Judge-

Order of appraisement.

The State of Ohio, Union Co. Probate Court.

To Elizabeth Hoop, Adm. of Wm Carr, a minor; Greeting:

order of appraisement

In obedience to an order and decree of the Probate Court within and for said County, made this day in a certain cause, wherein you as Guardian of William Carr, a minor

are plaintiff and L. J. McCoy Adm. et al. are Defendants, you are commanded that by the oaths of C. F. Gill, Carl Algover and Frank L. Cramer, judicious disinterested men of the vicinity, 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 foregoing described premises free of the dower estate of David Carr, therein, to wit:

Being one third interest, less widows dower in said one third interest in the following property,

Situated in the County of Union, in the State of Ohio, and in the village of Richmond and bounded and described as follows:-

Being lots 125 and 126 in the village of Richmond for further reference, see recorded plat of said village.

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

Witness my signature and the seal of said Probate Court at Mansville, Ohio, this 27 day of August, 1927.

W. H. Husted Probate Judge-

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11128

Return

To the Probate Court of Union County, Ohio:

Return

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

Dated, the 27 day of August 1927.

Elizabeth Sloop Guardian of Wm. Carr, 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.

C. F. Gill, Carl Algotner, Frank L. Cramer & appraisers from to before me, and signed in my presence, this 27 day of August, 1927.

Jacob R. Lackler, Notary Public, Union County, Ohio

Appraisers Return

Appraisers Return

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

Given under our hands, this 27 day of August, 1927.

C. F. Gill, Carl Algotner, Frank L. Cramer & appraisers \$2.00 per day each.

Guardian's Bond

Bond

Know all men by these Presents, that we, Elizabeth Sloop and B. F. Sloop, am bred and firmly bound unto the State of Ohio, in the sum of Five Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and Administrators.

Signed by us, and dated at Mansville, Ohio, this 27 day of August, A. D. 1927.

The Condition of the above obligation is such, that whereas, the above bound Elizabeth Sloop was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of William Carr a minor

And, whereas, the said Elizabeth Sloop, as such Guardian, has filed a petition in said Probate Court, asking an order for the sale of certain

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Final Record, Union County Probate Court.

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real estate of said ward described in said petition which under proceedings in said Court duly had, has been appraised at the sum of ----- and, whereas, said Court, on the 27. day of Aug 1927. made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now, if the said Elizabeth Sloop 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 -

Elizabeth Sloop. B. F. Sloop.

This Bond approved, in open Court, this 27. day of August, 1927. ~~W. H. Husted~~ Probate Judge -

Probate Court, Union County, Ohio, Aug. 27-1927. Confirming appraisement & ordering Bond.

Confirming appraisement & ordering Bond.

This day came the said Plaintiff by her attorney and produced to the Court the report of an appraisement herein made by C. F. Hill, Frank L. Brauer, and Carl Allgower, 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 Elizabeth Sloop execute within 10 days, to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the Court, in the sum of Five Hundred Dollars, conditioned according to law, and this cause is considered.

W. H. Husted, Probate Judge -

Journal Entry; orders approving Bonds for Private Sale. Probate Court, Union County Ohio August 27- 1927.

approving Bonds for Private Sale.

This day this cause came on further to be heard, and, it appearing to the Court, that the said Elizabeth Sloop, the plaintiff above named, has given bond as heretofore ordered, in the sum of Five Hundred Dollars, with herself and B. F. Sloop, 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

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11128

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 Elizabeth Sloop, as such guardian proceed to sell said real estate free of dower, of David Carr at private sale, for not less than the appraised value thereof on the following terms, to wit, cash, and said petitioner is ordered to make return to this Court, immediately after such sale is made, and this cause is continued. W. H. Husted, Probate Judge.

Application

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

to sell

at Petitioner's

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:

1. It will dispense with the cost of advertising for public sale.
 2. It will avoid delay in sale.
 3. The price is all that the property is worth.
- and she therefore asks for an order authorizing her to sell said real estate at private sale.
Elizabeth Sloop Guardian of Wm Carr, minor.

oath

The State of Ohio, Union County,
Elizabeth Sloop, Guardian of Wm Carr, a minor, being duly sworn, says that the various matters set forth in the foregoing application are true, as she truly believes.
Elizabeth Sloop.

Sworn to before me, and signed in my presence this 27th day of August, 1927.

Jacob R. Fackler, Notary Public.

Affidavit of Disinterested Person.

affidavit

of Disinterested Person.

The State of Ohio, Union County,
Elizabeth Sloop, Guardian of William Carr, a minor, being duly sworn, says that the various matters set forth in the foregoing application are true, as she truly believes.
Elizabeth Sloop.

Sworn to before me, and signed in my presence, this 27th day of August, 1927.

Jacob R. Fackler, Notary Public.

Affidavit of Disinterested Person.

The State of Ohio, Union County,
H. E. Ball and C. S. Marriott being duly sworn, say that they know the facts set forth in the

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Application
Elizabeth Sloop
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Final Record, Union County Probate Court.

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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 verily believe. H. E. Hall. C. S. Marriott

Given to before me, and signed in my presence this 27. day of August, 1927.

Jacob P. Lackler, Notary Public.

order

of

Order of Sale - Free of dower. The State of Ohio, Union County, Probate Court, To Elizabeth Sloop, Guardian of Wm Carr, 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 are Guardian of William Carr, a minor, are Plaintiff and L. J. McCoy & Co. of David Carr 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, the dower of David Carr widow of Edith Carr deceased, the following described premises:

Situated in the County of Union, in the State of Ohio, and in the village of Richmond and bounded and described as follows:

Being a 1/3 interest less the dower interest of David Carr in 1/3 of the following property:

Being lots no. 125 and 126 in said village of Richmond

For further reference see recorded Plat of said village

Said Sale to be Cash

You will make return of your proceedings to this Court, for filing upon execution of this order.

Witness my signature and the seal of said Probate Court at Mansfield, Ohio, this 27. day of August, 1927. L. O. 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 attached.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11/28

Dated the 27 day of August, 1927.
Elizabeth Sloop, Adm. of Wm Carr, Minor

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Report of Sale, Private

Report.

In obedience to written order. I sold said premises on the 27 day of August, 1927, to B. F. Sloop, for the sum of \$241.⁴³ said sum being all the appraised value of the same.

Dated the 27 day of August, 1927
Elizabeth Sloop

Order.

The State of Ohio, Union County.
The above named Elizabeth Sloop 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.

Elizabeth Sloop, Adm.

Sworn to before me, and signed in my presence this 27 day of August, 1927. ~~Wm~~ W. Husted, Probate Judge

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confirming
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Journal Entry: Orders approving and confirming sale.
Probate Court, Union County, Ohio
August, 27 1927.

This day this cause coming on to be heard on the report of Elizabeth Sloop, Adm. of William Carr, 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 rights, title and interest of said William Carr in said real estate, to the purchaser, Elizabeth Sloop upon the the said purchaser, paying the purchase price.

It is further ordered, that this proceeding be recorded, and that said petitioner pay costs
W. H. Husted, Probate Judge

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Final Record, Union County Probate Court.

85-51
Sept. 26
1927.

In the matter of the Guardianship of Alvin Lee Vaughn, Minor.
Petition to Distribute in Production Real Estate
Probate Court Union County, Ohio,
Petition

To the Probate Court of said County:
The undersigned respectfully represents, that she is the duly appointed and qualified Guardian of Alvin Lee Vaughn.

That there is now in her hands for investment the sum of \$2400.00

Your petitioner believes it would be to the interest of her said ward, to invest the sum of \$2400.00 in the following described production real estate situated in the State of Ohio, County of Union and Village of Mansfield, to wit:

Being the west half of Sub-division No. 1 Lot No. 49, in said village as shown by Plat of Deed made by L. B. Woodburn adms. July 1877 to Louisa Thompson; beginning the north line of said Lot No. 49 and 43 feet from the north east corner of said lot, and northeast sub-division No. 2, of said lot; thence with the north line of said lot S. 83 East 21 feet to a stake in said north line; thence south 2 west 48 1/4 feet to a stake in the said north line of sub-division No. 5 of said lot; thence with the north line of said sub-division No. 2; thence with the east line of said sub-division No. 2, north 2 East 48 1/4 feet to the beginning.

Said real estate produces, annually, the sum of \$2400.00

Your petitioner therefore prays for the consent and approbation of the Court, in making the investment aforesaid, as is provided for by law.

Respectfully submitted,
Mary E. Shelton (Vaughn)
Gdn. of Alvin Lee Vaughn

The State of Ohio, Union County ss.
Mary E. Shelton (Vaughn)
being duly sworn, says that the statements and allegations in the foregoing petition are true as she verily believes.

Mary E. Shelton (Vaughn)
Sworn to before me, this signed in my presence,
this 26 day of Sept. 1927.
Richard C. Small
Notary Public

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Notice of Hearing
Probate Court, Union Co. Ohio.

To Alvin Lee Vaughan.

You are hereby notified that on the 26th day of Sept. 1927. Mary E. Shelton (Vaughan) as your administratrix in said Probate Court her Petition praying for the consent and approbation of said Court to invest the sum of thirty-two hundred dollars in certain productive real estate described in said petition.

Said petition will be for hearing before said Court on the 30th day of Sept. 1927, at 9.0 o'clock A.M.

In witness whereof I have hereunto subscribed my name, and caused the seal of said Court to be affixed, at Mansfield, Ohio, this 26th day of Sept. 1927.

W. H. Husted, Probate Judge

The State of Ohio, Union Co. ss.

I, Richard C. Thrall, being duly sworn say that on the 27th day of Sept. 1927. I served this writ by delivering a copy thereof personally to each of the following named persons to-wit: Alvin Lee Vaughan.

Richard C. Thrall

Sworn to before me, and signed in my presence this 28th day of Sept. 1927.

G. M. Harris, Notary Public

Probate Court, Union County, Ohio,
Sept. 26 - 1927.

Order for Hearing and Notice.
This day Mary E. Shelton (Vaughan) administratrix of Alvin Lee Vaughan appeared in open Court and filed her petition for the consent and approbation of the Court in making investments in certain productive real estate therein described.

It is ordered that the 30th day of Sept. 1927, at 1.0 o'clock P.M. be and hereby is fixed as the time when said petition will be heard.

And it is further ordered that notice thereof be given to said Ward, in writing personally three days before day of hearing, and this cause is continued.

W. H. Husted, Probate Judge.
Probate Court, Union County, Ohio
Sept. 30 - 1927.
Order approving Investment

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Sept. 18-1926

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Final Record, Union County Probate Court.

This day this cause came on to be heard, upon the petition, evidence and testimony, and the Court being fully advised in the premises finds that the statements in said petition are true, and that it is to the interest of said Ward to make the investment in the productive real estate as set forth and described in said petition. The Court does therefore consent to and approve the same.

It is ordered that this proceeding be recorded and that said Guardian pay the costs herein taxed at \$1⁵⁰ within ten days.
W. H. Husted, Probate Judge

10855-
Sept. 18-1926

In the matter of the Estate of Elizabeth Fleming, Decd.
Petition to Sell Personal Property at Private Sale
Probate Court, Union County, Ohio.

To the Judge of said Court:

The undersigned Admin^r of the estate of Elizabeth E. Fleming 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 must be for the advantage of said estate for the following reasons:

It is for the best interests to the heirs on account of expense incurred if it be sold at public sale.

Dated Sept. 18-1926. Henry A. Perkins Mary S. Bailey

The State of Ohio, Union County,
Henry A. Perkins, and Mary S. Bailey, being duly sworn, say that the various matters and things contained in the foregoing application, are true, as they verily believe.

Henry A. Perkins, Mary S. Bailey
sworn to before me, and signed in my presence
this 18. day of Sept. 1926.
W. H. Husted, Probate Judge

Corn in crib 150⁰⁰
Hay in mow 250⁰⁰
standing corn 85⁰⁰

Journal 40, Pg 172.
Order of Private Personal Property,
Probate Court, Union County, Ohio

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

To Mary S. Bailey and Henry A. Perkins.

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

Corn in crib 170⁰⁰ Hay in mow 250⁰⁰ Standing corn 85⁰⁰

Said sale to be on the following terms: Cash in hand at time of sale.

You will make return 2 months 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, at this 18th day of Sept. 1927. W. H. Husted. Probate Judge

Return

Probate Court, Union County, Ohio.

The undersigned administrators of said estate say, that in obedience to the order of said Court, hereto attached, they sold said personal property, commencing on the 7th day of Sept. 1926, closing on 24th day of June, 1927, for the sum of six hundred ninety-six dollars, and 94/100 said sum being not less than the appraised value of the same.

A detailed Bill of said sales is hereto attached.

Dated this 16th day of July, 1927.

Henry A. Perkins

Corn in Crib 170 ⁰⁰	To Spurrins Bros. Manufacturer -	305.59
	Strander Elevator Co -	20.10
Hay in mow. 250 ⁰⁰	Clinton Deane Co	281.16
Standing Corn 85 ⁰⁰	Strander Elevator Co.	90.04

The State of Ohio, Union Co.

Henry A. Perkins, admin. of the estate of Elizabeth E. Fleming, 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.

Henry A. Perkins

Shown to before me, and signed in my presence, this 16th day of July, 1927. W. H. Husted, Probate Judge

Journal 40. P 9 567.

11058
May 7-1927

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Final Record, Union County Probate Court.

11058
May 7-1927.

In the matter of the estate of Leonard Dawn, Dec'd
Petition to Sell Personal Property at Private Sale,
Probate Court, Union County, Ohio.
No. 1105-8.

To the Judge of said Court:

The undersigned Executor of the estate of Leonard Dawn, 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 must be for the advantage of said estate, for the following reasons.

That there is not enough for a public sale, the cost would be too great.

Dated May, 7-1927 John Dawn, Executor
sworn to before me, and signed in my presence.
This 7- day of May, 1927.

W. H. Husted, Probate Judge -
Schedule.

Undivided 1/2 interest in three cows and 30 pig	50.00
" " " " 700 "	12.50
" " " " 240 bu. corn	48.00
	<u>110.50</u>

Affidavit in application to
sell at less than the appraised value.

The State of Ohio, Union County.

The undersigned being first duly sworn says that they are disinterested in the estate of Leonard Dawn deceased, that they have examined the property mentioned in the foregoing application and have also examined the inventory and appraisement thereof; that said property cannot be sold at its appraised value, and that it will be for the interest of said estate to sell the same at a less price, as they truly believe.
John Dawn,

sworn to before me, and signed in my presence.
This 7- day of May, 1927.

W. H. Husted, Probate Judge -
Journal 40. Pg. 486
Order of Private Sale, Personal Property
Probate Court, Union Co - Ohio.

To John Dawn, ex. of the estate of Leonard Dawn, Dec'd
In obedience to an order and decree of the

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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 appraised value thereof. (see description in Petition pg. 465).

Said sale - cash on hand.

You will make return this order within 30 days from this date together with your report.

Witness my hand and the seal of said Court, this 7 day of May, 1927. W. H. Husted, Probate Judge -
Return

Probate Court Union County, Ohio
The undersigned Ex^r of said estate, says that in obedience to the order of said Court, hereto attached, he sold said personal property on the 7 day of May, 1927, for one hundred ten dollars, and $\frac{50}{100}$ 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 May, 1927.

John Dawn.

Bill of Sale

as described in petition 110⁵⁰ sold to George Schurck. 110⁵⁰

The State of Ohio Union County.

John Dawn, Ex^r of the estate of Leonard Dawn, 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.
John Dawn.

Known to before me, and signed in my presence, this 7 day of May, 1927.

W. H. Husted, Probate Judge -

Journal 40. 29486

10716
Mar. 16.
1927.

In the matter of the Estate of Lorrinda E. Perkins, dec'd.
Petition to Sell Personal Property at Private Sale.
Probate Court, Union Co. O -

To the Judge of said Court:

The undersigned Norman C. Bourn, adm^r of the estate of Lorrinda E. Perkins, 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

Final Record, Union County Probate Court.

estate filed in said court.

And the petitioner alleges, that said sale would be for the advantage of said estate, for the following reasons: most of it is concerned with the operations of a farm and it can be marketed in the usual way to a better advantage. The remainder is made up of small articles and purchases can be found at once for all such.

Norman C. Bourn, Adm-

Dated March 16-1927

The State of Ohio, Union Co.

Norman C. Bourn, being duly sworn says, that the various matters and things contained in the foregoing application, are true, as he truly believes.

Norman C. Bourn.

Sworn to before me, and signed in my presence, this 16. day of March, 1927.

W. Husted, Probate Judge
Schedule.

Articles 1- to 21- set forth in Inventory. 1136²⁵⁻
Affidavit on application to sell, at less than
the appraised value.

The State of Ohio, Union County.

The undersigned being first duly sworn, says that they are disinterested in the estate of Lomida E. Perkins, deceased, that they have examined the property mentioned in the foregoing application and have also examined the Inventory and appraisement thereof; that said property can not 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 truly believe.

Norman C. Bourn.

Sworn to before me, and signed in my presence, this 16. day of March, 1927.

W. Husted, Probate Judge
Journal, 40, Pg. 413.

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

no. 10716.

To Norman C. Bourn.

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, or, hereby, authorized and required to

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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 Undivided Int. 2 colts 90⁰⁰
- 2 " " 6 cows 180⁰⁰
- 3 " " 2 huffes 35⁰⁰
- 4 " " 2 sows 40⁰⁰
- 5 " " 2 gilts 30⁰⁰
- 6 " " 17 shoats 75⁰⁰
- 7 " " 1400 bu. corn 470⁰⁰
- 8 " " feeding wheat 30⁰⁰
- 9 " " seed oats 12.
- 10 " " separator 10.
- 11 " " cigar case 2.
- 12 " " lumber 2⁵⁰
- 13 " " Pt. B. Partnership 99⁸⁰
- 14 Ford auto. 60⁰⁰
- 15 Desk 5⁰⁰
- 16 Stairs 4⁰⁰
- 17 Folding chair 3⁰⁰
- 18 molding 3⁰⁰
- 19 Casket, etc 7⁵⁰
- 20 Sewing machine 3⁰⁰
- 21 Tools 24⁰⁰

Said sale, to be on following terms: Cash.

You will return this order within one month from this date, and forthwith upon the execution of the same together with your report thereon endorsed.

Witness my hand, and the seal of said Court, this 16. of March 1927.

[Signature] Trustee Probate Judge.

Return,

Probate Court, Union County, Ohio
The undersigned Adm. of the said estate, says, that in obedience to the order of said Court, hereto attached he sold said personal property, on the 16. day of March 1927, the sum of \$255-⁵⁴ said sum being not less than the appraised value of the same.

A detailed Bill of said Sales is hereto attached

Dated this 16. day of March, 1927.

Norman C. Bown.

10997
Mar. 22-
1927.

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Final Record, Union County Probate Court.

	Items no. 1. to 10. inclusive as shown by the Inventory marketed and sold by tenants and shown in Final account receipts	922 ⁰⁰	
		owed to various parties -	2340.49
13	P. & B. partnership	99.85-	
	vs. Baughman less error \$5.00		94.55-
14	Ford auto	60 ⁰⁰	
		was satisfied.	60 ⁰⁰
	Items 11 & 12 and 15 to 21 inclusive	54.40.	
		Baughman et al	55.10
		1186 ²⁵	2550 ⁵⁴

State of Ohio, Union County,

Norman C. Bourn, admr. of Louisa E. Perkins bring 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.

Norman C. Bourn.

Sworn to before me and signed in my presence, this 16. day of March, 1927.

W. H. Husted, Probate Judge.

Journal entry Jr. 40. Pg. 413.

10997
Mar. 22.
1927.

In the matter of the Estate of Penrose Wiley, Dec'd
Petition to Sell Real Estate at Private Sale.

The undersigned Penrose Wiley and Edwin B. Rocky, Co-Admrs., with the Will annexed of the Estate of Penrose Wiley, deceased, respectfully represent to the Court, that it would be for the best advantage of said estate to sell at private sale, as provided by law, the following described property.

one grey mare	\$1,00 ⁰⁰	15 bu. wheat	17.85
one bay mare	10 ⁰⁰	75 " timothy seed	62.50
one white face cow		60 " timothy	39 ⁰⁰
" calf at side	50 ⁰⁰	3 1/2 ton tates hay	28 ⁰⁰
one red cow	" " " 45 ⁰⁰	1/2 " hay in mow	25 ⁰⁰
" " "	" " " 60 ⁰⁰	17 sacks fertilizer	14 ⁰⁰
Four head yearling cattle	100 ⁰⁰	1/2 interest in 190 sh. cow	42 ⁵⁰
one-half interest in 16 shorth	40 ⁰⁰	" " " 20 a. wheat	40 ⁰⁰
" " " spotted cow	12 ⁵⁰	" " " 12 95 bu cow	325 ⁷⁵
" " " " " cow		one two-horse wagon	5 ⁰⁰
" " " " " cow		one iron whetted wagon	2 ⁰⁰
" 9 pups	20 ⁰⁰	one 8 hor grain drill	8 ⁰⁰
" " " " " cow	20 ⁰⁰	" hay ladder	2 ⁰⁰
" " " " " cow	20 ⁰⁰	" set work harness	5 ⁰⁰
		2 horse collars	5 ⁰⁰
		Total	1010.10

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Said Co. advt further ask the Court for an order authorizing them to sell at private sale for cash, or deferred payments of said property, to be secured by good and sufficient security on a promissory note, due nine months from day of sale, and bearing interest at the rate of six per cent. (6%)

Said Co. Administratrix further ask that the appraised value of said property as made by the appraisers of said estate is set opposite of each of the aforesaid described articles and that they further ask the Court to sell said property at not less than the appraised value.

Fronia Wiley, Edna B. Rockey Co. advt.

State of Ohio, Allen County, ss.

Before me, a Notary Public, in and for said county personally appeared Edna B. Rockey, who being first duly sworn, says that she is one of the Co. advt of the estate of Fronia Wiley, deceased, and that the facts as set forth in the foregoing petition are true.

Edna B. Rockey

Given to before me, and subscribed in my presence this 21 day of March, A.D. 1927.

J. H. Rockey, Notary Public Allen Co., O.

Journal 40, Pg. 481

Order of Private Sale.

Probate Court, Union County, Ohio
No. 10997

To Fronia Wiley and Edna B. Rockey, Co. advt of, with the Will annexed.

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:

Description in Petition

Said sale to upon the following terms - cash -

You will return this order within two months from this date and forthwith upon the execution of the same, together with your report.

Witness my hand and the seal of said Court, this 19 day of April, 1927.

W. H. Husted

Probate Judge

11076
June 9,
1927.

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Final Record, Union County Probate Court.

Return

Probate Court, Union County, Ohio

The undersigned Adm^r of said estate says that in obedience to the order of said Court heretofore attached they sold said personal property closing on the 30 day of April 1927 for the sum of \$1010⁰⁰ said sum being the sum not less than all the appraised value of the same.

a. detailed Bill of said Sales, is hereto attached.

Dated this 30 day of April, 1927.

Lorna Wiley

Edna B. Rocky, Co. adm^r, etc.,

Bill of Sales, description see application

Pages 469.

all chattels herein mentioned sold to L.A. Wiley \$1010⁰⁰

The State of Ohio, Union County

Lorna Wiley and Edna B. Rocky Co. Adm^r with will annexed, of the estate of Lurrose Wiley, 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 they could get for the property.

Lorna Wiley.

Edna B. Rocky, Co. Adm^r, with will annexed.

Journal 40, Pg. 481

11076
June, 9,
1927.

In the matter of the estate of Dorothy Conrad, Dec'd.
Probate Court, Union County, Ohio
Application to Sell Property at Private Sale

The undersigned Maund Pyles adm^r of the estate of Dorothy Conrad, deceased, respectfully represents to the Court that it would be for the best interest of said estate to sell at private sale as provided by law, the following described property belonging to the estate of said deceased.

- Watch appraised at 5⁰⁰
- China dish " " 2⁰⁰
- Two Doilies " " 3⁰⁰
- Sideboard " " 25⁰⁰
- Bed. room suite " " 10⁰⁰
- 2. Chairs " " 10⁰⁰
- Three comforts " " 10⁰⁰
- Two Pillows & feather tick " 15⁰⁰

She further asks the Court for an order authorizing her to sell at private sale for

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

cash at the appraised value, the property above mentioned.
Maud Pyers.

State of Ohio, Union County, ss.

Maud Pyers, being first duly sworn, says that the facts stated and the allegations made and contained in the foregoing application are true as she believes
Maud Pyers.

Sworn to before me, this 9 day of June, 1927,
W. H. Husted Probate Judge

Journal #0- 532.

Report of Sale.

Now comes, Maud Pyers, as adm. of the estate of Dorothy Conrad, deceased, and respectfully represents to the Court that in pursuance to a former order of the Court, on the 10 day of June, 1927, she sold at private sale, to Miles L. Myers, Mansfield, Ohio for the sum of \$50.00 the following

see description in Petition.

That said sum was the highest and best price she could get therefor, wherefor she asks the Court to confirm the said sale.

Maud Pyers.

State of Ohio, Union Co. ss.

Maud Pyers, being duly sworn, say the facts stated and allegations made, and contained in the foregoing report are true as she believes.

Maud Pyers.

Sworn to before me, this 10 day of June 1927.

W. H. Husted Probate Judge

Journal #0 Pg. 534.

11 111
Aug. 8
1927.

In the matter of The Estate of R. H. Hillis, deceased.

Petition to Sell Personal Property at Private Sale.

Probate Court, Union County, Ohio

To the Judge of said Court:

The undersigned Ex. of the estate of R. H. Hillis late of said Co. deceased, respectfully makes application for authority to sell at private sale and at not less than its appraised value, the part of 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

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Final Record, Union County Probate Court.

would be for the advantage of said estate, for the following reasons: that there is not enough property for a public sale, and that it will be to the advantage of said estate to sell at private sale.

Dated Aug. 8. 1927. Edgar Willis admr

The State of Ohio, Union Co.

Edgar Willis being duly sworn, says, that the various matters and things contained in the foregoing application, are true, as he verily believes

Edgar Willis

Sworn to before me, and signed in my presence this 8. day of August, 1927.

W. H. Husted, Probate Judge

Schedule

Houshold goods	9.30
Race horse like colt	
" 2 harnesses.	16.00
One automobile	40.50
3 brood sows - 2 yrs. old	34.50
5 " " " 1 " "	40.
20 pigs	50.
25-ton hay	62.50
one boar	6.
one horse	25.
23 sheep.	44.50
35-yearling ewes.	151.66
18 a. corn	27.
8 a oats	5.
8 a corn 1/4 Int.	6.
13 a oats	29.25-
2 cows	90.
150 bu. corn in crib	60. Total 697.21

Affidavit on application to sell at less than the appraised value.

The State of Ohio, Union County

The undersigned being first duly sworn, say that they are disinterested in the estate of R. H. Willis, deceased, that they have examined the property mentioned in the foregoing application and have also examined the inventory and appraisement thereof; that said property cannot be sold at its appraised value, and that it will be for the interest of said estate to sell the same at a less price, as they verily believe. Edgar Willis

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Brought to before me, and signed in my presence. This 8 day of Aug. 1927. W.H. Husted, Probate Judge - Journal 40. Pg. 603 " 40. Pg. 598.

11120
Sept. 27,
1927.

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

To Edgar Willis

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.

See application - value 697.21

Said sale cash in hand at time of sale.

You will return this order, within one month from this date.

Witness my hand, and the seal of said Court, this 8th day of August, 1927.

W.H. Husted, Probate Judge -

Return.

Probate Court, Union County, Ohio.

The undersigned Executor, of said estate says that in obedience to the order of said Court, hereto attached he sold said personal property described in petition commencing on, 8th day of August 1927, and closing on the 8th day of August, 1927, for the sum of \$697.21 said sum being not less than the appraised value of the same.

a. detailed Bill of said sales, is hereto attached.

Dated this 8th day of April, 1927.

Edgar Willis

Bill of Sales

as described in application 697.21. Sold to Mervin Willis 697.21

The State of Ohio, Union County.

Edgar Willis ex. of the estate of R. H. Willis 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.

Edgar Willis

Brought to before me, and signed in my presence this 8th day of August, 1927.

W.H. Husted

Probate Judge.

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Final Record, Union County Probate Court.

11120
Sept. 27,
1927.

In the matter of the estate of Wilce Melick, deceased,
Petition to Sell Personal Property at
Private Sale.

Probate Court, Union County, Ohio.

To the Judge of said Court:

The undersigned J. H. Ballard, administrator of the estate of Wilce Melick of Leesburg, Tp. 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 there is not enough property for a public sale, that the expense would be too great.

Dated Sept. 1927.

J. H. Ballard. Adm-

The State of Ohio, Union County.

J. H. Ballard, being duly sworn, says, that the various matters, and things contained in the foregoing application, are, true, as he verily believes.

J. H. Ballard

Sworn to before me, and signed in my presence, this 27. day of Sept. 1927

W. H. Stuebel, Probate Judge -
Schedule.

21 head of Sheep	126 ⁰⁰	
100 chickens	50 ⁰⁰	
8 Ducks	6 ⁰⁰	
8 Guinea's	2-	
Household goods -	69 ¹⁰	Total 261 ⁰⁰

Journal 41 - Pg. 19 -

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

No. 11120.

To J. H. Ballard, admn. of the estate of Wilce Melick.

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.

See description in Petition, above -

Said sale for cash -

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Placed my hand & seal, Sept 27-1927. W. H. Huates Probate Judge

Return

Probate Court Union County, Ohio.

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 27 day of Sept. 1927 and closing on the 27, Sept. 1927 for the sum of \$261⁰⁰ said sum being not less than the appraised value of the same.

a. detailed Bill of Sales is hereto attached.

Dated this 27 day of Sept. 1927.

J. H. Ballard.

Bill of Sales

Goods in Petition as app. sold to Cora V. Ballard \$261⁰⁰

The State of Ohio, Union County

J. H. Ballard, Adm. of the estate of Wilce Melick 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. H. Ballard.

Known to before me, and signed in my presence, this 27 day of Sept. 1927. W. H. Huates, Probate Judge

11157
Oct. 25, 1927

In the matter of the estate of Mattie Baldwin, Dec's
Petition to Sell Personal Property at Private Sale
Probate Court, Union County, Ohio
No. 11157.

To the Judge of said Court:

The undersigned M.C. Winter adm. of the estate of Mattie Baldwin 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.

Ans. the petitioner alleges that said sale would be for the advantage of said estate:

That there is not enough property for a public sale, and that it will sell well at private sale.

Dated Oct. 1927.

M. C. Winter Adm.

The State of Ohio, Union County

M. C. Winter being duly sworn, says that the various matters and things contained in

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Final Record, Union County Probate Court.

in the foregoing application, are true, as he truly believes.

M. C. Winter

Sworn to before me, Oct 25 - 1927,

~~Seal~~ W. H. Husted, Probate Judge
Schedule.

Household goods, as shown in Int. ² appraisement \$47⁵⁰
Affidavit to application to sell at less than appraised value.

The State of Ohio, Union County.

The undersigned being first duly sworn, say that they are disinterested in the estate of Hattie Baedwin deceased, that they have examined the property mentioned in the foregoing application and have also examined the inventory and appraisement thereof; that said property cannot be sold at its appraised value, and that it will be for the interest of said estate to sell the same at a price, as they truly believe.

M. C. Winter,

Sworn to before me, and signed in my presence, this 25 day of Oct. 1927.

~~Seal~~ W. H. Husted, Probate Judge

Journal #1. Pg. 58.

Order of Private Sale, Personal Property,
Probate Court, Union County, Ohio,
no. 1115-7.

To M. C. Winter Adv-

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,

all household goods. \$47⁵⁰

Said sale to be upon the following terms - cash - you will return this order, within 30 days from this date and forthwith upon the execution of the same together with your report thereon endorsed.

Witness my hand and the seal of said Court this 25 day of Oct. 1927,

~~Seal~~ W. H. Husted Probate Judge.

Return

The undersigned Adv- of said estate says that in obedience to the order of said Court, hereto attached, he sold said property on the 25 day of Oct. 1927, for the sum of Forty Seven Dollars and ⁶⁰/₁₀₀ said sum being not less than the appraised value

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

value of the same.

Dated Oct. 25- 1927.

Household goods, 47⁶⁰

M. C. Hunter

\$47⁶⁰

The State of Ohio, Union County

M. C. Hunter, Adm. of the estate of Nellie Baldwin 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.

M. C. Hunter

Sworn to before me, and signed in my presence, this 25 day of Oct. 1927.

W. H. Husted, Probate Judge - Journal, 41, Pg. 59

10729 Nov. 12-

1926

In the matter of the Estate of Esther M. Walke, deceased. Probate Court, Union County, Ohio.

no. 10729. Petition

To the Judge of said Court:

The undersigned Martha C. Walke adm. of the estate of Esther M. Walke, 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 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:

that there is not enough for a public sale, that the expense would be too great.

Dated Nov. 6-1926.

Martha C. Walke, adm.

The State of Ohio, Union Co.

Martha C. Walke, being duly sworn, says that the various matters and things contained in the foregoing application, are true, as she truly believes.

Martha C. Walke.

Sworn to before me, and signed in my presence this 12 day of Nov. 1926.

W. H. Husted

Probate Judge -

Final Record, Union County Probate Court.

Schedule.

- 1. Jewelry 40⁰⁰
- 1. Cow 40⁰⁰
- 1. buggy, 1. harness and mouset. 12.50 Total 92⁵⁰

affidavit on application to sell at less than appraised value. The State of Ohio. Union County.

The undersigned being just duly sworn says, that they are disinterested in the estate of Esther M. Walke, deceased, that they have examined the property mentioned in the foregoing application and have also examined the Inventory and appraisement thereof: that said property cannot be sold at its appraised value, and that it will be for the interest of said estate to sell the same at a less price, as they verily believe.

Clarence Dasher.

W. J. Carmean.

John Madew.

Sworn to before me, and signed in my presence. This 12. day of Nov. 1926.

W. H. Husted, Probate Judge

Journal 40. Pg 245

Order for Private Sale.

Probate Court, Union County, Ohio.

No. 10729

To Martha C. Walke.

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,

Jewelry 40⁰⁰ watch and brooch.

one cow 40⁰⁰ Jersey cow.

Buggy, harness, & mouset 12⁵⁰ cab. buggy, harness & mouset.

Said sale to be - cash -

You will return this order within 90 days from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand, and the seal, of said Court, this 12. day of Nov. 1926

W. H. Husted, Probate Judge

Return

The undersigned Admⁿ of said estate, says that in obedience to the order of said Court, hereto attached, she sold said personal

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Property commencing on, etc - and closing - - -
for the sum of \$92⁵⁰ said sum being not less than
the appraised value.

a. detailed Bill of Sale attached

Dated Jan. 17 - 1927.

Martha C. Walke.

Bill of Sale

Jessie May	40 ⁰⁰	to	Mrs. Geo. Jordan	\$40 ⁰⁰
one cow	40 ⁰⁰	"	Jacob W. Dulick	40 ⁰⁰
Buggy, Harness		"		
2 mous.	12 ⁵⁰	"	Perry Spain	12 ⁵⁰

The State of Ohio, Union County.

Martha C. Walke, adm^r of the estate of
Ester M. Walke, decd. being duly sworn, says that the
foregoing Report is in all respects true and correct, that
such sale has been made after a diligent endeavor
to obtain the best price for the property, and that the
sale reported is for the highest price she could get
for the property.
Martha C. Walke.

Sworn to before me, and signed in my presence this
17. day of June. 1927. ~~at~~ W. H. Husted, Probate Judge.

Journal No. Pg. 323

10437

Nov. 28 -

1927 L. C. L.

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Final Record, Union County Probate Court.

10437

Nov. 28-

1924 L. C. Cross, Guardian
M. M. Myers of Elizabeth E. Row, Incompetent,
Atty. Plaintiff.

Petition to Sell Real Estate.

In the Probate Court, Union Co., Ohio,
No. 10437

v.

His Ward, Elizabeth E. Row,
Bruner Hulbert,
Rosa Davis
James Dale,
Edwin Dale, ans.
Louis Dale,
Guenna M^c Cannon,
E. Della Mills,
Defendants.

Petition

Now comes L. C. Cross, and says, that he is the
duly appointed and qualified guardian of
Elizabeth E. Row, an incompetent, by reason of old
age, and that he was appointed as such
guardian by the probate court of this Union County,
Ohio, and is still acting as such guardian
and as such brings this action, and for a
cause of action, says:

Petition

That his said Ward, is the owner of an
unimproved lot of the estimated value of
\$1300.00 situated in the State of Ohio, County of Franklin,
and in the city of Columbus, and described
as follows: to-wit:

Bring Lot No. Two Hundred and Three (203) in
Derrison Park Addition to the City of Columbus,
Ohio, as the same is numbered and delineated
upon the recorded plat thereof, of record in
Plat Book Number 4, pages 106, and 107 Recorder's
office Franklin County, Ohio.

That his said Ward, is the owner of an
unimproved lot of the estimated value of \$3000.00
situated in the State of Ohio, County of Franklin,
and in the city of Columbus and described
as follows, to-wit:

Bring Lot No. six hundred and thirty-six (636)
in Collins, Atkinson and Guittard's Third Addition
to the City of Columbus, Ohio, as the same is
numbered and delineated upon the recorded
plat thereof, of record in Plat Book Number 2,

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10437

pages 222, and 223, Recorder's Office, Franklin Co. Ohio.
Further, the plaintiff represents that there is no income from said unimproved lot. no. 203, and that he as said guardian, or his said ward, has not the money with which to pay the taxes and assessments thereon.

That the house situated on said Lot. no. 636, is in such a condition for want of repairs and improvement that it is unoccupied and untenable; and that to repair and improve the same, and to put it in a fit condition to be tenable it would be necessary to expend the sum of \$500.00 or more, and that there is no income therefrom and the plaintiff as such guardian has, not, or has his said ward the money with which to repair or improve said house, or to pay the taxes and assessments as they accrue thereon.

Petition Further, the said plaintiff represents that his said ward has not sufficient means available for her support, and that it is necessary for her comfort and support, to sell a portion of the real estate owned by her, and that it will be for her best interest to sell the said real estate hereinabove described.

Further, the plaintiff says, that his said ward has no husband living, or has she any children or their descendants surviving, and that the following named defendants are her only next of kin who would, this day be entitled to her estate by inheritance, namely

- Bruner Haultub *a brother;*
- Rosa Davis *a sister; and*
- James Bale,
- Edwin Bale, *an* Louis Bale nephews,
- Zemma McCannow, *an*
- E. Della Mills, *nices, and*
- Louis Bie, *nieces.*

Children of Dulcinea Bale, deceased, who was a sister of the said Elizabeth E. Roe.

The Plaintiff therefore prays that he may be authorized and ordered to sell said real estate as in such cases made, and provided by law, and for all other proper orders and relief in the premises.

L. C. Cross Guardian of Elizabeth E. Roe.
By, Miss L. Myers, Plaintiff's Attorney

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Final Record, Union County Probate Court.

10437

State of Ohio, Union County, ss.

L. C. Cross being first duly sworn, according to law, says that the various matters and things and the allegations made, and contained and set forth in the foregoing petition are true as he believes.

L. C. Cross.

Sworn to before me, and signed in my presence this 26-day of November, 1924

Wm. Maud Pyles, Notary Public
He Stained.

Order
fixing time
for
Hearing

Journal entry: Order fixing time for hearing for notice.
Probate Court, Union County, Ohio.

Nov. 28- 1924.

This day L. C. Cross Guardian of Elizabeth E. Cross appeared in open Court, and filed his petition duly verified, asking for the sale of real estate therein described, belonging to his said Ward, Elizabeth E. Cross.

It is ordered that the time of hearing said petition be, and hereby is fixed for the 27-day of Dec. 1924. at 10. 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 Elizabeth E. Cross, his wards, and to Bruner Hulshof, Rosa Davis, James Bale, Edwin Bale and Louis Bale.

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 20 days before said day of hearing, and this cause is continued.
Wm. Maud Pyles, Probate Judge

In the Probate Court, Union County, Ohio
Precipes.

Precipe

To the Court:

Issue summons in the above entitled cause directed to the sheriff of Union Co. Ohio for the defendant, Elizabeth E. Cross, who resides on Grove Street in the village of Mansfield.

Indorse "Guardian's action to sell real estate" and make returnable according to law.

Miles L. Myers

Atty. for Plaintiff.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10437
Warror
 In the Probate Court, Union County, Ohio.
Warror
 Mr. the undersigned, do hereby voluntarily enter our appearance herein, and do hereby waive the issuing and service of process, and summons in the above entitled cause.
 Edwin T. Bale.
 James Bale.
 Mrs. Emma McCannum.
 E. Della Mills.

Warror
 In the Probate Court, Union Co. Ohio.
Warror
 I, the undersigned, do hereby waive the issuing and service of summons, and process, in the above entitled cause, and do hereby voluntarily enter my appearance herein, waive time and consent to the sale of the premises described in the petition herein as prayed for therein.
 Rosa Davis

Warror
 In the Probate Court, Union County, Ohio.
Warror
 Mr. the undersigned, do hereby voluntarily enter our appearance, herein, and do hereby waive the issuing and service of process, and summons in the above entitled cause.
 C. B. Kurtz.

Warror
 In the Probate Court, Union County, Ohio.
Warror
 Mr. the undersigned, do hereby voluntarily enter our appearance, herein, and do hereby waive the issuing and service of process, and summons, in the above entitled cause.
 Louis L. Blev.

Summons
 Summons, on Petition to Sell Real Estate
 The State of Ohio, Union County, Probate Court.
 To the Sheriff of said County:
 You are commanded to notify Elizabeth E. Row, that on the 28. day of Nov. A. D. 1924 L. C. Cross Esq. of Elizabeth Row 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

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Final Record, Union County Probate Court.

10437

petition described, for the purpose of securing money for support and to avoid making unnecessary repairs on property desiring to sell, and that unless they answer by the 27. day of Dec. 1924. said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due returns of this writ on the 7th day of December, 1924.

Witness my hand, and the seal of said court, this 28. day of Nov., 1924

W. H. Husted.

Probate Judge ^{ex. Co.} of Clerk of Probate Court.

Sheriff's Return

Sheriff's Return

The State of Ohio Union County.

Rec'd this writ Nov. 28th 1924 at 3 o'clock P. M. and pursuant to its command Dec. 5. 1924. I served the within named Defendants Elizabeth E. Row, by personally serving her with a copy of this writ.

Frank Collier Sheriff

Sheriff's Fee.

Per. and. Ret., .75
miles, 8¢. 1.50. Total \$ 2³⁵-

In the Probate Court Union Co. Ohio
Receipt.

Receipt

To the Court:

Issue summons in the above entitled cause directed to the Sheriff of Delaware County, Ohio, for the defendants, James Bale and Edvin Bale, who reside at Galena.

Indorse "action to sell real estate by Guardian" and make returnable according to law.

Mrs. L. Myers atty. for Plaintiff

Summons.

Summons on Petition to sell Real Estate, Probate Court.

The State of Ohio Union County

To the Sheriff of Delaware County,

you are commanded to notify James Bale and Edvin Bale, at Galena that on the 28. day of November, A.D. 1924. L.C. Cross Guardian of Elizabeth E. Row, 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 said Elizabeth E. Row, in said petition described, for the purpose of pay^{ing} debts.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10437

avoiding extensive repairs and for the reason that it will be to the best interest of his ward, and that unless they answer by the 25. day of January, 1924. said petition will be taken as true, and the 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 6th day of December, 1924.

W. T. Husted, Probate Judge

Sheriff's Return

Sheriff's Return

The State of Ohio, Union County,

Received this writ December, 8. 1924.

at 10. o'clock a.m. and pursuant to its command on the 8. day of December, 1924. I served the writs named James Bale, and Edwin Bale, by leaving at their usual place of residence a true and certified copy of this writ with all endorsement thereon.

F. D. Hester, Sheriff, By Courier Lambert, Deputy.

Sheriff's Exp.

Service on Ret. to name of 30 miles at 84. Total \$34.00

Journal entry: order on hearing of appraisement.

Probate Court, Union County Ohio.

January 27-1925.

orders on

hearing

of

appraisement

This day this cause came on to be heard upon the petition, evidence and testimony and the answer of the trustee for the suit for Elizabeth E. Row, and the Court being fully advised in the premises finds: that all the defendants herein have been duly and legally notified of the pendency and prayer of the petition, and are now properly before the Court, that the statements and allegations in said petition are true.

And the Court being satisfied that the real estate described in the petition ought to be sold as prayed for

It is ordered that LeCharles Rockwood, Obbo Cook, and David J. Lloyd, judicious freeholders of the County and not of kin to the petitioner, be and they hereby are appointed to appraise said lands at their fair cash value.

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 this 1st day of February 1925. This cause is continued. W. T. Husted, Probate Judge.

10437

order of appraisement

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Final Record, Union County Probate Court.

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Order of
appraisement

Order of appraisement.
The State of Ohio. Union County. Probate Court.
To L. C. Cross. 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 Elizabeth E. Row, are Plaintiff and his ward Elizabeth E. Row, et al. are Defendants, you are commanded that by the oaths of Charles Rockwood Obbo Cook, and David J. Lloyd, 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 State of Ohio, County of Franklin and in the City of Columbus, and
Being lot no. Two Hundred and Three (203) in Dennison Park Addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book Number 4, Pages 106 and 107 Recorder's office Franklin County, Ohio. Being an unimproved lot.

Also, the following described real estate situated in the said State, County and City and
Being lot no. Six Hundred and Thirty-six (636) in Gallias, Atkinson and Smith's third addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book Number 2, pages 222 and 223, Recorder's office Franklin County, Ohio.
Being an improved lot.

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 January A. D. 1925.
seal 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.
Dated the 27th day of January, 1925. L. C. Cross

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Final Record, Union County Probate Court.

Lanchoerst Brothers, Wapakonetta, Ohio.

10437

Oath of appraisers

Oath of appraisers.

The State of Ohio, Franklin 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.
 David J. Lloyd, Charles Rockwood, Obbo Cook, apprs.

Sworn to before me, and signed in my presence, this 28. day of January, 1925.

[Signature] O. P. Reed, Notary Public
 Franklin 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:
 First tract at Two Hundred and no/100 Dollars.
 and the second tract herein described being improved property at Twenty-seven hundred Dollars free from any down interest.

Given under our hands, this 28. day of January, 1925.

David J. Lloyd, Charles Rockwood, Obbo Cook, apprs.
 Fees of appraisers \$1.00 each, Total \$3.00 paid

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

January 27-1925.

Orders approving appraisement

for Bond

This day came the said Plaintiff, by his attorney and produced to the Court, the report of an appraisement herein made by Charles Rockwood, Obbo Cook, and David J. Lloyd, 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 L. C. Bros as such guardian 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 Seven Thousand eight hundred and no/100 Dollars conditioned according to law, and this cause is continued.

[Signature]
 Probate Judge

10437

Application for Trustee

now attorney for the defense

The a trust

Assent of Trustee

now appraiser for... and says that estate to... for... come... please

Application to sell at Private Sale

The for estate the full... for

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Final Record, Union County Probate Court.

10437

Application for Trustee.

In, the Probate Court, Union County, Ohio,
no 10437

application
for
Trustee

now comes the undersigned, Miss L. Myers, es.
attorney for the plaintiff and makes application
for the appointment of a trustee for the suit for the
defendant, Elizabeth E. Row, an incompetent person.

The undersigned suggests that C. A. Hoopes, who is
a suitable person, be appointed as such
trustee for the suit.

Miss L. Myers Atty. for Plaintiff

Answer of
Trustee

Answer of Trustee.

In the Probate Court, Union County, Ohio,
no. 10437.

now comes the said C. A. Hoopes trustee heretofore
appointed herein for the said Elizabeth E. Row, incompetent
for the suit, and as such trustee says, that he has
investigated the matters and allegations made
and contained in the said plaintiffs petition, and
says, that he believes that it would be for the
best interest of the said Elizabeth E. Row, and her
estate that the property described in the petition
be sold at this time, for the reason as
prayed for in said petition, and therefore
consents to the sale as prayed for, by the
plaintiff

C. A. Hoopes, Trustee

Application
to
sell at
Private Sale

Application to Sell Real Estate at Private Sale.
Probate Court, Union County, Ohio,
no. 10437.

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

First that it can be sold forthwith, each
tract at the appraised value thereof, and
for cash, in full, on confirmation of sale.

Second.
Save time, expenses, and uncertainty
of advertising of offering for sale at public sale.

Third
That the appraised value of each tract
as appraised is all that said real estate is
reasonably worth.

Final Record, Union County Probate Court.

Lanchoist Brothers, Wapakonetta, Ohio.

10437

And he therefor asks for an order authorizing him to sell said real estate at private sale.
L.C. Cross, Exor. of the estate of Elizabeth E. Cor. Incompetent

Oath

The State of Ohio, Union County.
L.C. Cross being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.
L.C. Cross.

Sworn to before me and signed in my presence this 31. day of January, 1925; ~~seal~~ Maund Pyers, Notary Public.

Affidavit of Disinterested Person

Affidavit of Disinterested Person.
The State of Ohio, Union County.
William A. Turner, and W. P. O'Brien 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 Elizabeth E. Cor. and her estate to sell said real estate at private sale than at public sale, as they verily believe.
William A. Turner. W. P. O'Brien

Sworn to before me and signed in my presence this 31. day of January, 1925
~~seal~~ Maund Pyers, Notary Public

Journal Entry

Journal Entry: Appointment of Trustee for Suit
This cause coming on for hearing upon the application of the Plaintiff for the appointment of a trustee for his ward, the defendant, Elizabeth E. Cor., and it appearing to the Court that the said Elizabeth E. Cor. is an incompetent and that under section 11249 a trustee should be appointed for the suit, and it further appearing to the Court that C. A. Hoopes is a suitable person to be appointed as such trustee.
Thereupon, to and, it is hereby ordered that the said C. A. Hoopes be appointed as such trustee for the suit for the said Elizabeth E. Cor.
W. W. Trustad, Probate Judge

Approving Bond, and Ordering Sale.
Probate Court, Union County, Ohio.
January, 31-1925,
This day this cause came on for further to be

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Final Record, Union County Probate Court.

10427

heard, and it appearing to the Court, that the said L.C. Cross as such guardian the plaintiff above named has given bond as heretofore ordered, in the sum of Seven Thousand Eight Hundred and ²⁵/₁₀₀ Dollars, with George W. Webster and E. H. Haunmer fideholders, as sureties; it is ordered that said bond be and hereby is approved.

and it is made to appear to the Court, upon satisfactory evidence, that it would be more, for the interest of said estate to sell the real estate described in the petition at private sale, and for cash, in full, in hand, on Confirmation of sale.

It is therefore further ordered, that said L.C. Cross as such guardian proceed according to law to sell at private sale, the real estate described in the petition

Witness my hand and the seal of the Court, this 10th day of August, 1887.

Order of Sale

Order of Sale. Free of Donor.

The State of Ohio, Union County, Probate Court.
Do L.C. Cross, Meeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Guardian of the estate of Elizabeth E. Row Incompetent an Plaintiff and, his ward, Elizabeth E. Row, 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

First tract at \$ 1200⁰⁰.
Second tract at \$ 2700⁰⁰ the following described premises to wit:

Situated in the State of Ohio, County of Franklin and, in the City of Columbus, and,

Being Lot no. Two Hundred, and Thirt (203) in Dermondson Park addition to the City of Columbus, Ohio, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book no. 4, pages, 106, and 107. Recorder's office Franklin County, Ohio.

Being an unimproved lot,

also the following described real estate situated in the said State, County and City and

Being lot no. Six Hundred and Thirt (636) in Gallies, Atkinson and Guitre's Third Addition to the City of Columbus Ohio, as the same, is numbered

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10437

delineated upon the recorded plat thereof of record in Plat Book, number 2, pages 222 and 223, Recorder's office, Franklin County, Ohio. Being an improved lot.

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 31 day of January, 1925 Seal W. H. Husted, Probate Judge

Return

To the Probate Court of Union County, Ohio.

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

Dated the 31 day of January, 1925.

L. C. Cross, Guardian.

Report of Sale - Private

In obedience to the within order, I sold said premises on the 31 day of Jan'y, 1925: to Chas. D. Webb for the sum of Thirty-nine Hundred Dollars, said sum being the appraised value of the same.

Dated the 31 day of Jan'y, 1925.

L. C. Cross, Guardian

The State of Ohio, Union County

The above named, L. C. Cross being duly sworn, say, that the sale above reported thus 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.

L. C. Cross.

Shown to before me and signed in my presence this 31 day of Jan'y, 1925

Wm. Maud Pyles, Notary Public

Probate Court, Union County, O., Jan'y 31- 1925
Confirming Sale.

This day this cause coming on to be heard on the return of L. C. Cross Guardian of the estate of Elizabeth E. Cor. Incompetent of his proceedings and sale under the former order of this Court; the Court, having carefully examined said

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Oath

Confirming
Sale

Final Record, Union County Probate Court.

10437

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 L. C. Cross as such Guardian make to the purchaser Chas. D. Mbb. a good and sufficient deed for the premises so sold.

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

L. W. Husted Probate Judge

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10994

July 21-

1927

M. M. Myers
-atty.

Joseph Richard Davis
Executor of the Estate of
W. S. Davis, Dec'd
Plaintiff

v.

Caroline Davis
C. Van Davis
Joseph W. Richard Davis
Lydia Ann Hamilton
Law.
The North Western Mutual
Life Insurance Company.
Defendants

Petition to Sell Real Estate.

In the Probate Court, Union Co., Ohio,
No. 10994

Petition

Petition

Now comes the plaintiff Joseph Richard Davis as executor of the estate of Joseph Richard Davis deceased, and says that he is the duly appointed qualified and acting executor of the estate of W. S. Davis (also known as Wilson S. Davis) deceased and who died on the 16 day of December, 1926, and that he was appointed as such executor of said estate on the 13 day of January, 1927, by the probate court of Union County, Ohio.

That the amount of the debts due from the deceased, at the time of his death as near as can be ascertained at this time, are more than Seven Thousand Dollars, and that the expenses and charges of the 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 \$ - being wholly insufficient to pay the debts and costs aforesaid.

Further, the plaintiff represents that the said W. S. Davis (Wilson S. Davis) died seized in fee simple, and the owner of the following described real estate, situated in the state of Ohio, county of Union, Township of Allen, and a part of Survey No. 2979, and bounded, and described as follows:

Beginning at a stone near a white oak and South easterly corner to Knott's and at Philip Coi's west line: Thence South 57 1/2° West 263.04

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Final Record, Union County Probate Court.

10994

poles to Dady Creek: Thence up the artificial channel of said Creek cut by S.P. Kimball and at low water mark to a point opposite Reed's south-east corner; Thence north $57\frac{1}{2}^{\circ}$ East 280.52 poles to a stone near two lym trees corner to Reed's land; Thence South $32\frac{1}{2}^{\circ}$ East 75.16 poles to the place of beginning containing 128.73 acres, more or less.

That the said decedent died leaving the defendant, Caroline Davis, his widow, who is entitled to dower in the said premises; that the defendants C. Van Davis, Joseph Richard Davis (the plaintiff) and Lydia Ann Hamilton are the only children and heirs at law of the said decedent having the next estate of inheritance from the said W. S. Davis deceased, in said premises;

That the defendants, The Northwestern Mutual Life Insurance Company, has, or claims to have some lien or claim against said real estate.

Petition

Wherefore, the plaintiff prays, that the said The Northwestern Mutual Life Insurance Company be required to set forth its interest or claim in this action, or be forever barred from asserting the same, and that the dower of the said Caroline Davis in said premises may be set off and assigned to her; and that the rights and interests of all parties may be fully determined and adjusted; and that your petitioner as such administrator 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.

Miles L. Myers.
Atty. for Plaintiff.

State of Ohio, Union County, ss.
Joseph Richard Davis, being first duly sworn says that the facts stated and the allegations made and contained in the foregoing petition are true as he believes.

Joseph Richard Davis.

Known to before me, and signed in my presence this 18 day of February, 1927.

[Signature] Maud Myers.
Notary Public

Recife

To the Court:

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10994

Issue summons in the above entitled cause directed to the Sheriff of Union County Ohio for the defendants, Caroline Davis and Lydia Ann Hamilton Indorse "action by administrator to sell real estate to pay debts" and make returnable according to law. Jones L. Dryers, Atty. for Plaintiff.

In the Probate Court of Union County, Ohio. Feb. 21- 1927.

Filing Petition to sell Real Estate

Journal entry: Filing Petition to Sell Real Estate. This day, came the Plaintiff Joseph Richard Davis Executor of the estate of W. S. Davis and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said W. S. Davis, 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. Husted, Probate Judge

waiver

waiver

In the Probate Court, Union Co. Ohio. We, the undersigned, named defendants in the above entitled cause do hereby voluntarily enter our appearance herein, and do hereby waive the issuing and service of summons, or process, on us and consent to the sale of the real estate.

Joseph Richard Davis,
L. Van Davis,

Summons

Summons on Petition to sell Real Estate, The State of Ohio, Union County, Probate Court. To the Sheriff of said County: You are commanded to notify Caroline Davis and Lydia Ann Hamilton, that on the 21st day of February 1927, Joseph Richard Davis, Executor of the estate of W. S. Davis, deceased, filed his petition in the Probate Court of said Union County Ohio, against them and orders; 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 26th day of March, 1927, said petition will be taken as

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Sheriff's Return

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Final Record, Union County Probate Court.

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true, and an order granted accordingly.
 Said Sheriff will make due return of this writ on the 7 day of March, 1927.
 Witness my hand, and the seal of said Court, this 21 day of February, 1927,
 Seal W. H. Husted, Probate Judge ^{ex-officio} Clerk of said County.

Sheriff's Return

Sheriff's Return
 The State of Ohio, Union County,
 Received this writ Feb. 21-1927, at 3 o'clock P.M. and pursuant to its command, on the 26-day of February 1927, I served the writ on named Caroline Davis and Lydia Ann Hamilton by leaving for each of them at their usual place of residence a true and certified copy of this writ with all the endorsements thereon.
 F. S. Hager, Sheriff. Mary E. Cline Deputy.

Sheriff's Fees

Ser. & Ret. 75
 Name 25
 mileage 96 Total \$196

Waiver of Summons

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.
 March 8-1927.

The Northwestern Mutual Life Insurance Co.,
 By K. C. Lee, and W. C. Lee its attorneys.

Answer ^{an} Cross-Petition.

In the Probate Court of Union Co. Ohio.
 No. 10994

Answer and Cross-Petition of
 The Northwestern Mutual Life Insurance Company.
 Now comes The Northwestern Mutual Life Insurance Company, one of the defendants in the above entitled action and says that it is a corporation duly organized under the laws of the state of Wisconsin, and having its

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10994

Principal place of business in Milwaukee, in said state, and for answer to the plaintiff's petition not having information as to the truth or falsity set out therein denies each and every of such allegations except that it claims to have a mortgage against the premises in said petition described.

Cross-Petition Cross-Petition

By way of cross-petition this answering defendant, The Northwestern Mutual Life Insurance Company says that on the 22-day of October 1925, Wilson S. Davis, executed and delivered to this answering defendant, his certain promissory note for fifty seven hundred dollars, payable in ten years, with interest at five per cent payable semi-annually a copy of said note marked Exhibit "A" is hereto attached, and made a part hereof. There is unpaid on said note the principal sum of fifty-seven hundred dollars, with interest thereon at five per cent from October 22-1926.

To secure the payment of his said note the said Wilson S. Davis and his wife Caroline Davis, executed and delivered to this answering defendant, their mortgage on 128.73 acres in Allen Township Union County, Ohio, the land described in the plaintiff's petition. Said mortgage on the 4th day of November 1925, at 10.20 o'clock a.m. was recorded in book 93 at page 181 of the mortgage records of said Union County, Ohio, and thereby became a valid first lien against said premises. Said mortgage contained a condition that if the said Wilson S. Davis, his executors, administrators, or assigns shall pay to the said The Northwestern Mutual Life Insurance Company, his ^{said} note according to its terms then said mortgage shall be void, otherwise to remain in full force. Said note contained a provision that if more than one-half of the original principal sum therein named, should be paid after two years, and prior to maturity, then that the said Wilson S. Davis should pay 60 days interest at the rate specified on said note, on the excess of one-half of said original sum so paid.

This answering defendant therefore prays that the Court determine the priority of its said mortgage lien, and should said premises be sold or any part thereof, that it may be paid the proceeds of said sale, or such part thereof, as

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may to its own interest and be excess and for find

Exhibit A

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Final Record, Union County Probate Court.

10994

may be required to satisfy said its said claim of Fifty-seven hundred dollars, with interest at five per cent. thereon from October 22-1926, and sixty days interest at five per cent per annum, on the excess of one-half of said principal sum so paid, and for other relief to which the Court may find it entitled.

The Northwestern Mutual Life Insurance Co.

By Hale and Mc Gee, Its attorneys.

Exhibit "A"

5700 Union County, Ohio, October 22-1925. For value received, I, promise to pay to the order of The Northwestern Mutual Life Insurance Company at its office, in the city of Milwaukee, Wisconsin the sum of fifty-seven hundred dollars, at the expiration of ten years from the date hereof, with interest thereon from date, until paid at the rate of five per cent per annum, payable semi-annually, with the privilege at any time after ten years, and before maturity of paying one hundred dollars or any multiple thereof upon said principal, provided, that at least one-half thereof shall run at least five years, and, provided further that sixty days' additional interest shall be paid on any and all such payments in excess of one-half of the original principal made after five years and before maturity, and I further promise and agree to pay a reasonable attorneys fee to be fixed by the court in case said principal sum shall not be paid at maturity or when declared due in accordance with the provisions herein contained, and in case suit shall be brought for the collection of said principal sum or for the foreclosure of the mortgage given to secure this note.

This note is secured by a mortgage of even date herewith executed by Wilson S. Davis and Caroline Davis, his wife, to the said The North Western Mutual Life Insurance Company, on lands in Union County, Ohio, which is the first lien on the property therein described; and, in case the interest on this note is not fully paid when due, or in case of default in the performance of any or either of the terms and conditions of said mortgage, the whole

Exhibit A

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10994

The whole indebtedness secured by said mortgage shall, at the option of said The Northwestern Mutual Life Insurance Company, become due and payable at once without notice (notice of the exercise of such option being hereby expressly waived).

No payment of the principal of this note shall be deemed valid except upon the receipt of the authorized officers of said The Northwestern Mutual Life Insurance Company.

Wilson S. Davis.

Endorsement:-

April 13-1926. Received interest to April 22-1926.
 Dec. 22-1926 " " " " Oct. 22-1926.

State of Ohio, County of Logan, S.S.

J. J. McLee, being first duly sworn deposes and says that he is one of the firm of Hale & McLee, Attorneys for the defendant, The Northwestern Mutual Life Insurance Co., that the foregoing pleading is based upon an instrument for the unconditional payment of money and that the said instrument is in their possession and that the allegations made in said pleadings are true as he truly believes.

Oath.

J. J. McLee.
 Sworn to before me and subscribed in my presence this 8 day of March, 1927.
 Dorothea O. Beeble,
 Notary Public, Logan County, Ohio.

Cross-Petition

In The Probate Court, Union County, Ohio
 No 10994.
 Cross-Petition.

Joseph Richard Davis
 Executor of
 The Estate of W. S. Davis, Dec'd.
 Plaintiff

No. 10994

Cross-Petition

Caroline Davis, et al.
 Defendants.

Now comes Joseph Richard Davis for himself and on his own behalf and says that in the year 1922 that he and the said W. S. Davis, deceased, entered into a partnership agreement for the purpose of farming the premises described in the plaintiffs petition and the raising

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Final Record, Union County Probate Court.

10994 of live stock and grain thereon, and that under said agreement this defendant took possession of said premises on said date, and has continued in possession thereof and is now in possession thereof.

That by reason of said partnership agreement and thereunder this defendant during the year 1926 spent considerable money for grass seed and the planting of wheat on said premises, and in which he has an interest, and did other things in and about the premises with the understanding and agreement with the said W. S. Davis in his life time, that he should continue to operate and live on said premises for another year or until the 1st day of March, 1927, and by reason of said agreement and the things done as aforesaid, he is entitled to remain in possession of and to operate said premises during said time.

That owing to the death of the said W. S. Davis it has been necessary to sell the decedent's interest in the personal property belonging to said partnership, and that this defendant can operate the same as a share croper.

Wherefore, this defendant prays that his interest in the said premises may be protected and that the same be sold subject to his term ending on the 28 day of February 1928, and for such other and further relief in the premises as may be just and equitable.

Joseph Richard Davis.

State of Ohio Union Co. ss.

Oath. Joseph Richard Davis, being first duly sworn, says that the facts stated and the allegations made and contained in the foregoing cross-petition are true as he believes.

Joseph Richard Davis

known to before me, and signed in my presence, this 18. day of February, 1927.

Beat Mand Pipers, Notary Public

In the Probate Court, Union County, Ohio.

Joseph Richard Davis, Adm.
of the Estate of
W. S. Davis. Deceased.
Plaintiff

Langhorst Brothers, Wapakonetta, Ohio.

10994

v.
Caroline Davis,
C. Van Davis
Joseph Richard Davis
Lydia Ann Hamilton
Ans.

No. 10994

The Northwestern Mutual
Life Insurance Co.,
Defendants.

Answer

Answer.

Now comes the defendant, Caroline Davis, and represents to the court that she is the widow of said W. S. Davis (Wilson S. Davis) and that her age is 83 years.

Defendant further says that she has elected not to take under the will of the said W. S. Davis

This defendant further says that she consents to the sale of said real estate free from her dower estate, and asks that the present cash value of her said dower estate, in money, be determined, and that said cash value be paid to her out of the proceeds of said sale.

C. A. Hoopes, atty. for Caroline Davis

State of Ohio, Union County, ss.

oath.

Caroline Davis, being first duly sworn, says that she is answering defendant herein, and that the facts stated and allegations made in the foregoing answer are true as she verily believes.
Caroline Davis

Known to before me, and subscribed in my presence this 31 day of March, 1927.

John A. Fenington, Notary Public

Order for appraisement

In the Probate Court, Union Co. Ohio
Journal Entry, Order for appraisement.
This day this cause came on to be heard upon the petition, the answer and cross-petition of the Northwestern Mutual Life Insurance Company, the answer and cross-petition of Joseph Richard Davis, and the answer of Caroline Davis and the evidence and exhibits, and the Court find that all of the defendants have been duly served with process, or have voluntarily entered their appearance in this case; and the Court further find that as set forth in the plaintiff's

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Final Record, Union County Probate Court.

10994

petition, it is necessary to sell the real estate therein described, to pay the debts of the said W. S. Davis, deceased.

and, the Court further find that the said Caroline Davis the widow of the said W. S. Davis deceased, has by her answer, waived the assignment of any interest that she may have or be entitled to by metes and bounds.

The Court further find that by the answer of the defendant, The Northwestern Mutual Life Insurance Company, that it holds a certain mortgage lien on said real estate to secure the payment of a certain promissory note with the interest that may accrue thereon as set forth in its answer and cross-petition.

and, the Court further find that by the cross-petition of the said Joseph Richard Davis that he has some interest or claim as tenant and lessee of said real estate, and that he should remain in possession, occupancy, and tenancy of said real estate as a share cropper, upon the customary conditions as such, for the period beginning Jan. the 1st day of March, 1927, and ending Jan. the 28th day of February 1928, as set forth in his cross-petition.

It is therefore ordered, and adjudged by the Court, that the said Joseph Richard Davis remain and continue in possession of said real estate as tenant upon the shares until the 28th day of February 1928, and so account, to this Court, until further ordered, by this Court, of his proceedings in the premises.

The Court further orders, that the said real estate be appraised free from any interest or claim that the said Caroline Davis has or may have therein, by the oaths of Charles Cow, James Cow, and John George judicious and disinterested free holders of the vicinity, whom the Court hereby appoint for that purpose, and that they return their proceedings to this Court for confirmation.

It is further ordered by the Court that all questions as to priority of liens be continued for determination, and this cause is continued.

W. H. Husted, Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10994

Order of appraisement.

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

To Joseph Richard Davis, Greeting:

Order of appraisement

In obedience to an order, and decree of the Probate Court within and for said county, made this day, in a certain cause, wherein you, as executor of the estate of N. J. Davis deceased, are Plaintiff and Caroline Davis et al. are Defendants, you are commanded that by the oaths of Charles Cor, James Cor, and John George, 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, for the down estate of Caroline Davis, therein, to wit:

All that part of Survey no. 2979, and

Beginning at a stone near a white oak on S.E. Corner, to Knott's land and at Phillip Cor's West line; thence S 7 1/2° W. 263.04 poles to Doby Creek; thence up the artificial channel of said creek cut by S. P. Kimball and at low water mark, to a point opposite Reed's S.E. Corner; thence N. 57 1/2° E. 288.52 poles to a stone near two lym trees corner to Reed's land; thence S. 32 1/2° E. 75.16 poles to the place of beginning, containing 128.73 acres, more or less.

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

Witness my signature and the seal of said Probate Court, at Mansville Ohio, this 4. day of May A. D. 1927. Seal W. H. Trustad, 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 9. day of May, 1927.

Joseph Richard Davis

Oath of appraisers

Oath of appraisers

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

Charles Cor, John W. George, James P. Cor Appraisers

10994

Brown 6. day

Appraisers Return

In so duly therein estimated nine east West

Confirming appraisement

Ordering Bond.

This Jordan herein James this that comes hereby

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Bond.

Kun Rich and to in the the f several Sign day of That Dav by the of

Final Record, Union County Probate Court.

10994

known to before me. and signed in my presence. this 6. day of May. 1927.

Joseph Richard Davis, Executor,

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 ten thousand nine hundred and fifty dollars (\$10,950.-) Dollars. East half valued at \$6,725.00 West half " " 4,225.00

Given under our hands, this 6. day of May, 1927. Charles Cow, John N. George, James P. Cow, appraisers.

Probate Court, Union County, this May, 23 - 1927.

Confirming appraisement

Confirming appraisement and ordering Bond

This day came the said Plaintiff by his attorney, and produced to the Court, the report of an appraisement herein made by Charles Cow, John N. George, and James P. Cow, 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.

ordering Bond.

It is further ordered, that said Joseph Richard Davis execute within ten days, to the State of Ohio, a bond with sufficient freehold sureties, to be approved by the Court, in the sum of Five Thousand and no/100 Dollars, conditioned according to law, and this cause is continued.

WORTH noted, Probate Judge

Bond.

Bond.

Know all men by these Presents, That Mr. Joseph Richard Davis, Gertrude Davis and C. V. Davis are held and jointly bound unto the State of Ohio, in the sum of Five 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 Mansfield, Ohio, this 2 day of June, 1927.

The condition of the above obligation is such, That whereas the above bound Joseph Richard Davis was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, executor of the estate of W. S. Davis, deceased,

Langhorst Brothers, Wapakonetta, Ohio.

10994

And, whereas, the said Joseph Richard Davis as such executor has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said decedent described in said petition: and, whereas, said Court on the 21 day of May, 1927, made an order requiring said executor to execute a bond according to the Statute in such case made and provided.

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

Joseph Richard Davis, Gertrude Davis, C. V. Davis

This Bond approved in open Court, this 2 day of June 1927. W. H. Husted, Probate Judge

Journal entry: orders approving Bond for Public Sale, etc. Probate Court, Union County, Ohio June 2 - 1927

Approving Bond for Public Sale.

This day this cause came on further to be heard, and it appearing to the Court, that the said Joseph Richard Davis the plaintiff above named has given bond as heretofore ordered, in the sum of five thousand and 00/100 Dollars, with Gertrude Davis and C. V. Davis freeholders as sureties: it is ordered that said bond be and hereby is approved.

It is therefore further ordered, that said Joseph Richard Davis as such executor proceed according to law to sell the real estate described in the petition free from claim of Caroline Davis 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 time and time and place of sale, prior thereto, in some newspaper printed and of general circulation in Union County Ohio, where said real estate is situate.

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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Final Record, Union County Probate Court.

10994

Order of Sale. Free of Dower.

The State of Ohio, Union County, Probate Court.
To Joseph Richard Davis, 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 W. S. Davis, deceased, are Plaintiff and Caroline Davis et al. are Defendants, you are commanded to proceed according to law, to sell at public sale, for not less than $\frac{2}{3}$ the appraised value thereof free from the dower of Caroline Davis widow of W. S. Davis, deceased, the following described premises, to wit:

all that part of Survey No. 2979, and,

Beginning at a stone near a white oak and S.E. corner to Knotts land, and at Phillip Cor^s mark line; thence S. $57\frac{1}{2}^{\circ}$ N. 263.04 poles to Doby Creek; thence up the artificial channel of said creek cut by S.P. Kimball and at low water mark to a point opposite Reed's S.E. corner; thence N. $57\frac{1}{2}^{\circ}$ E. 280.52 poles to a stone near the lym trees corner to Reed's land; thence S. $32\frac{3}{4}^{\circ}$ E. 78.16 poles to the place of beginning.

Containing 128.73 acres, more or less
said sale to be public and to be upon the foregoing terms: To wit: cash in full in hand on day of sale.

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

Witness my signature and the seal of said Probate Court, at Marysville, Ohio, this 2-day of June, 1927. W. H. Husted Probate Judge

Return

Returns

To the Probate Court of Union County, Ohio.
In obedience to the foregoing order, I have caused the same to be duly executed, as will fully appear by the proceedings hereto attached.
Dated the 11-day of October, 1927.

Joseph Richard Davis

Report

Report of Sale. Public

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Marysville Tribune a newspaper and of general circulation in Union County, Ohio, where said real estate is situate, for at least four consecutive weeks prior to the 9 day of July 1927.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10994

the day of Sale therein mentioned: stating in the notice the time, place, and terms of sale: and on said day, at the hour of one o'clock P.M. I attended the place of sale, and offered said real estate for sale from the door estate of Caroline Davis, therein, when Charles Beatty Chappell and Minnie Irene Chappell bid to pay for the same the sum of Seven Thousand Three Hundred dollars, which being the highest and best bid that was offered, and being 73 of the appraised value of said premises. I then and there sold the same to them for that sum.

Dated the 11. day of Oct. 1927.

Joseph Richard Davis

The State of Ohio, Union County.

Oath

The above named Joseph Richard Davis 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.

Joseph Richard Davis

Sworn to before me, and signed in my presence, this 11. day of October, 1927. ~~W.H.~~ Maud Pyles, Notary Public.

Journal entry: order approving and confirming sale Probate Court, Union County, Ohio, October 11-1927.

approving

confirming

This say this cause coming on to heard on the report of Joseph Richard Davis executor of the estate of W.S. Davis 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 deceased, and of the said Caroline Davis in said real estate, to the purchasers Charles Beatty Chappell, and Minnie Irene Chappell upon the said purchaser paying the purchase price therefor in the sum of \$7300.00 in cash.

It is further ordered, that this proceeding be recorded and that said petitioner pay the costs herein taxed.

W.H. Husted, Probate Judge.

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Legal notices.

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Final Record, Union County Probate Court.

10994

Legal notice.

Legal notice.

In pursuance of an order of the Probate Court of Union County, Ohio, in case No. 10994, Joseph Richard Davis executor, of the estate of W. B. Davis vs. Caroline Davis et al. I will offer for sale at public auction on the 9 day of July, 1927, at one o'clock P.M., on the premises, the following described real estate situated in the County of Union State of Ohio Township of Allen and part of Survey No. 29.79, and,

Beginning at a stone near a white oak and southeasterly corner to Knotts and at Phillip Cor's west line; thence south 57 1/2° west 263.04 poles to Doby Creek; thence up the artificial channel of said creek cut by J.P. Dimentell and at low water mark to a point opposite Reed's south east corner; thence north 57 1/2° east 280.52 poles to a stone near two elm trees corner to Reed's land; thence south 32 1/2° east 75.16 poles to the place of beginning, containing 128.73 acres more or less.

Terms cash.

appraised at \$10950.00 as a whole;

east half at \$6725.00; west half at \$4225.00

will be offered for sale in two parts and then as a whole, highest bidder being the purchaser.

Joseph Richard Davis, Plaintiff Ex.

Mrs L. Myers, atty. June 8-1927.

The State of Ohio, Union County ss.

Cash.

Personally appeared before me, Jera Huber and made solemn oath, that the notice, a copy of which is hereto attached was published for four consecutive weeks, on and next after June 8 1927 in the Weekly Marysville Tribune, a newspaper of general circulation in the County aforesaid, also one insertion in Daily Tribune.

Jera Huber.

Brought to before me, and signed in my presence, this 30 day of June, 1927.

J.M. Huber, Notary Public

Printed fees \$12.42 paid

Distribution

Journal Entry: Order for Distribution Probate Court, Union County, Ohio Oct. 11-1926.

This day this cause came on to be heard upon pleadings herein, and upon the motion to distribute the proceeds of the sale, amounting to the sum of Seven Thousand Three Hundred and

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

10994 and, no. 1,000 dollars; and, the said Caroline Davis widow, leaving by answer herein waived the assignment of dower in said premises by metes and bounds, or rents and profits, and asked that the value of such dower be allowed and paid her out of the proceeds of said sale; the Court finds the just and reasonable value of her dower interest in said real estate to be the sum of Four Hundred and Seventy nine and ⁷³/₁₀₀ Dollars. The Court finds that there is due the said The Northwestern Mutual Life Insurance Company upon the note set forth in its answer and cross petition from the estate of said W. S. Davis the sum of \$5,905.⁸⁶, that the said W. S. Davis and that said Caroline Davis 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 fund in the hands of said executor arising from the sale of said premises. It is ordered, that an entry of release and satisfaction of said mortgage be entered of record in the office of the recorder of Union County, Ohio, according to law.

Distribution

It is further ordered, that said executor, out of the money in his hands, pay:

First, To the Treasurer, of this County, the sum of \$409.62, 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 \$124.⁵⁷ to J. L. Myers, and the percentage of said Joseph Richard Davis herein, amounting to the sum of \$266.⁰⁰

Third, To Caroline Davis widow, the sum of \$479.⁷³ which the Court finds to be the value of her dower interest in said premises.

Fourth, To the Northwestern Mutual Life Ins Co., on the note, and mtg., set forth and described in its answer, and, cross petition herein, the sum of \$5,905.⁸⁶ 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 \$3,882.⁰⁰ be accounted for by said executor, according to law.

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May, 13-
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R.C. Small, atty.

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Final Record, Union County Probate Court.

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

W. H. Huatid, Probate Judge

11073

May, 13-

1927

R.C. Howell,

atly.

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

no. 11073,

J.E. Pearson, Administrator of the estate of John Wolford, deceased. Plaintiff

Civil action

vs. John Wolford, Betty Jane Wolford, a minor aged 4 yrs. and, The Provident Mutual Life Insurance Company of Philadelphia, Pa. Defendants.

Petition to Sell Real estate

Petition

Petition

The Plaintiff represents that he is the duly appointed and qualified Administrator of the estate of John Wolford late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is \$2000.00 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 \$700.00 being wholly insufficient to pay the debts and costs aforesaid. The Plaintiff further represents that said John Wolford did seized in fee simple of the following described real estate, situate in the County of Union, and State of Ohio, to-wit:

Being an undivided one-half interest in fee simple in the following land located in Liberty Township, Union County, Ohio,

Part of Survey no 3487 and bounded and described as follows:

Beginning at a stake and stone in the easterly line of Survey no. 3487 and on the westerly line of land formerly owned by C.W. Brock and just South of the public highway;

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11.073

thence South 52° West on and along the center of the public highway 83 poles; thence north 88° West 85 poles to the southerly line of land sold to A. Kottwald; thence north 52° East along said Kottwald southerly line to the easterly line of William D'Anger field's survey; thence S. 38° East along said survey line 85 poles to the place of beginning.

containing 44 acs. more or less.

The said decedent died leaving the defendant Lulu Wolford his widow who is entitled to dower in said premises; that the defendant Betty Jane Wolford a minor aged four years is the only other heir at law and next of kin of said decedent. and the only heir at law of said decedent having the next estate of inheritance from said John Wolford deceased, in said premises; that the defendant The Provident Mutual Life Insurance Company of Philadelphia Pa. claims a lien against said land by mortgage.

The Plaintiff therefore prays that the dower of said Lulu Wolford, in said premises may be assigned and set off to her, that the rights, interests and liens of the said Betty Jane Wolford and The Provident Mutual Life Insurance Co. of Philadelphia Pa. may be fully determined, adjusted and protected according to equity, and that your petitioner may be authorized and ordered to sell said real estate to pay the debts of said estate 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

J. E. Pearson.

The State of Ohio, Union County, ss.

Sub

J. E. Pearson, the above named Plaintiff, being duly sworn, says that the various matters and things set forth in said petition are true, to the best of his knowledge, and belief.

J. E. Pearson, Adm.

Sworn to before me, and signed in my presence, this 10. day of May, 1927.

[Signature] Richard C. Thrall, Notary Public.

Probate Court, Union County, Ohio.
Civil Action
Principle

Principle

To the Probate Judge:
Issue summons for said Betty Jane Wolford

11.073

Filing Petition

Summons

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Final Record, Union County Probate Court.

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a minor aged four years, and Lulu Wolford, her mother and the person with whom she resides and, to The Provident Mutual Life Insurance Co. of Philadelphia Pa., defendants directed to the sheriff of said County returnable according to law.
Richard C. Thrall Plf. attorney.

In the Probate Court of Union County, this
May 13-1927

Filing
Petition

Journal entry: Filing Petition to Sell Real Estate

This day came the Plaintiff J. E. Pearson, Adm. of the estate of John Wolford and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said John Wolford, 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

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

You are hereby commanded to notify Lulu Wolford mother of Betty Jane Wolford and the following named who are minors to wit:
Betty Jane Wolford,

making service of this summons, upon said minor and also upon the mother, or the person having the care of said minor, or with whom she lives; that on the 13 day of May A.D. 1927, J. E. Pearson, Adm. of the estate of John Wolford deceased, filed his petition in the Probate Court of said Union County, this is against them and others; the object, and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts, and that unless they answer by the 11 day of June, 1927, said petition will be taken as true and an order granted accordingly.

Said Sheriff will make due return of this writ

Wolford

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11073 on the 23 day of May, 1927.
Witness my hand, and the seal of said Court, this
13th day of May, 1927. W. H. Husted Probate Judge -
Sheriff's Return

Sheriff's Return
The State of Ohio, Union County.
Received this writ May 14, 1927 at 10.0 clock A.M.
and on the days and in the manner herein after
named. I served the same on the within named
defendants, viz:
May 14, 1927 on Betty Jane Wolford, (a minor) and Lulu
Wolford by personally handing to each of them a true
and certified copy of this writ with all the endorsements
thereon and at the same time and the same hour,
I served the said Lulu Wolford with a true and certified
copy thereof with all the endorsements thereon, she being
the mother of the said Betty Jane Wolford (a minor)
and with whom said minor resides.
F. S. Hayer Sheriff
M.E.C.

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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 said action
Provident Mutual Life Insurance Co. of Philadelphia
Pa. By Nelson Williams its attorney

Answer of
Widow
Answer of widow
Probate Court, Union County, Ohio
Answer.
And now comes Lulu Wolford 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 Wolford deceased, and as such
is entitled to her dower in the premises described
in said petition that her age is 43 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 said dower estate
therein, and that the value of such dower

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Final Record, Union County Probate Court.

11073

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.

Lulu Wolford.

Oath

The State of Ohio, Union County.

Lulu Wolford being duly sworn, says, that the statements in the foregoing answer are true as she truly believes

Lulu Wolford.

Known to before me, and signed in my presence this 17 day of May, 1927.

Seal Richard C. Thrall, Notary Public

Private Sale

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

Application

The said Plaintiff represents that it moves to 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 cost and delay of public sale may thus be avoided
- 2. at private sale the full appraisement must be brought while at public sale, the property might sell for only 2/3 thereof.
- 3. a buyer has been secured who will give the appraised value of said property.

and, he therefore asks for an order authorizing him to sell said real estate at private sale. J.E. Pearson, admr. of the Estate of John Wolford, deceased.

Oath

The State of Ohio, Union County.

J.E. Pearson, admr. being duly sworn, says that the various matters set forth in the foregoing application are true, as he truly believes.

J.E. Pearson. Known to before me, and signed in my presence this 31 day of Oct. 1927.

Seal Richard C. Thrall, Notary Public

Affidavit Disinterested Person

Affidavit of Disinterested Persons.

The State of Ohio, Union County.

Norman C. Bourn, and Eber H. Dileon, being duly sworn, say that they know the facts set

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11073

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, for the reasons given by the administrators, as they truly believe.

Norman C. Bourn. Eber W. Dillon.

Done to before me, and signed in my presence, this 21st day of Oct. 1927.

Richard C. Thrall, Notary Public.

Application for appointment of Guardian ad litem, Probate Court, Union County, Ohio. October 31-1927.

Application for appt. of Guardian ad litem

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

The undersigned J. E. Pearson, Adm. of the estate of John Wolford, deceased, makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case.

The defendant Betty Jane Wolford is a minor aged four years and under the age of fourteen years, and has been duly served with summons herein.

The undersigned suggests that William J. Porter who is a suitable person to be appointed as such Guardian ad litem.

Respectfully

J. E. Pearson, Adm.

Probate Court, Union County O. October 31-1927. No. 11073.

appointment of Guardian ad litem.

appt. of

Guardian ad litem

This day J. E. Pearson, adm. of the estate of John Wolford, deceased, appeared in open Court, and made application for the appointment of a Guardian ad litem for the minor defendant in this case.

and it appearing to the Court that the defendant Betty Jane Wolford is a minor aged four years and under the age of fourteen years, and has been duly legally served with summons herein.

it is ordered, that William J. Porter be and he is hereby appointed Guardian for the suit, for said minor defendant.

and now comes the said William J. Porter and in open Court accepts said appointment.

W. H. Husted

Probate Judge

11073.

answer

of Guardian ad litem

minor William appointed to said Court Justice accepted and in the Da

order for Private sale.

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Final Record, Union County Probate Court.

11073.

Answer of Guardian ad litem
Probate Court, Union County, Ohio,
No. 11073.

Answer
of
Gdn. ad. litem

Answer of minor Defendants

and now comes the said Betty Jane Wolford the
minor defendants to the petition in said cause by
William J. Porter 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 to this Court, to protect their rights
in this cause, and for such relief as may be just.

Dated this 31. day of Oct. 1927.

Betty Jane Wolford,
By

William J. Porter Gdn. ad. litem.

Probate Court, Union County, Ohio,
October 31-1927.

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
John Wolford, deceased, did leave a widow entitled
to dower in the estate to be sold, who waived said
dower, 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 Wolford 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 J. E.
Pearson, as such, Adm., proceed to sell said
real estate, free of dower, at private sale for not
less than the appraised value thereof, or the

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonette, Ohio.

11073

terms to wit, cash in hand, 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 Taxes.

The State of Ohio, Union County.

Probate Court.

order of sale

To J.E. Pearson, Adm., of the estate of John Wolford, 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., of the estate of John Wolford are Plaintiff and, Lulu Wolford 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 the dowry of Lulu Wolford widow of John Wolford deceased, the following described premises to wit:

Situated in the County of Union, State of Ohio; being an undivided one-half interest in fee simple in the following land located in Liberty Township, Part of Survey no. 3487 and bounded and described as follows:

Beginning at a stake and a stone in the easterly line of Survey no. 3487, and on the westerly line of land formerly owned by C.W. Brook and just south of the public highway; thence south 52° west on and along the center of the public highway 83 poles; thence north 38° west 85 poles to the southerly line of land sold to A. Gattmied; thence north 52° east along said Gattmied southerly line to the easterly line of William Dinger field Survey; thence south 38° east along said Survey line 85 poles to the place of beginning.

Containing 44 acres more or less.

Said Sale 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 31-day of Oct. 1927.

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 proceeding hereto attached.

Dated the 31 day of October, 1927.

J.E. Pearson.

Adm.

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Final Record, Union County Probate Court.

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Report of Sale.

In obedience to the within order, I sold said premises on the 31 day of October 1927, to Lulu Wroford for the sum of one thousand dollars, said sum being the appraised value of the same.

J. E. Pearson, Adm.

Dated the 31 day of Oct. 1927.

The State of Ohio, Union County

Cash

The above named J. E. Pearson, as Adm., 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. Pearson, Adm.

Brought before me, and signed in my presence, this 31 day of Oct. 1927.

Richard C. Small, Notary Public

Journal Entry: order approving, and confirming Sale.

Probate Court, Union County, Ohio

Oct. 31-1927.

Approving and

confirming Sale.

This day this cause coming on to be heard on the report of J. E. Pearson, Adm. of the estate of John Wroford deceased, of his proceeding 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 respect correct, and being satisfied that said sale was fairly and legally made.

It is ordered that the same be, and hereby is approved and confirmed.

It is further ordered, that said petitioner execute a deed of all the right, title and interest of the said John Wroford in said real estate to the purchaser Lulu Wroford

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

W. H. Husted, Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Petition for Sale of Real Estate under
Authorization of Will.
Probate Court, Union County, Ohio.
Petition

Konrad C. Black
att'y.

Cephas Atkinson, executor of the Last Will and
Testament and Codicil
thereof, and estate of
Elwood W. Smith, deceased, Plaintiff.

v.

Walter Linscott, and
Anna Linscott his wife.
Clarence Linscott, and
Dorothy Linscott, his wife.
Ruth Elenor Smith, a
minor 18 yrs. old.
Alice D. Smith, Guardian of
Ruth (Eleanor) Smith, a
minor 18 yrs. of age.
Cephas Atkinson, trustee for
Ruth (Eleanor) Smith, a
minor 18 yrs. of age.
Ray W. Smith (Raymond Smith)
Judd J. Smith (widower of Flora Smith)
Mrs. Clara E. Smith his wife
(Ernest) Raymond Linscott, and
Lulu Linscott his wife
Lizzie Roberts and Lewis E. Roberts
her husband,
Laura S. Gestig, & E. A. Gestig, her husband,
Lewis (L) Galewood and
Bernedine T. Galewood, his wife,
Mrs. Paul (H) Galewood, and Elsie G.
Galewood, his wife
Defendants.

Petition

The Plaintiff represents that he is the duly
appointed, qualified and acting executor of the
Last Will and Testament and Codicil thereof of
Elwood W. Smith, deceased, late of Union County Ohio;
that the said decedent, Elwood W. Smith, left a
will directing and empowering him, the said
Plaintiff herein, to sell, all his real estate, which
will has been duly probated and is of record
in this court, and to which reference is hereby made
for the authority which is herein exercised
and under which said plaintiff is proceeding
in this action.

Plaintiff represents that the said Elwood

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Final Record, Union County Probate Court.

11124

W. Smith, died seized in fee simple of the following described real estate, set forth herein in four tracts each situate in the village of Plain City, Jerome Township, Union County, Ohio.

Tract 1

Tract one.

Lot No (18) in Howard C. Black's second addition to the said village of Plain City, Union County, Ohio, as the same is known numbered and designated on the recorded plat at Mansville, Ohio.

appraised at \$600- (where Rausch now lives)

" 2

Tract Two.

Beginning at the northernmost corner of a piece of land owned by Hiram Wright and in the south line of George Rickard's land: thence with said Rickard line N. 86° 11' W. 91 feet to a stake in said line: thence S. 20° 18' W. 161 feet to a stake:

thence in an easterly direction 87 1/2 feet more or less to a stake in the west line of said Hiram Wright: thence with said Wright line, 180 1/2 feet, more or less to the place of beginning containing one third (1/3) of an acre, more or less, and being part of Survey No. 7758, being the same land conveyed by Isaac Swensider and wife to said Elwood W. Smith by deed of date March, 1- 1906, of record, Vol. 97, page 14, Union County, Ohio, records, being in Plain City School District Jerome Township, Union County, Ohio.

Less, however, a strip of land across the entire south end of said tract as above described which was taken off to continue Gray Street of Howard C. Black's second addition to Plain City, Union County, Ohio, the tract herein conveyed lying wholly north of said Gray Street as continued and south of said Rickard line. (appraised at \$425-) (where Koon lives)

" 3

Tract Three.

Beginning at a stake in the S. line of the continuation of Gray of Howard C. Black's 2^d addition to Plain City, Union County, Ohio, and West line to Hiram Wright's land: in a westerly direction with said south line of said continuation of Gray Street, 43 feet and 9 inches, more or less, to a stake in said line: thence in a southerly direction in a line parallel with the east line of an alley on the east side of said Howard C. Black's 2^d addition 152 feet, more or less to a stake in the north line of Ruth Perkins land:

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11124
Description of Tracts.
thence with Perkins north line 43 feet 9 inches
more or less to a stake in said Wright west line;
thence in a northerly direction with said Wright west
line, 152 feet, more or less to the place of beginning,
appraised at \$700.⁰⁰ (where Stevens now lives)

Being part of the land conveyed by Latham to Smith
August, 25-1899, deed of record, Book 79 page 325.
Union County records, being in Plain City School District
Jerome Township, Union County, Ohio.

Tract 4
Tract Four.
Beginning at a stake in the south line of
the continuation of Gray Street of Howard C. Black's
2^d addition to Plain City, Union County, Ohio, and in
the east line of the east alley of said addition,
being the northwest corner to the tract herein conveyed; thence
in an easterly direction with said south line of said
continuation of said Gray Street, 43 feet 9 inches, more or
less to a stake in said line; thence in a southerly
direction 152 feet, more or less, in a line parallel
with the east line of said alley to a stake in the
north line of Ruth Perkins land; thence in a westerly
direction 43 feet 9 inches, more or less, to a stake
in the east line of said alley; thence with the
east line of said alley 152 feet, more or less, to the
place of beginning.

appraised at \$300.⁰⁰ (where Corbin now lives)

Being part of the land conveyed by John W.
Latham and wife to said Elwood W. Smith, August
25-¹⁸99, deed of record Book 79 page 325, Union
County, Ohio, records, being in Plain City School District
Jerome Twp., Union County, Ohio.

Plaintiff represents that said real estate was
appraised in accordance with an order of the Probate
Court of Union County, Ohio, by the appraisers of the
personal estate of said decedent, and that amount
of the said appraisement is set forth respectively
in the description of the various tracts in this
petition detailed.

That said decedent died leaving no widow
and that the defendants herein to-wit:
Orville Linscott, Clarence J. Linscott, Ruth (Eleanor)
Smith, a minor, 18 years old, of whom Alice D.
Smith is guardian, and Cephas Atkinson trustee,
under the terms of the Will and codicil, Ray W.
Smith, Jud T. Smith, (widow of Flora Smith) (Ernest)
Raymond Linscott, Lizzie Roberts, Laura S. Betsy.

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Lewis L. Gatenrod, and Paul Gatenrod, are devised and bequeathed the entire estate of said Elwood W. Smith, the decedent, in proportions as named in his will, in this Court, probated and of record, to which reference is hereby made, and that they are the only successors in property and heirs of said decedent, having the next estate of inheritance from said Elwood W. Smith, in the premises.

The plaintiff therefore prays, that said premises may be sold in accordance with the directions of said Will; that the rights and interests of said devisees and legatees under said Will may be fully protected, determined and adjusted, according to equity and that your petitioner may be authorized and ordered to sell and convey said real estate free from doubt, according to the Statute in such case made and provided, and, for all other proper orders, and relief, in the premises.

Howard C. Black, Atty. for Plaintiff.

The State of Ohio, Madison County, ss.

Cephas Atkinson executor, of the Last Will and Testament and estate of Elwood W. Smith,

Oath

deceased, being duly sworn says that he is the duly appointed, qualified and acting executor of the said Elwood W. Smith, deceased, and that the various matters and things set forth in said petition are true, to the best of his knowledge and belief.

Cephas Atkinson

Sworn to before me, and subscribed in my presence, this -

James W. Borror

Notary Public

Notary Public

Warrors filed here with for all defendants, Howard C. Black,

Howard C. Black,

Atty. for Plff. -

Filing Petition

In the Probate Court of Union County, Ohio August 2 - 1927.

Journal Entry: Filing Petition to Sell Real Estate. This day came the Plaintiff Cephas Atkinson, Executor of the Last Will and Testament and Codicil, thereof of Elwood W. Smith, dec'd and, presented to this Court his petition duly verified, praying an order for the sale of real estate of the said Elwood W.

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11124

Smith, dec'd and presented to this court his position, duly verified, praying an order for the sale of real estate of said Elwood H. Smith, deceased, in accordance with authorization and direction in the Will of said Elwood H. Smith to pay the cost of administering and distributing 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

Waver

Waver of Summons.

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.

Miles Linscott, Anna Linscott, wife
Clara J. Linscott, Emma Linscott, wife
Alice D. Smith, Guardian

Ruth Eleanor Smith.

W. Ray Smith

John F. Smith

Clara L. Smith wife

Ernest Raymond Linscott, Lulu Linscott, wife.

Lizzie Roberts

Lewis E. Roberts

Orphan. Atkinson, Trustee, Ruth Smith.

Application for appointment of Guardian ad litem

Probate Court, Union County, Ohio.

August, 2 - A. D. 1927.

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

The undersigned Howard C. Black, make application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case.

The defendant, Ruth (Eleanor) Smith, a minor, of the age of 18 years, and has been duly served with summons, herein.

The undersigned suggests that William J. Porter who is a suitable person be appointed as such Guardian ad litem

Respy. Howard C. Black, atty. for Pet.

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Probate Court, Union County, O., August 2 - 1927.
appt. of Guardian ad litem.

appt. of. This day, Howard C. Black appeared in open Court, and made application for the appointment of a Guardian ad litem for the minor defendants in this case

and it appearing to the Court that the defendant Ruth Smith, the age of 18 yrs and has been duly and legally served with summons herein, it is ordered that William J. Porter Sr. and he hereby is appointed Guardian for the suit, for said minor defendants.

And now comes the said William J. Porter and in open Court accepts said appointment
W. J. Porter, Probate Judge

Answer of Guardian Ad litem.

Answer.

Probate Court, Union County, Ohio.
Answer of minor Defendants.

and now comes the said Ruth (Eleanor) Smith by William J. Porter Guardian ad litem for the minor defendant to the petition in said case, by William J. Porter 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.

She further says that she is of tender years and not acquainted with the law in such cases and therefore pray the Court to protect her rights in this cause, and for such relief as may be just.

Dated this 2 day of August, 1927

By William J. Porter, Guardian ad litem.

Waiver

Waiver of Summons, on Petition to Sell Real Estate
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,
Laura S. Gestig, E. A. Gestig, Geraldine T. Gatenwood
Lorris L. Gatenwood, Elsie G. Gatenwood
Paul G. Gatenwood.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Order of Sale.
Free of Dower.

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale, at public sale auction, on Saturday the 24. day of September 1927 at 2.0 o'clock afternoon, upon the premises, the following described real estate, situate in the county of Union and State of Ohio, to-wit:

Tract one
Tract one, Lot. no (8) Eight, in Howard C. Black's second addition to, the village of Plain City, Union County, Ohio, as the same, is known, numbered, and, designated on the recorded plat at, Marysville Ohio. (where Pauch now lives)

appraised at \$ 800.00

Tract Two.

Tract. 2

Beginning at the northwest corner of a piece of land owned by Hiram Wright and, in the south line of George Rickard's land; thence with the said Rickard line north 86° 11 minutes west 91 feet to a stake in said line; thence south 20° 18' west 161 feet to a stake; thence in an easterly direction 87 1/2 feet more or less, to a stake in the west line of said Hiram Wright thence with said Wright line 150 1/2 feet more or less, to the place of beginning, containing one-third of an acre, more or less, and, being part of survey 7758, being the same land conveyed by Isaac Stroviser and wife to said Erwood W. Smith, by deed of date March 1, 1906, of record Vol. 97, page 14 Union County, Ohio, records, being in Plain City School District Jerome Twp., Union Co., Ohio.

less, however, a strip of land across the entire south end of said tract, as, above described, which was taken off to continue Gray Street of Howard C. Black's second addition to Plain City Union County, Ohio, the tract herein conveyed lying wholly north of Gray Street; as continued, and, south of said Rickard line (where Coon lives)

appraised at \$ 425.00

Tract three

Tract Three:

Beginning at a stake in the south line of the continuation of Gray Street of Howard C. Black's second addition to Plain City, Union County, Ohio, and west line to Hiram Wright's land, thence in a westerly direction with said south line of said continuation of Gray Street 43 feet, 9 inches, more or less to a stake in said line; thence in a southerly direction in a line parallel with the east line

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Description of Tracts.

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Description
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of an alley - on the east side of said Howard C. Black's Second addition 15-2 feet more or less, to a stake in the north line of Rich Perkins land; thence with said Perkins north line 43 feet 9 inches more or less, to a stake in said Wright west line; thence in a northerly direction with said Wright west line 15-2 feet more or less, to the place of beginning, being part of the land, conveyed by Latham to Smith August 25th 1899, deed of record Book 79, page 325, Union County Records, being in Plain City School District, Jerome Township Union County, Ohio.

(where Stern now lives)

appraised at \$700⁰⁰

Tract Four:

Tract 4

Beginning at a stake in the south line of the continuation of Gray Street of Howard C. Black's Second Addition to Plain City Union County, Ohio, and in the East line of the east alley of said addition being the north west corner to the tract herein conveyed; thence in an easterly direction with said south line of said continuation of said Gray Street, 43 feet, 9 inches, more or less, to a stake in said line; thence in a southerly direction 15-2 feet, more or less, in a line parallel with the East line of said alley to a stake in the north line of Rich Perkins land; thence in a westerly direction 43 feet 9 inches, more or less, to a stake in the east line of said alley; thence with the East line of said alley, 15-2 feet more or less, to the place of beginning, being part of the land conveyed by John W. Latham and wife to said Elmer W. Smith, August 25th 1899, deed of record, Book 79 page 325 Union County, Ohio, records, being in Plain City School District Jerome Twp, Union County, Ohio (where Corbin now lives)

appraised at \$300⁰⁰

Total appraisement \$22,25⁰⁰

Terms of sale: cash, a deposit of 10 per cent will be required from purchaser at time of sale.

Orpha A. Atkinson Executor of the estate of Elmer W. Smith, deceased,

Howard C. Black, atty for Plft.

Sept. 1. 41.

State of Ohio, Union County ss
Personally appeared before me, Walter Weil and made solemn oath, that the notice, a copy of which

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11124 is hereto attached was published for 4 consecutive weeks on and next after Sept. 1-1927 in the Union County Journal a newspaper of general circulation in county aforesaid.

Matter Kirk.

I now to before me and signed in my presence this Sept. 24, 1927. ^{seas} B.B. Gammor. Printer's Fees \$ 36⁵⁰

Order of Sale. Free from Dower.

order of sale.

The State of Ohio. Union County.

Probate Court.

To Cephas H. Kinison, executor of the last will and testament of Elwood Smith, deceased. Meeting:

In obedience to an order and decree of the Probate Court within and for said county, made this day in a certain cause, wherein you, as executor of the last will and testament of Elwood H. Smith, deceased are Plaintiff and Miles Linscott 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 any dower of the following described premises to-wit:

See description in Petition and legal notice.

Said sale to be on the premises on Saturday Sept. 24-1927 2 P.M. and to be upon the following terms: cash a deposit of 10% required from purchaser at time of sale.

Purchaser to pay taxes apportioned to be paid in Dec. 1927.

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 24 day of Aug. 1927 ^{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 26 day of Sept. 1927

Cephas H. Kinison, Ex. est. of Elwood H. Smith. Seas

Report

Report of Sale.

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

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Final Record, Union County Probate Court.

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Where said real estate is situate, for at least 4 consecutive weeks prior to the 24 day of Sept. 1927, 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 2 o'clock P. m. I attended at the designated place, and offered said real estate for sale, first from any down estate thereto, when C. M. Andrews, bid to pay for Tract one, \$650.00 Eli Coon, for tract two \$600.00 Fishin Van Boose, for tract three, \$890.00 in each instance more than two-thirds the appraisement; and, M. van Boose \$200.00 for tract four, which being the highest and best bids that were offered, and, being more than 2/3 or 2/3 of the appraised value of said premises, I then and there sold the same to above named, for such sums respectively.

Cephas Hinkinson
 Ex. est. of Elwood W. Smith, dec'd.
 Dated, the 24, day of Sept. 1927.

Oath

The State of Ohio, Madison County,
 The above named Cephas Hinkinson Ex. of the Last Will and Testament of Elwood W. Smith, 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.

Cephas Hinkinson
 Sworn to before me, and, signed in my presence this 24 day of Sept. 1927.
 Seal Howard C. Black, Notary Public.

approving and Confirming Sale

Journal entry: Orders approving and Confirming Sale, Probate Court Union County, Ohio, September 24 - 1927.

This day this cause coming on to be heard on the report of Cephas Hinkinson Ex. the estate of Elwood W. Smith, deceased, of his proceeding 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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Langhorst Brothers, Wapakonetta, Ohio.

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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 Elwood W. Smith deceased in said real estate to the purchaser C. M. Andrews Tract one,

Eli Coon Tract Two:

Fishia Van Boosel Tract Three:

and Martin Van Boosel. Tract four.

upon the said purchaser paying cash.

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

Witnessed, Probate Judge

11131

11131

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio

Aug. 11-1927.

John C. Bower
atly.

John P. Bower, Administrator
of the estate of
Emeline Drake, deceased.

no. 11131

bind action

Plaintiff

Helen D. Fry
R. H. Fry
S. Oliver Coons
L. S. Coons
Charles F. Drake

Petition to
Sell Real Estate

Petition

Defendants,

Petition

The Plaintiff represents, that he is the duly appointed and qualified Administrator of the estate of Emeline Drake, late of Union County, Ohio, deceased, that the amounts of debts due from the deceased, is one thousand dollars, as near as can be ascertained, that the charges of administration of said estate will amount to about one hundred fifty dollars, and that the total value of the personal estate and effects of said deceased, is but \$4⁹⁶ being wholly insufficient to pay the debts, and costs aforesaid.

Over

The plaintiff further represents, that said Emeline Drake 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 York Township, and being part of Military Survey 2982; and is bounded and described as follows, to-wit:

Filing
Petition

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Beginning at a stake in the road and the east line of said survey and at the southeast corner of a tract of land owned by A. P. Barry; thence with said road S. 9 N. 41.31 poles to a stone in the north east corner of L. K. Drake's land; thence S. 84 N. 139.75 poles to a stake; thence S. 7 N. 40.91 poles to a stone in the north west corner of a tract of land owned by Joshua Keller; thence S. 81 N. 16.31 poles to a stake; thence S. 7 E. 83 poles to A. P. Barry's land line; thence with said Barry's land line N. 84 E. 156.06 poles to the place of beginning, containing 44.46 acres more or less.

Excepting therefrom eight (8) acres more or less heretofore sold off of the west side to J. H. Skidmore, leaving in the above described tract thirty six and forty six hundredths (36.46) acres more or less.

The said decedent died leaving the defendants; that the defendants, Flora D. Fry, S. Oliver Coons, and Charles F. Drake, together with their husbands and wives, R. H. Fry, C. S. Coons are the only and sole heirs of said decedent, having the next estate of inheritance from said Emeline Drake, deceased, in said premises; that the rights, interests and claims of the said estate 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.

The State of Ohio, Union County ss.

Ourself

John P. Borer, 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 P. Borer,

sworn to before me, and signed in my presence, this 11 day of Aug. 1927

W. H. Husted, Probate Judge

In the Probate Court, Union County, Ohio
August 11 - 1927

Journal Entry.
Filing Petition to sell Real Estate

Filing
Petition

Langhorst Brothers, Wapakonetta, Ohio.

11131

This day came the plaintiff John P. Bonor adur, of the estate of Emeline Drake, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Emeline Drake, dec'd. to pay the debts, and the costs of administering 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. Husted, Probate Judge

Legal Notice

Waiver

Waiver 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.

Aug. 11 - a. d. 1927.

Floora D. Fry

R. H. Fry

Levas. F. Drake

Mitilda Drake

S. Oliver Coons

C. S. Coons

Hearing of

Journal Entry: Orders on Hearing of appraisement August 17 - 1927

appraisement

This day this cause came on to be heard upon the petition, evidence and testimony, and the Court being fully advised in the premises finds: that all the defendants herein, have been duly and legally served with process, or have voluntarily entered their appearance herein, and are now properly before the Court and that the statements and allegations in said petition are true. That said Court being satisfied that it is necessary to sell the real estate of said Emeline Drake, described in the petition, to pay her debts.

It is ordered, that H. B. Hager, J. L. Headington and C. W. Wron, three suitable and judicial 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

order of appraisement

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to sworn as required by law, and afterward, upon actual view, perform the duties required of them, and make return of their proceedings in writing to this court and this cause is continued.

W. H. Husted Probate Judge

Legal notice

Legal notice

Administrators 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 at the premises near the home farm of Mr. Charles Drake, about two miles east of Mt Mansfield, Ohio, Saturday on the 24. day of September 1927, at 2 o'clock P.M. Eastern time standard, the following described real estate situated in the County of Union, in the Township of York, and State of Ohio, which is bounded and described as follows to-wit:

see description in Petition.

This described 36.46 acres of land is appraised at \$1000. Terms of Sale. one half cash and one half in one year with interest at 6% deferred payment to be secured by mortgage on the premises sold.

John P. Brown.

Adm. of the estate of Emeline Drake. Deceased August 29 - 4 - m.

State of Ohio, Union County ss.

Waile

Personally before me, Walter Kril now made solemn oath that the notice, a copy of which is hereto attached was published for 4 consecutive weeks on and next after Aug 29-1927 in the Union County Journal, a newspaper of general circulation in the County aforesaid.

Walter Kril

Sworn to before me, and signed in my presence, this 19 day of Sept. 1927.

W. P. P. Gammor.

Printer's Fee - \$15.00

Order of appraisement.

order of appraisement

The State of Ohio, Union County. Probate Court, To John P. Brown, adm. of the estate of Emeline Drake. Deceased.

In obedience to an order and decree of the Probate Court within and for said County.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11131

made this day in a certain cause, wherein you as Adm. of the estate of Enneline Drake, deceased, are Plaintiff and Flood D. Fry et al. are Defendants, you are Commanded by the oaths of H. B. Hager, J. L. Headington and C. W. Wren, 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 dovvor, therein to wit:

see description in Petition

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

Witness my signature and the seal of said Probate Court at Marysville Ohio, this 11- day of August, 1927. ~~W. H. Hager~~ 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.

John P. Bourn, Adm-
est. of Enneline Drake, Deas

Oath
of
appraisers

Oath of appraisers

The State of Ohio, Logan County.

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

H. B. Hager, J. L. Headington, C. W. Wren & appra-
isors sworn to before me, and signed in my presence this 12- day of August 1927.

~~W. H. Hager~~ John P. Bourn, Notary Public

Appraisers
Return

Appraisers' Return.

In obedience to the foregoing order, after being first duly sworn, and upon actual view of of the premises, therein described, we, the under-
signed appraisers estimate the value of said real at one thousand Dollars.

Given under our hands, this 12. day of August, 1927
H. B. Hager, J. L. Headington, C. W. Wren & appra-
isors of appraisers \$2. each for day

11131

confirming
appraisement
ordering
sale

order of sale

11131

Journal entry: 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 adur., has given bond in sufficient amount, with approved sureties, conditioned according to law.

and this cause coming on further to be heard on the application of the plaintiff for an order to sell said real estate at Public sale, and the same being submitted to the Court on the said application and the evidence adduced in support thereof: on consideration whereof the Court finds that it would be for the best interests of said estate and all parties interested therein, that said real estate be sold at Public sale.

It is there upon by the Court ordered that said John P. Borror adur., as aforesaid, proceed to advertise and sell the real estate aforesaid free of duty at public sale, at not less than $\frac{2}{3}$ of the appraised value thereof, on the following terms, to wit:

- $\frac{1}{2}$ Cash in hand on day of sale.
- $\frac{1}{2}$ in one year from said day of sale; deferred payments to bear interest from day of sale, and to be secured by mortgage on the premises sold.

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. Husled, Probate Judge

Order of Sale

The State of Ohio, Union County, Probate Court,
To John P. Borror, Adur., of the estate of
Emeline Drake, deceased. Greeting:
In obedience to an order and decree of the

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Adver., of the estate of Emeline Drake, deceased, are Plaintiff and Elora D. Fry et. al. are Defendants, you are commanded to proceed according to law, to sell at Public sale, for not less than the appraised value thereof the following described premises, to wit:

see description in Petition

Said sale to be upon the following terms:

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

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

Witness my signature and the seal of said Probate Court, at Wapakonetta, Ohio, this 24 day of Sept, 1927.
W. H. Husted, Probate Judge

11131

Cash

approving

confirming sale

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 Oct. 1927.

John P. Brown Adver.

Report of Sale, Public.

Report

of sale

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Union County Journal, a newspaper printed and of general circulation in Union Co. O. where said real estate is situated for at least four consecutive weeks prior to the 24 day of Sept. 1927, the day of sale therein mentioned; stating in the notice the time and place and terms of sale; and on said day, at the hour of 2. P. M. I attended the said sale and offered said real estate for sale, when W. W. Warrick bid to pay for the same the sum of One Thousand and Forty-six 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 there and then sold the same to said W. W. Warrick for that sum.

Dated the 1 day of Oct. 1927

John P. Brown, Adver.

of Emeline Drake dec'd.

Final Record, Union County Probate Court.

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adur.,
Plaintiff
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mortgage
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Sept, 1927,
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Cash

approving

confirming
sale

The State of Ohio,
Union Co.

The above named John P. Bower adur., of the estate of Emeline Drake, 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.

John P. Bower, adur.,
of the estate of Emeline Drake, dec'd.
Sworn to before me, and signed in my presence
this 1-day of Oct. 1927
W. H. Hustad, Probate Judge

Journal entry,

approving, and, confirming sale,
Probate Court Union County, Ohio,
Oct. 1st, 1927.

This day this cause coming on to be heard on the report of John P. Bower, adur., of the estate of Emeline Drake, 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 Emeline Drake in said real estate, to the purchaser W. H. Warrick upon the said purchase, paying cash for premises as sold.

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

W. H. Hustad,
Probate Judge

Langhorst Brothers, Wapakonetta, Ohio.

11137
aug. 23-1927.
R.C. Shuman
atty.

Guardian's Petition to Sell Real Estate.
Probate Court Union County, Ohio.
no. 11137
Petitioner

Mary E. Shelton (Vaughn)
Guardian.
Plaintiff

vs.

Harvard.
Arlis Lee Vaughn ^{cur.}
Mary E. Shelton (Vaughn)
Defendants.

Petition

The Plaintiff represents that she is the duly appointed and qualified Guardian of Arlis Lee Vaughn, a minor of the age of 18 years, on the 18 day of February, A.D. 1927, and residing with Mary E. Shelton (Vaughn) at Mansville, Ohio.

That said Ward is the owner in fee simple of the following described real estate, situated in the County of Union State of Ohio, and in the Township of Leesburg, to-wit:

Survey # 55-86.

Beginning at a stone and brick at the northeast corner of William L. Sanders, 25.50 acre tract and in the South line of Thomas W. Keger's land; thence with said South line and in the South line of C. W. Leeper land, and at an angle of 91° 45' and bearing North 83° 15' East one hundred and twenty six (126) poles to a stone south east corner of said Leeper land; thence with the West line of Ralph S. Bennett's land, and the land of Amos Carpenter at an angle of ~~88°~~ 88° 15' and bearing S. 50° E. ninety six and forty hundredths (96.4%) poles to a stone; thence with the North line of said Carpenter's land, and the lands of Moses Laird at an angle of 90° 15' and bearing S. 84° 15' W. one hundred and twenty six (126) poles to a stone at the South east corner of said Sanders land; thence with the East line of said land at an angle of 98° 45' and bearing N 50° W. ninety three and twelve hundredths (93.12%) poles to the place of beginning and, excepting therefrom 1.29/100 acres near the North East corner thereof deed to Enoch H. Biel (see Vol. 58 page 473 U. Co. R. of Deeds) leaving the amount herein conveyed Security three acres, more or less.

Beginning at a stake in the westerly line of the E. F. Ryan land, and 7 1/2° E. 19 poles from a stone at the northeast corner of the lot of land which

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Petition

Oak

Fixing
Time of
Hearing

Final Record, Union County Probate Court.

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This conveyance is a part; thence with said Ryan line S. 7 1/2° E. 8 7/100 poles to a stake in the County Road; thence with the center of the County Road North 78 3/4° W. 30 1/2 poles, to a stake in the center of said Road; thence north 7 1/2° W. 2 6 8/100 poles to a bar post near the former site of Blacksmith shop; thence north 77° E. 9 1/10 poles to a stake; thence South 83° E. 19 8/10 poles to the beginning containing one acre and forty six poles. Being the lot upon which the steam saw mill was situated and being the Virginia Military Survey of said County.

Petition

Being the parcel of land conveyed by Enoch H. Hill and wife to Cord Hill and recorded in Vol. 58 page 473 Record of Deeds, Union County, Ohio. That Mary E. Shelton (Vaughn) as widow of Alvin M. Vaughn is entitled to a dower estate interest in the above described real estate.

That the sale of said real estate is advisable because said real estate is not producing a fair income and it would be to the interest of said Ward to sell said real estate and reinvest the money arising therefrom in some property.

The plaintiff therefore prays, that said Alvin Lee Vaughn, and Mary E. Shelton (Vaughn) may be made defendants to this petition, and notified of the pendency hereof according to law, and that Plaintiff may be ordered to sell said real estate for the reasons, and purposes hereinafter proposed and for other proper relief.

Mary E. Shelton (Vaughn)
Gen. of Alvin Lee Vaughn.

Oath

The State of Ohio, Union County,
Mary E. Shelton (Vaughn) 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.

Mary E. Shelton (Vaughn)
Sworn to before me, and signed in my presence,
this 23. day of August, 1927.
Richard C. Thrall, Notary Public

Fixing
Time of
Hearing

Journal Entry: Order Fixing Time of Hearing & for Notice,
Probate Court, Union County, Ohio.
August 23 - 1927.
This day Mary E. Shelton (Vaughn) Guardian of Alvin Lee Vaughn, appeared in open Court, and

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11137

her petition duly verified, asking for the sale of real estate therein described, belonging to her said ward, Elvisee Vaughn.

It is ordered, that the time of hearing said petition to and hereby, is fixed for the 24th day of September 1927, at 9 o'clock A.M.

It is further ordered that said Guardian cause cause notice thereof, and of the filing and demand of said petition, to be given to said Elvisee Vaughn her ward and to all persons entitled to the next estate of inheritance in such real estate Defendants; in writing to be served upon them personally, and by leaving copies thereof at the usual place of residence of each of those who cannot be served personally 14 days before said day of hearing, and this cause is continued.

W. H. Huatid, Probate Judge

Order for notice

Order for notice.

Probate Court Union County, Ohio.

To Mary E. Shelton (Vaughn) Guardian:

You are hereby ordered, to give notice to Elvisee Vaughn your ward, and 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 10 days before the time herein after named for said hearing.

The real estate so asked to be sold is described as follows, to-wit:

See description in Petition.

Said petition will be for hearing before said Probate Court, at the office of the Judge of said Court in Mansville, Ohio, on the 24th day of Sept. a. d. 1927 at 9 o'clock A.M.

Said Guardian will make due return showing how she served this order.

Witness my hand, and the seal of said Court, at Mansville, Ohio, this 23rd day of Aug. 1927.

W. H. Huatid, Probate Judge.

Return of order.

Return of order.

Received this order, the 23rd day of August 1927, thereupon served the same, this the Sheriff of said County, as shown hereon

Mary E. Shelton (Vaughn) Guardian

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Return

Answer of widow

Case

Orders on Hearing

Final Record, Union County Probate Court.

real estate
Alvis Lee

11137

Return

Return

The State of Ohio, Union County.
Received this writ August 23rd, 1927, at 10 o'clock
a.m. and on the 24th day of August, 1927. I served
the same by delivering a true copy thereof personally
to the within named, Alvis Lee Vaughn.

Shuff's Fee.

Service on return Total 75:

F. D. Hager, Sheriff / Mary E. Eline, Deputy.

said petition
number 1927.

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inheritance

to be served
thereof
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Answer

Answer of Widow.

of
widow

Probate Court, Union County, Ohio,
No. 11137

and now comes Mary E. Shelton, (Vaughn) 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 Alvis M.
Vaughn, deceased, and, as such, is entitled
to her dower in the premises described in said
petition, that her age is fifty-nine years, and
she freely consents to said sale, as prayed for, and
warrants 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 vested 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 estate in said real estate

Mary E. Shelton, (Vaughn)

county, Ohio.

to Alvis
petition

real estate
and the
notice
herein

described

Probate

in

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return

of said

1927.

Case

The State of Ohio, Union County.

Mary E. Shelton (Vaughn) being duly sworn, says,
that the statements in the foregoing answer are
true, as she truly believes.

Mary E. Shelton (Vaughn)

known to before me, and signed in my presence, this
23rd day of Sept., 1927.

Richard C. Howell, Notary Public.

at 1927.

iff of

Orders on
Hearing

Journal Entry: order on hearing of appraisement
Probate Court, Union County, Ohio.

Sept. 26-1927

Order of appraisement.

This day this cause came on to be heard upon
the petition, evidence and testimony and the

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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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 Mary E. Shelton (Vaughn) widow of said Alvin Lee Vaughn, is entitled to her dower in said real estate. That said widow by her answer herein waives the assignment of dower in said premises by metes and bounds, or in rents and profits, and consents to the sale of said premises free from her said dower estate therein, and the Court being satisfied that it is necessary to sell the real estate of said minor described in the petition to reinvest the proceeds in production real estate and to avoid waste.

It is ordered, that G. M. Haines, Norman C. Bourn and George Singer 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 Mary E. Shelton (Vaughn) therein.

It is further ordered, that said appraisers be sworn as required by law, and afterward upon actual view perform the duties required of them, and make return of their proceedings in writing to this Court, on or before the 20. day of Sept., 1927. and this cause is continued.

W. H. Houder, Probate Judge

Order of appraisement

Order of appraisement

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

To Mary E. Shelton (Vaughn) Greeting:

In obedience to an order and decree of the Probate Court, within and for said County made this day in a certain cause, wherein you as Guardian of the Estate of Alvin Lee Vaughn, are Plaintiff, and Alvin Lee Vaughn et al. are Defendants, you are commanded that by the votes of G. M. Haines, Norman C. Bourn, 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 premises, free from the dower estate of Mary E. Shelton (Vaughn) therein, to-wit:

See description, Petition, also Order of Sale.

You will make return of your proceedings to this

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Return

Oath of Appraisers

Appraiser's Return

Confirming app. and ordering Bond.

Final Record, Union County Probate Court.

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Court, forthwith upon execution of this order.
Witness my signature and the seal of said Probate Court at Marysville this 24 day of September 1927.
W. T. Studied, Probate Judge.

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 26 day of Sept. 1927.
Mary E. Shelton (vaughn)
Guardian as aforesaid.

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.
G. M. Haines, Norman C. Bourn, George Singer appraisers
Sworn to before me, and signed in my presence, this 26 day of Sept. 1927.
Richard C. Small, 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 thirty-two hundred dollars.
Given under our hands, this 26 day of Sept. 1927
G. M. Haines, Norman C. Bourn, George Singer appraisers

Confirming app- and ordering Bond.

Probate Court, Union County, Wis. Sept. 26-1927.
Confirming appraisement and ordering Bond.
This day came the said Plaintiff, by her attorney, and produced to the Court the report of an appraisement herein made by G. M. Haines, Norman C. Bourn, and George Singer, and 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 Mary E.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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Shelton (Vaughn) execute within 10 days to the State of Ohio. A bond sufficient freehold sureties. To be approved by the Court, in the sum of six thousand Dollars, conditioned according to law, and this cause is continued

W. N. Husted, Probate Judge -
Guardian's Bond.

Bond

Know all men by these Presents: That we, Mary E. Shelton (Vaughn) and The Fidelity and Deposit Company of Maryland are hold, and firmly bound unto the State of Ohio in the sum of Six 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 26. day of Sept. 1927.

The condition of the above obligation is such, that whereas, the above bound Mary E. Shelton (Vaughn) was, heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of Alvin Lee Vaughn,

and whereas, the said Mary E. Shelton (Vaughn) 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 Thirty-two Hundred Dollars,

and whereas, said Court, on, the 26. day of Sept. 1927, made an order requiring said Guardian to execute a bond according to the statute in such cases made and provided.

Now, if the said Mary E. Shelton (Vaughn) heretofore 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.

Mary E. Shelton (Vaughn)
The Fidelity & Deposit Co. of Maryland
By Richard C. Thrall, atty in fact.

This Bond approved, in open Court, this 26. day of Sept. 1927.

W. N. Husted, Probate Judge -

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

Appel - to
sell at
Private sale

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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 pecuniary;

1. That the cost and delay of Public sale may thus be avoided.

2. That a purchaser has been secured, will give the appraised value of said property while if offered at public sale, it might sell for only two-thirds of such appraised value.

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

Mary E. Shelton (Vaughn)
Jan. of Alvin Lee Vaughn -

Cate

The State of Ohio, Union County
Mary E. Shelton (Vaughn) being duly sworn, says that the various matters set forth in the foregoing application are true as she verily believes

Mary E. Shelton (Vaughn)

Sworn to before me, and signed in my presence this 26-day of Sept. 1927.

Richard C. Thrall, Notary Public.

affidavit

affidavit of Disinterested Persons.

Disinterested Person.

The State of Ohio, Union County.

G. M. Baines, Norman C. Borm and George Singer 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.

G. M. Baines, Norman C. Borm, George Singer

Sworn to before me, and signed in my presence this 26-day of Sept. 1927.

Richard C. Thrall, Notary Public.

Probate Court, Union County, Ohio
Sept. 26-1927.

Confirming appraisement

ordering Private Sale.

Confirming appraisement

ordering Private Sale.

This day this cause came on for trial to be heard, and it appearing to the court that the appraisement heretofore ordered, has been made, the same is hereby confirmed; said appraisement being truly and justly made.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11137 the dower estate therein of Mary E. Shelton (Vaughn) and the plaintiff above named, having given bond dated Sept. 26-1927, in the sum of Six Thousand Dollars, with The Fidelity and Deposit Co. of Maryland surety, 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 public sale.

It is now ordered, that said plaintiff proceed to sell said real estate free from said dower estate, at private sale at not less than the appraised value thereof, and upon the following terms, to-wit: Cash in hand at time of sale.

W. H. Trustad, Probate Judge

Order

Order of Sale Free from Dower

The State of Ohio, Union County, Probate Court.
 To Mary E. Shelton (Vaughn) & 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 are Plaintiff and Alvis Lee Vaughn, 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 Mary E. Shelton (Vaughn) widow of Alvis M. Vaughn deceased, the following described premises, to-wit:

In the County of Union, State of Ohio, and Township of Leesburg, Survey # 5506
 Beginning at a stone and brick at the north-east corner of William B. Sanders 25.50 acre tract and in the south line of Thomas W. Kager to's land; thence with said south line and in the south line of G. H. Leeper land, and at an angle of 90° 45' and bearing north 83° 15' East one hundred and twenty-six (126) poles to a stone south east corner of said Leeper land; thence with the west line of Ralph S. Bonnette's land and the land of Amos Carpenter and at an angle of 88° 15' and bearing S. 50° E thirty-six, and forty hundredths (96 4/100) poles to a stone; thence with north line of said Carpenter land and the lands of Moses Laird at an angle of 90° 15' and bearing S. 84° 15' W. one hundred and twenty-six (126) poles to a stone at the south east corner of said Sanders land; thence with the east line of said

Return

Report of Sale Private

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Final Record, Union County Probate Court.

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11137

land at an angle of $95^{\circ} 45'$ and bearing north
50 W. ninety three and two hundredths
($93 \frac{12}{100}$) poles to the place of beginning
and excepting therefrom $1.29 \frac{1}{100}$ acres near the
northeast corner thereof deeded to Enoch H. Hill
(see Vol. 5-8. Pg. 473 U. Co. R. of Deeds) leaving the
amount herein conveyed seventy three acres
more or less.

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sed value
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Second tract:
Beginning at a stake in the westerly line of
E. F. Ryan land, and $7 \frac{1}{2}^{\circ}$ E. 19 poles from a stone
at the north east corner of the lot of land
which this conveyance is a part:
thence with said Ryan line S. $7 \frac{1}{2}^{\circ}$ E. $8.7 \frac{1}{100}$ poles
to a stake in the County Road; thence with the
center of the County Road N. $78 \frac{3}{4}^{\circ}$ W. $30 \frac{1}{2}$ poles to
a stake in the center of said Road; thence north
 $7 \frac{1}{2}^{\circ}$ W. 2. $6 \frac{1}{100}$ poles to a bar post near the
former site of Blacksmith shop; thence north
 77° E. $9 \frac{1}{10}$ poles to a stake; thence south 83° E.
 $19.8 \frac{1}{10}$ poles to the beginning.

Judge-
ate Court

containing one acre and forty six poles.
Being the lot upon which the Steam Saw Mill
was situated and being the Virginia Military
Survey of said County. Being the parcel of land
conveyed by Enoch H. Hill and wife to Cora Hill
and recorded in Vol. 58 page 473. records of Deeds,
Union Co. Ohio.

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Said Sale to be upon the following terms: Cash in
hand, at time of sale.

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tract
to 5° land;
south line
 $45'$

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

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Confederate
S. 5-8 E

Witness my signature and the seal of said
Probate Court, at Maupsville, Ohio, this 26 day of
Sept., 1927. ~~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 26 day of Sept. 1927.
Mary E. Sartton (Vaughn). Edm. as aforesaid.

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Report of
Sale
Private

Report of Sale. Private
In obedience to the within order, I sold said
premises on the 26 day of Sept. 1927 to Charles D.
Webb for the sum of Forty two hundred Dollars.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11137

said sum being the appraised value of the same.

Dated the 28. day of Sept. 1927.

Mary E. Shelton (Vaughn) Edw

9110
James 25.
1927

Oath.

The State of Ohio, Union County
The above named Mary E. Shelton (Vaughn) being duly sworn, says that the sale above reported has been made after diligent endeavor, to obtain the best price for said property, and that said sale, is for the highest price she could get for said property.

Mary E. Shelton (Vaughn)

Sworn to before me, and signed in my presence, this 28. day of Sept., 1927. ~~Wm~~ Richard C. Thrall, Notary Public

approving
an

Confirming
sale

Journal Entry: order approving ^{an} Confirming Sale.
Probate Court, Union County, Ohio.
Sept. 26-1927.

This day this cause coming on to be heard on the report of Mary E. Shelton (Vaughn) Guardian of Alms Lee Vaughn 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 proceeding 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 Alms Lee Vaughn, and Mary E. Shelton (Vaughn) in said real estate, to the purchaser Charles D Webb upon the said purchaser paying purchase price.

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

W. H. Husted Probate Judge.

Final Record, Union County Probate Court.

9110
June 25.
1927

Petition to Invest in Productive Real Estate,
Probate Court, Union County, Ohio,
No. 9110.

Petition.

To, the Probate Court of said County:

The undersigned respectfully represents, that he is the duly appointed and qualified Guardian of Edith Shelton and Fernie Shelton minors.

That the assets of the said wards consists of a monthly income of \$6³⁸ each.

Your petitioner believes it would be to the interest of his said wards to invest the sum of said monthly payments of six and ³⁸/₁₀₀ Dollars (\$6³⁸) in the following described productive real estate situated in the State of Ohio County of Franklin and in the City of Columbus Ohio.

Being Lot # 137 of N.E. Dennis Central annex subdivision of Lot No. 11 and part of Lot no. 10 and 12 of M.H. Sullivan's sub-division of lands in Entry no. 1393. Virginia Military lands, in Franklin Township Franklin County, Ohio; as the same is now numbered and delineated on the recorded plat thereof, of record in Plat Book # 7- pages 82- Recorder's office Franklin Co. O.

Said Real Estate produces annually the sum of \$600⁰⁰ or fifty dollars (\$50⁰⁰ per month).

Your petitioner therefore prays for the consent and approbation of the Court in making the investment aforesaid as is provided for by law.

Respectfully submitted

J. E. Shelton, Guardian of
Edith Shelton
Fernie Shelton minors

The State of Ohio, Union County, ss.

J. E. Shelton being duly sworn, says that the statements and allegations in the foregoing petition are true as he verily believes.

J. E. Shelton

Sworn to before me, and signed in my presence this 25 day of June, 1927

W. H. Husted

Probate Judge

Witness

In the Probate Court of Union Co. Ohio

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

We hereby train the issuing and service of summons in the above matter and consent and agree to the purchase of the real estate described in the petition of said guardian

- John E. Shelton Jr.
- Nathan G. Shelton
- Dmytr J. Shelton
- Ethel Welch
- Esther J. Hershberger
- Claude E. Shelton
- Dode W. Shelton

1115-5
Sept 20
1927

Notice of Hearing

Probate Court, Union County, Ohio.
no. 9110 - notice

To D. J. Shelton, C. E. Shelton, Ethel Welch, D. W. Shelton, Nathan G. Shelton, Esther Hershberger, John Shelton Jr.,

You are hereby notified that on the 25th day of June, 1927, J. E. Shelton as Guardian of Edith Shelton and Fern Shelton filed in said Probate Court his Petition praying for the consent and approbation of said court to invest the income of said lands in certain productive real estate described in said petition.

Said petition will be for hearing before said court on the 25th day of June, 1927, at 2. P.M.

In witness whereof, I have hereunto subscribed my name, and caused the seal of said Court to be affixed, at Marysville, Ohio, this 25th day of June 1927.
W. H. Husted Probate Judge

The State of Ohio, Union County ss

I, J. E. Shelton, being duly sworn, say that on the 25th day of June 1927 I served this writ by delivering a copy thereof personally to each of the following named persons, to wit:

- D. J. Shelton, C. E. Shelton, D. W. Shelton, Nathan G. Shelton, Esther Hershberger, and John Shelton Jr.,
- J. E. Shelton

Sworn to before me, and signed in my presence this 25th day June, 1927.

Entry. Journal no. 89554

Final Record, Union County Probate Court.

1115-5
Sept 20
1927

In the matter of the Estate of Laura Kimball, Deceased
In the Probate Court of Union Co. Ohio
application for order to sell stock
at Private Sale.

The undersigned Harry G. Kimball, admn. of the estate
of Laura Kimball, deceased respectfully represents
that it will be necessary to sell the stock
of the said deceased, for the purpose of paying
her debts, and making a distribution of the
assets thereof according to law.

He further represents to the Court, that the
said deceased was the owner of 20 shares of
stock in The Ohio Edison Company of the face
value of \$2000.00 and that the market value
thereof is \$2000.00

wherefor he asks, that the Court may fix
the price which he may sell said stock
and authorize him to sell it at not less than
the price so fixed by the Court.

Harry G. Kimball, admn. of Est. of Laura Kimball, Deceased.

Known to and subscribed in my presence,
this 20-day of Sept. 1927,

Richard C. Small, Notary Public.
Journal 46 Pg. 14.

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11135-

Aug 23

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R.C. Thraall
Atty.

Petition for sale of Real Estate to Pay Debts.
Probate Court, Union Co., Ohio

No. 11135-

Civil action

Edgar H. Mc Mahan, Adm.
of the estate of
Minnie B. Patrick, Deceased.
Plaintiff

vs.
Edna Erwin
Ruth Euple.
Ruth Patrick
vs.
Pauline Patrick.
Lucile Patrick, ^{ans.}
Dorothy Patrick, Minors
Defendants

Petition to
sell Real Estate

Petition.

The Plaintiff represents, that he is the duly appointed and qualified admr. of the estate of Minnie B. Patrick late of Union County, Ohio, deceased; that the amount of debts due from the deceased is six Hundred, and Fifty Dollars, as near as they can be ascertained. that the charges of administration of said estate will amount to about Two Hundred Dollars and that the total value of the personal estate and effects of said deceased is but some-
thing wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents, that said Minnie B. Patrick died seized in fee simple of an undivided one-half interest in the following described real estate situated in the County of Union, State of Ohio, and in the Township of York, to-wit:

Survey 3468, and 11346, and bounded and described as follows: Beginning at a Burr oak in the Survey line of said Survey 11346, and South east corner to a tract of land conveyed by Allen Latham to Milo G. Meddles Oct. 4 - 1852; thence with the east line of said line North 9° E. 154.40 poles to a stone white oak and elm northeast corner to said land; thence with the north line of the same North 78° West 97.80 poles to a stone stone elm from one root bearing North 68.5° East 12 feet; thence South 9° West 60 poles to a stone; thence South 78° East 50 poles to a stone, thence South 9° West 132.78 poles to a stone in the South line of tract of land conveyed by Johnson, and Smith to Milo G. Meddles, November, 11 - 1852; thence with said line South 80° East 79.36 poles to a stone, maple and burr oak in the south-east corner to said

11135-

Petition

Order.

Final Record, Union County Probate Court.

11135-

land: Thence with the east line of the same north 11° 30' east 34.72 poles to w stone, elm, hickory and maple, in the south line of Survey 11346; Thence with said line north 78° 15' west 32 poles, to the beginning, containing 82.80 acres, being 65 acres in Survey 11346 and 17.80 acres in Survey 3468.

Excepting therefrom 20 acres sold Francis Ervitt Meddles to Mrs. S. Barnett, January, 26-1903, vol. 86, page 438, Record of Deeds.

(said 20 acres being in Survey 11346)

Plaintiff represents that said real estate was appraised in accordance with the order of the Probate Court Union County, Ohio, by the appraisers of the personal estate of said decedent, and that the amount of said appraisement is Twenty-seven Hundred and Fifty Dollars.

That the defendants, Edna Ervin, Ruth Engle, Ruth Patrick, Pauline Patrick, age 20, Lucile Patrick, age 12, Dorothy Patrick, age 8 years, are the only heirs of law and next of kin of said decedent, having the next estate of inheritance from said Minnie B. Patrick, deceased, in said premises, that the defendant, Ruth Patrick above named is the widow of Lloyd Patrick, a son of said Minnie B. Patrick who died after her death, Lucile and Dorothy Patrick being his children.

The Plaintiff therefore prays that the dower of said Ruth Patrick in said premises may be assigned and set off to her, that the rights interests and heirs of the said estate may be fully determined, adjusted and protected according to equity, and that your petitioner may be authorized and ordered to sell said real estate free from said dower.

according to the statute in such case made and provided, and for all other proper orders and relief in the premises.

Edgar H. McMahon, Adv.

Oath.

The State of Ohio, Union County, Edgar H. McMahon, Adv. the 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.

Edgar H. McMahon, Adv.

Adv.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11135-

Shown to before me, and signed in my presence, this 23-day of Aug. A.D. 1927.

Richard C. Thrall, Notary Public.

11135-

August 23-1927

Filing Petition

Filing

This day came the plaintiff and filed herein his petition praying for an order to sell the real estate of said Minnie B. Patrick, deceased, therein described, to pay the debts and costs of administering the estate of said decedent.

The following named defendants in the case duly entered their appearance to wit: Edna Erwin, Ruth Enyle, and Ruth Patrick.

Whereupon it is by this Court ordered, that this cause be heard on the 24 day of Sept. 1927. at 9. A.M. and that to each and all of the remaining defendants, to wit: Pauline Patrick, Lucile Patrick and Dorothy Patrick, due and legal notice of the filing pending and prayer of said petition, and of the time in which they are required by law to answer the same be given by summons served by you excepting those who shall yet enter their appearance and this cause is continued.

W. H. Husted, Probate Judge

Return of Service

Book

Summons

Summons

The State of Ohio, Union County, Edgar H. McMahon.

You are commanded to notify the following named, who are minors, to wit: Pauline Patrick, Lucile Patrick and Dorothy Patrick 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 23-day of Aug. 1927, Edgar H. McMahon, adven. of the estate of Minnie B. Patrick, 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 24 day of Sept. 1927, said petition will be taken as true, and an order granted accordingly.

The server will make due return of this writ.

Train

Edu. ad

Final Record, Union County Probate Court.

11135 -

on the 5th day of September 1927.
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 August, 1927.
Edgar H. McMahon Probate Judge -

Return

Return of Service

Received this writ on the 26th day of August, 1927
at 11 o'clock A.M. and on the days and in
the manner hereafter named, I served the same
on the within named defendants, viz:
August, 1927 on Lucile Patrick, Dorothy Patrick and
Pauline Patrick, August 27-1927 on Ruth Patrick the
mother of said Lucile Patrick and Dorothy Patrick
August 30th 1927 on the person having or with whom
lives the said Pauline Patrick.

Edgar H. McMahon.

Book

The above named Edgar H. McMahon 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 30th day of August 1927.
Richard C. Howell, Notary Public.

Warrant

In the Probate Court, Union County, Ohio.
Warrant of Process, and Consent to Sell -
for the undersigned, parties defendant in the
above entitled cause for the sale of Real Estate
of the said Decedent to pay debts, hereby waives
service of process, and consent to sale of Real Estate
in said Petition mentioned, as herein prayed for,
and the statutory time for pleading is hereby
waived and we consent that said Petition may
be heard, at such time as may be by the
Court ordered.

Edna M. Erwin
Ruth Engle.
Ruth Patrick

Edna, as
litigant

application for appointment of Guardian ad litem
Probate Court, Union County, Ohio,
Nov. 25 - 1927.
To the Hon. H. H. Yost, Judge of said Court;
The undersigned Edgar H. McMahon, attorney
with the will annexed, of Minnie B. Patrick, makes

Langhorst Brothers, Wapakonetta, Ohio.

11135-

make application for the appointment of Gdn. ad litem for the minor defendants in the above entitled case.

The defendant Pauline Patrick, is above the age of 14 yrs. and the defendants Lucile Patrick and Dorothy Patrick are under the age of 14 years. and have been duly served with summons herein. the said Pauline Patrick has neglected for 20 days after the return of the summons upon her to apply for Guardian ad litem.

The undersigned suggests that William J. Porter who is a suitable person be appointed as such Gdn. ad litem
Respy. Edgar H. McMahon Adur-

Probate Court, Union County, O. Nov. 25 - 1927
No. 11135-

Apt. of Gdn. ad litem.

This day Edgar H. McMahon, adur. with full annexed of Minnie B. Patrick, 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 defendant Pauline Patrick is above the age of 14 years and the defendants Lucile Patrick and Dorothy Patrick are under the age of 14 years. and have been duly and legally served with summons herein. the said Pauline Patrick has neglected for 20 days after the return of the summons upon her to apply for a Guardian ad litem

it is ordered that William J. Porter be and he hereby is appointed Guardian for the said minor defendants

and now comes the said William J. Porter and in open Court accepts said appointment.

Witness my hand, Probate Judge

Answer.

Answer of Gdn. ad litem.

And now come the said Pauline Patrick, Lucile Patrick, and Dorothy Patrick. the minor defendants to the petition in said cause by William J. Porter. 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.

11135-

approving of Bond for Public Sale

order of sale.

Final Record, Union County Probate Court.

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approving
Bond.
for Public Sale

Dated Nov. 28 - 1927.
Pauline Patrick, Lucile Patrick, Dorothy Patrick
By William J. Porter, Adm. ad. litem,

Journal Entry: orders, approving Bond, for Public Sale -
Probate Court, Union County, Ohio
Nov. 25 - 1927.

This day this cause came on further to be heard, and
it appearing to the Court.

That, all the parties hereto, have either been
served with summons, or have voluntarily entered
their appearance, here, and are properly in Court
and that it is now past the time set for the
hearing, and no objections has been filed
to the sale.

and appraisement being contained in the inventory
filed by the plaintiff, as adm., which is a
fair and proper appraisement, hereby orders that
another appraisement be dispensed with.

It is therefore ordered that said Edgar H. McMahon
as such, adm., proceed according to law to sell the
described real estate, in the Petition, free from down,
at public auction for not less than 2/3 the
appraised value thereof, on the following terms
to-wit: cash in hand on day of sale.

It is further ordered that said petitioner give
notice four weeks consecutively of the terms and
time and place of sale, prior thereto, in some
newspaper, printed and of general circulation in
Union Co. 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. Husted, Probate Judge

Order of Sale - Free from Down.

order of sale. The State of Ohio, Union County, Probate Court.
To Edgar H. McMahon, adm., with the Will annexed of,
Dorothy P. Patrick, 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. are Plaintiff and Edna Ernie et. al. are
Defendants, you are commanded to proceed according
to law, to sell at Public sale for not less than 2/3
of the appraised value thereof, premises, to-wit:
Part of Survey no- 3468 & 11346. Requiring

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11135-

at a burr oak, in the survey line of said Survey no. 11346 and south east corner to a tract of land conveyed by Allen Latham to Milo G. Meddles Oct. 4 - 1852: Thence with the East line of said line North 9° East. 154.40 poles to a stone white oak and elm, north east corner of said land: Thence with the north line of the same North 78° West 97.80 poles to a stone, three elm trees, from one root bearing North. 68.5° East 12 feet: Thence South 9° West 60 poles to a stone: Thence South 9° West 132.28 poles to a stone in the South line of a tract of land conveyed by Johnson^{sr} to Milo G. Meddles Nov. 11th 1852: Thence with said line South 80° East 79.36 poles to a stone, maple and burr oak in the south east corner to said land thence with the East line of the same North 11° 30' East 34.72 poles to a stone, elm, hickory and maple in the South line of Survey no. 11346: Thence with said line North 78° 15' West 32 poles to the Beginning.

Containing 82.80 acres being 65 acres in Survey 11346, and 17.80 acres in Survey 3468.

Excepting therefrom 20 acres sold by Francis Errett Meddles to Nye S. Barnett, Jan'y, 26 - 1903 See Vol 86. Page 438. Record of Deeds of Union Co. Ohio.

Said 20 acres being in Survey 11346.

Said sale to be at public outcry and to be upon the following terms:

Cash in hand upon delivery of deed.

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

Witness my signature and the seal of said Probate Court, at Wapakonetta, O. this 26 day of Nov. 1927.

Seal W. H. Trustad, 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 7 day of Jan'y, 1928.

Edgar W. McMahon.

Report of sale.

Report of Public - 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 Co. Ohio, where said real estate is situate for at least 4 consecutive weeks prior to the 31 day of Dec. 1927.

11135-

order

orders
requiring
approving
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confirming
sale.

Final Record, Union County Probate Court.

No. 11 346
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 orders
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 confirming
 sale.

the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day, at the hour of one o'clock P.M. I attended --- the premises, and offered said real estate for sale free from the down estate of Ruth Patrick therein, when John H. McMahon bid to pay for the same of Twenty-two Hundred Thirty-seven dollars, which being the highest and best bid that was offered, and being more than two-thirds of the appraised value of said premises. I then and there sold the same to John H. McMahon for that sum.

Dated the 7-day of January, 1928.
 Edgar H. McMahon.

The State of Ohio, Union County,
 The above named Edgar H. McMahon, 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.

Edgar H. McMahon.

sworn to before me, and signed in my presence, this 7-day of January, 1928.

Richard C. Threlk, Notary Public

Journal entry: orders, approving and confirming sale Probate Court Union County Ohio, Jan'y, 7th 1928.

This day this cause coming on to be heard on the report of Edgar H. McMahon, admsr., with the Will annexed, of Minnie B. Patrick, deceased, of his preceding 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 said Minnie B. Patrick, in said real estate to the purchaser John H. McMahon upon purchaser paying purchase price.

It is further ordered, that this proceeding be recorded, & petitioner pay costs \$13.00 W. H. Husted, Probate Judge.

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11136
 Aug 23-77
 R. C. Israel
 atty

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

11136

Edgar H. McMahon, Adm.,
 of the estate of
 David E. Patrick, deceased,
 Plaintiff

no. 11136
 Civil Action

Edna Erwin,
 Martha Engle, ^{an.} Pauline Patrick,
 Lucile Patrick, ^{an.} Dorothy Patrick
 all minors
^{an.}

Petition to Sell Real Estate.

Petitioner

The Union County Savings ^{and}
 Loan Co. of Mansville, Ohio.
 Defendants.

The Plaintiff represents that he is the duly appointed and qualified adm. of the estate of David E. Patrick late of Union County, Ohio, deceased; that the amount of debts due from the deceased is Eleven hundred dollars, as near as they can be ascertained, that the charges of Administration of said estate will amount to about Two Hundred Dollars, and that the total value of the personal estate and effects of said deceased, is but Four Hundred Dollars, being wholly insufficient to pay the debts and costs, aforesaid.

Petitioner

The plaintiff further represents that said David E. Patrick died seized in fee simple of an undivided one-half interest in 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 nos. 3468, & 11346.

Beginning at a burr oak, in the Survey line of said Survey no. 11346, and south east corner to a tract of land conveyed by Allen Latham to Miles G. Meddles, Oct. 4, 1852; thence with the east line of said line north 9° East, 154.40 poles, to a stone, white oak, and elm, north east corner to said land; thence with the north line of the same, north 78° West 97.80 poles to a stone, three elm trees from one root bearing north, 68.5° East 12 feet; thence south 9° West 60 poles to a stone; thence south 78° East 50 poles to a stone; thence south 9° West 132.28 poles, to a stone in the south line of a tract of land conveyed by Johnson, and Smith to Miles G. Meddles, November, 11-1852, thence, with said line South 80° East 79.38 poles, to a stone; maple

oak.

Final Record, Union County Probate Court.

11136

and burr oak in the South east corner to said land: thence with the east line of the same, north $11^{\circ} 30'$ east. 34.72 poles to a stone, elm, hickory and maple in the South line of Survey No. 11346: thence with said line north $78^{\circ} 15'$ west. 32 poles to the beginning, containing 82.80 acres, being 65 acres in Survey no 11346, and 17.80 acres in Survey No. 3468. Excepting therefrom 20 acres sold by Francis Ervatt meddles to Wm S. Barnett, January, 26-1903, see Vol. No. Page 438, Record of Deeds of Union County, O. said 20 acres being in Survey No. 11346.

Plaintiff represents that said real estate was appraised in accordance with the order of the Probate Court of Union County, Ohio, by the appraisers of the personal estate of said decedent and that the amount of said appraisement is Twenty seven hundred and fifty Dollars.

That the defendants Edna Erwin, Ruth Engle, and Pauline Patrick aged 20 yrs, Lucile Patrick aged 12 yrs, and Dorothy Patrick aged 8 yrs, the last named three being minors are the only heirs at law and next of kin of said decedent, having the next estate of inheritance from said David E. Patrick, deceased, in said premises. That the defendants The Union County Savings & Loan Co. of Marysville, Ohio, claim a lien upon said premises.

The Plaintiff therefore prays that the court of said State of Ohio do order that the rights, interests and heirs of the said Edna Erwin, Ruth Engle, Pauline Patrick, Lucile Patrick, Dorothy Patrick, and The Union County Savings & Loan Co. 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 dovv, according to the statute in such case made, and provided, and for all other proper orders, and relief in the premises.

Edgar H. McMahon, Adver., as aforesaid

The State of Ohio, Union County.
Edgar H. McMahon. 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.
Edgar H. McMahon,
Adver. - as aforesaid

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Langhorst Brothers, Wapakonetta, Ohio.

11136

known to before me, and signed in my presence. This 23-day of Aug. 1927. *Richard C. Thrall* Notary Public.

11136.

Filing

Journal entry: on Filing Petition. Probate Court. Union Co. O. Aug. 23-1927.

This day came, the plaintiff and filed herein his petition praying for an order to sell the real estate of said David E. Patrick deceased, therein described, to pay the debts and cost of administering the estate of said decedent. The following named defendants in the case duly entered their appearance. To-wit: Edna Ermin Partridge, The Union County Savings and Loan Co of Mansfield. Ohio

whereupon it is by this Court ordered, that this cause be heard on the 24. day of Sept. 1927. at 9 o'clock a.m. and that each and all of the remaining defendants to wit:

Pauline Patrick, Lucile Patrick ^{or} Dorothy Patrick, due and legal notice of the filing, pendency and prayer of said petition, and of the time in which they are required by law to answer the same, be given by summons served by you excepting those who shall yet enter their appearance; and this cause is continued.

W. W. Husted. Probate Judge

Cross Petition Union County Savings ^{or} Loan Co.

Cross Petition of The Union County Savings ^{or} Loan Company, Mansfield, Ohio.

Now Come, the defendant, The Union County Savings and Loan Company, and for its cross petition says that it is Corporation organized under the laws of the state of Ohio with its principal place of business at Mansfield, Ohio; that on the 31 day of January, 1927, David E. Patrick unmarried executed and delivered to this defendant, his promissory note for the sum of one thousand (\$1000⁰⁰) Dollars, due in payments of \$10⁰⁰ per month, for each and every month after the execution of said note, with interest at seven (7) per cent, per annum.

That there is now due upon said note the sum of one thousand (\$1000⁰⁰) Dollars, and interest at seven percent from July 1- 1927.

On said date, to secure the payment of said note, said David E. Patrick executed and delivered to this defendant, his mortgage deed thereby

Carl

Final Record, Union County Probate Court.

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conveying the premises described in the petition, to wit:

Situated in Township of York County of Union, in the State of Ohio, and a part of Surveys No. 3468 and 11346.

Beginning at a burr oak in the Survey line of said Survey # 11346 and the southeast corner to a tract of land conveyed by Allen Latham to Miles G. Meddles Oct. 4, 1852; thence with the east line of said line north 9° east 154.40 poles to a stone, white oak and elm northeast corner to said land; thence with the north line of the same north 78° west 97.80 poles to a stone, three elms from one root bearing north 68.5° east 12 feet; thence south 9° west 60 poles to a stone; thence south 78° east 50 poles to a stone; thence south 9° west 132.28 poles to a stone in the south line of tract of land conveyed by Johnson and Smith to Miles G. Meddles Nov. 11- 1852; thence with said line south 80° E. 79.36 poles to a stone, maple and burr oak in the southeast corner to said land; thence with the east line of same north 11° 30' east 34.72 poles to a stone, elm, hickory and maple in the south line of Survey No 11346; thence with said line north 78° 15' west 32 poles to the beginning.

Containing 82.80 acres being 65 acres in Survey No. 11346 and 17.80 in Survey No. 3468.

Excepting therefrom 20 acres sold by Francis Erveth Meddles to Myra S. Barnett Jan. 26- 1903. Vol. 86 pg. 438, Rec. of Deeds. (said 20 acres being in Survey 11346).

Wherefore, this defendant prays that upon the sale of said premises, the amount of said mortgage note, to wit, the sum of one thousand (\$1000-) Dollars, with 7 percent interest from July 1- 1927. be first paid. Copy of said note being attached hereto.

John L. Longberry, Atty. for
The Union Co. Savings & Loan Co.
Marysville Ohio

Oath

State of Ohio, Union Co.
John L. Longberry being first duly sworn, says that he is the attorney for the Union Co. Savings & Loan Co., a corporation, and that the facts stated and allegations made in the foregoing cross-petition are true as he verily believes.
John L. Longberry

Langhorst Brothers, Wapakonetta, Ohio.

11136

Brought before me, and subscribed in my presence, this 10 day of Sept, 1927.

Blanch. Chappelle Notary Public

111 36

Summons

copy of note.

copy of note.

(secured by mortgage on real estate)

Marysville, O. January 31 - 1927

\$1,000.00

Received as a loan from the Union County Savings and Loan Co. of Marysville Ohio, the sum of one thousand Dollars (\$1,000.00) being loan No. 258. which sum I agree to repay with 7% interest thereon, payable as follows: I agree to pay said company monthly on said loan not less than ten Dollars. and I hereby authorize and direct the Secretary of said company on the last day of Dec. and the last day of June of each year to apply said payments, as follows:

First -

To the payment of interests due on said loan, on the first day of January, and the first day of July each year.

Second,

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 advance.

Third

The balance to be credited on the principal of said loan (\$60 semi-annually)

Said monthly payments of \$10. or not less than \$60.00 semiannually shall be continued until said loan with interest thereon has been full paid.

On failure of the signer hereof to make said monthly payments for the period of 3 months 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.

copy David E. Patrick

I hereby subscribe for ten shares of stock in said company as collateral security for said loan.

Return

of Service

111 36

Summons.

Probate Court.

Summons

The State of Ohio, Union County,
 you are hereby commanded to notify Pauline Patrick,
 Lucile Patrick, and Dorothy Patrick, 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 23rd day of August 1927, Edgar H.
 McMahon, Adm. of the estate of David E. Patrick
 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 24th day of Sept. 1927 said petition will
 be taken as true and an order granted accordingly.
 The server will make due return of this writ
 on the 5th day of Sept. 1927.

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 August 1927.

Edgar H. McMahon, Probate Judge

Return of Service

Return

of
Service

Received this writ on, the 26th day of August, 1927
 at 11 A.M. and, on the days, and, in the
 manner herein after named, I served, the same
 on the within named defendants, Aug. 27- 1927
 on, Lucile Patrick, Dorothy Patrick and Pauline Patrick
 who are minors, by delivering to each of them a true
 copy thereof, with all the endorsements thereon, and on
 the same day on Ruth Patrick the mother of said
 minor Lucile and Dorothy and on the person having
 the care of and with whom said minor Pauline Patrick
 lives, by delivering to said persons a true copy hereof
 with all the endorsements thereon, said minors
 having no guardian or father of said minors
 being dead.

Edgar H. McMahon.

The above Edgar H. McMahon who has signed the
 same, being duly sworn, says the foregoing Return
 of Service is true as he really believes.

I am to before me & signed in my presence this
 25th day of August, 1927.

Richard C. Israel, Notary Public

Langhorst Brothers, Wapakonetta, Ohio.

11136

Minor

In the Probate Court of Union County, Ohio.

Minor

Mr. the undersigned, parties defendant in the above entitled cause for the sale of Real Estate of the estate of said Decedent, do 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.

Edna M. Erwin.

Ruth Engle

11136

ans. of Gdn. ad litem

Gdn. ad litem

Application for appointment of Guardian ad litem, Probate Court Union County, Ohio Nov. 25th A.D. 1927

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

The undersigned Edgar H. McMahon, administrator of the estate of D. E. Patrick, deceased makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The defendant Pauline Patrick is above the age of 14 years, and the defendants Lucile Patrick and Dorothy Patrick are under the age of 14 years, and have been duly served with summons, herein the said Pauline Patrick has neglected for 20 days after the return of the summons upon her to apply for a Guardian ad litem.

The undersigned suggests that William J. Porter who is a suitable person to be appointed as such Gdn. ad litem.

Respectfully,

Edgar H. McMahon, Admin.

Probate Court, Union County, O. Nov. 25, 1927.

appt. of Gdn. ad litem.

appt.

Gdn. ad litem

This day Edgar H. McMahon, admin. of the estate of D. E. Patrick, 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 defendant Pauline Patrick is the age of 14 years and the defendants Lucile Patrick and Dorothy Patrick, are under the age of 14 yrs. and have been duly and legally served with summons herein, the said Pauline Patrick has neglected for 20 days after the return of the summons upon her to apply for Guardian Ad litem.

it is ordered, that William J. Porter, be and he hereby is appointed Guardian for the suit, for said minor defendants,

and, now comes the said William J. Porter as in

approving Bond for Public Sale.

11136

upon Court accepts said appointment

W. H. Husted, Probate Judge

ans. of
Gdn. ad. litem

Answer of Gdn. ad litem

Probate Court, Union County, Ohio.

And now comes the said Pauline Patrick, Lucile Patrick and Dorothy Patrick the minor defendants to the petition in said cause by William J. Porter their Guardian ad litem, heretofore appointed in said Court and for answer to said petition deny all the material allegations therein contained, prejudicial to said minor defendants. They further say 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 26. day of Nov. 1927.

Pauline Patrick, Lucile Patrick Dorothy Patrick.

By William J. Porter, Gdn. ad. litem

approving
Bonds for
Public Sale.

Journal entry:

Orders approving Bonds for Public Sale.

Probate Court, Union County, Ohio

Nov. 25, 1927

This day this cause came on further to be heard and it appearing to the Court that all the parties hereto have either been served with summons or have voluntarily entered their appearance here and are properly in Court and that it is now past the time set for hearing and no objection has been filed to the sale.

and appraisement being contained in the inventory filed by the plaintiff, as administrator, which is a fair and proper appraisement, hereby orders that another appraisement be dispensed with.

It is therefore further ordered that said Edgardo Mc Mahon, as such administrator proceed according to law to sell the real estate described in the petition free from down, at public auction for not less than 75% 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 of general circulation in Union County Ohio, where said real estate is situate.

By said petitioner is ordered to make return to this cause is continued.

W. H. Husted, Probate Judge

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11131

Order of Sale. Free from donor.

The State of Ohio, Union County,

Probate Court,

Order of sale

To, Edgar H. McMahon, Adm. of the estate of D. E. Patrick.

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 Edna Erwin et al. are Defendant^s, you are commanded to proceed according to law, to sell at Public Sale, for not less than 2/3 of the appraised value, thereof, the following described premises: to wit

Undivided one-half interest in fee simple in the following real estate. In the County of Union State of Ohio, and Township of York. Survey # 3468, and 11346, and bounded and described as follows:

Beginning at a Burr oak in the Survey line of said Survey # 11346, and southeast corner of the tract of land conveyed by Allen Latham to Miles G. Meddles, Oct. 4 - 1852; thence with the east line of said north 9° East 154.40 poles to a stone white oak, and Elm northeast corner 1/2 said land; thence with the north line of the same north 78° West 97.80 poles to a stone; thence three elms from one root bearing north 68.5° East 17 feet; thence south 9° West 60 poles to a stone; thence south 78° East 50 poles to a stone; thence south 9° West 132.28 poles to a stone in the south line of tract of land conveyed by Johnson and Smith to Miles G. Meddles Nov. 11th 1852; thence with said south line 80° East 79.36 poles to a stone maple, and burr oak in the southeast corner to said land; thence with the East line of the same, north 11° 30' East 43.72 poles to a stone, Elm, hickory, and maple in the south line of Survey 11346. Thence with said line north 78° 15' West 32 poles to the beginning.

Containing 87.80 acres. Being 65 acres in Survey 11346, and 17.80 acres in Survey 3468.

Excepting therefrom 20 acres sold to Francis Erwith Meddles, to Myr S. Barnett January 26 - 1903. Vol. 86 Pg. 438. Rec. of Deeds. (said 20 acres being in Survey # 11348.

Said sale to be at public auction and upon the following terms, Cash in hand on delivery of deed, you will make return of your proceedings to this Court, forthwith upon execution of this order.

Witness my signature and the seal of said Probate Court, at Wapakonetta, Ohio, this 26 day of Nov. 1927.

W. H. Husted

Probate Judge

11136
Return

Report of Sale.

Order

order
approving
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Probate Court,
E. Patrick.
Greeting:
Probate Court,
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Return

Return

To the Probate Court of Union County, Ohio.
In obedience to the foregoing order, I have caused
the same to be duly executed, as will fully appear
by the proceedings hereto attached.
Dated the 7. day of January, 1928.
Edgar H. McMahon.

Report of Sale.

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 4 consecutive
weeks prior to the 31 day of Dec. 1927, the day
of sale therein mentioned, stating in the notice
the time, place and terms of sale, and on said
day, at the hour of 1. P. M. I attended the
premises, and offered said real estate for sale,
the donor estate of -- therein, when John H. McMahon
bid to pay for the same the sum of Twenty-two
hundred and thirty-seven and ⁵⁰/₁₀₀ 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
John H. McMahon for that sum.
Dated Jan'y. 7-1928.
Edgar H. McMahon.

Dated

The State of Ohio, Union Co-
The above named Edgar H. McMahon, 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.
Edgar H. McMahon.
Sworn to before me, 7. day of Jan'y, 1928
Richard C. Small, Notary Public

order
approving
a
Confirming
Sale.

Journal entry: Order approving and Confirming Sale
Probate Court, Union County, Ohio.
January 6th 1928.
This day this cause coming on to be heard on
the report of Edgar H. McMahon, admin. of the
estate of David E. Patrick, deceased, of his
proceedings and sale under the former order
of this Court; and upon the motion of said

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

said petitioner to confirm the sale made in obedience to said order; the Court having carefully examined said report and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made.

It is ordered, that the same be and thereby is approved, and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of said David E. Patrick in said real estate to the purchaser John B. McMahon, paying the purchase price.

It is ordered, that this proceeding be recorded, and that said petitioner pay the costs \$13.

W. H. Husted. Probate Judge

11145

11145-
Aug 26-
1927
W. J. Porter
atly.

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

no. 11145-

Ralph Graham, Executor,
of the estate of
G. F. McElroy, deceased.
Plaintiff.

vs
Birt Action

Alice McElroy,
Ida Graham,
The North Western Mutual
Life Ins. Co.,
Milwaukee Wis.

Petition to Sell Real Estate
Petition.

The Plaintiff represents that he is the duly appointed and qualified executor of the estate of G. F. McElroy late of Union County, Ohio, deceased; that the amount of debts due from the deceased, is Seventeen Hundred Dollars (\$1700⁰⁰) as near as they can be ascertained that the charges of administration of said estate will amount to about one Hundred Dollars (\$100⁰⁰) and that the total value of the personal estate and effects of said deceased is but thirty eight and ⁸⁸/₁₀₀ Dollars being wholly insufficient to pay the debts and costs aforesaid.

The Plaintiff further represents that said G. F. McElroy died seized in fee simple, of the following described real estate, situated in the County of Union State of Ohio, and in the Township of Liberty

Situated in the State of Ohio, County of Union.

Petition

Final Record, Union County Probate Court.

11145

and Township of Liberty, being part of survey no. 65-63 and 6776 and bounded and described as follows:

Beginning at an iron stake in the center of the gravel Road, leading for Raymond to Broadway and southeast corner to George F. McDroys land; thence N. 12° W. 78.70 poles to a post, northeast corner to said George F. McDroys land; thence north 12° E. 9.14 poles to a post south west corner to Charles Carters heirs land; thence S. 10 1/2° E. 74.7 poles with said Carters south line to a stone; thence south 10 1/2° W. 67.15 poles to a stone; thence S. 12° E. 15 poles to an iron stake in the center of said gravel road; thence S. 70 1/2° W. one rod to the place of beginning, containing 6 1/5 acres of land,

Also, the following premises:

Petition

Beginning at a stone in the center of the Bellfontaine and Delarran Road, at the southeast corner of land owned by Newman Dillon; thence northerly with said Newman Dillon's east line 96 poles to a stake and stone at the north east corner of said Newman Dillon's land; thence S. 81.12° E. 39 poles to the west line of land owned by the heirs of John Carter deceased, thence southerly with the said John Carters west line 81 poles to a stake or stone in the center of said Bellfontaine and Delarran Road; thence westerly with the center of said road 46 poles to the beginning; containing 24 acres, more or less.

Also, the following premises:

Beginning at a stone and broken tile in dirt road, northeast corner to C. H. Lock woods land, also, in the east line of said Survey no. 65-63 and 6776; thence with the east line of said Survey and dirt road N. 11 1/2° E. 41.38 poles to a stone and broken tile; thence N 78 1/2° W. 71.76 poles to a stone and broken tile in the south line of J. J. Hillman's land; thence south 11.23° W. 41.40 poles to a stone; thence south 78 1/2° E. 71.70 poles to the place of beginning, containing 18.5-6 acres of land.

Excepting the following premises, Beginning at a stone and broken tile

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Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

11145

in the center of a road in the east line of Survey
nos. 65-63, and 6776, at the south east corner of
E. B. Bernard land; thence with the south line of said
land, N. 78 1/2° W. 25.76 poles to an iron stake; thence
south 11 1/2° W. 6.21 poles to an iron stake; thence south
78 1/2° E. 25.76 poles to an iron stake in the center of
said road; thence with said road N. 11 1/2° E. 6.21 poles
to the beginning.

Containing one acre of land.

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 Two Thousand Eight
Hundred Dollars (\$2800.00)

The said decedent died leaving the defendant
Alice McElroy his widow who is entitled to dower in said
premises; that the defendants are the only next of kin
of said decedent, having the next estate of inheritance
from said G. F. McElroy deceased, in said premises that
the defendants The North Western Mutual Life Ins. Co.
and Ida B. Graham.

The Plaintiff therefore prays that the dower of said
Alice McElroy in said premises may be assigned and
set off to her; that the rights, interests and liens of the
said Alice McElroy may be fully determined, adjudged,
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 case made and provided, and for
all other proper orders, and relief in the premises

Ralph Graham
By William J. Potter, attorney

Oath

The State of Ohio, Union County.
Ralph Graham, &c, the rich 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.
Ralph Graham,

Sworn to before me, and signed in my presence this
25 day of Aug. 1927.

W. H. Husted
Probate Judge

11145

Receipt

Filing

Answer
of
indoor

Final Record, Union County Probate Court.

11145

Probate Court, Union County, Ohio,
Precipe.

Precipe

To the Probate Judge:
Issue summons for said Ida Graham
and, The North Western Mutual Life Insurance Co.,
of Milwaukee, Wis. Defendants. directed to the Sheriff
of said County, returnable according to law.
William J. Porter.
Plaintiff's attorney.

Filing

Probate Court, Union County, O. Aug. 26-1927
Filing of Petition.

This day came the Plaintiff and filed herein his
petition praying for an order to sell the real
estate of said G. F. Mc Droy deceased, therein
described, to pay the debts and costs of administer-
ing the estate of said decedent. The following
named defendants in the case duly entered
their appearance, to wit:

Alice Mc Droy and Ida Graham.

Whereupon it is by this Court ordered, that
this cause be heard on the 24. day of Sept.
1927. at 10. A.M. and that to each and
all of the remaining defendants, to wit:

The Northwestern Mutual Life Insurance Company
be given due and legal notice of the filing
jurisdiction and prayer of said petition, and of
the time in which they are required by law to
answer the same, be given by summons served
by the administrator, excepting those who shall
yet enter their appearance. In their cause is continued.
W. J. Porter, Probate Judge

Answer
of
widow

Answer of Widow.

Probate Court, Union County, Ohio.
And now comes Alice Mc Droy 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. F.
Mc Droy deceased, and, as such is entitled
to dower in the premises described
in said petition, that her age is 74 years
and she freely consents to said sale, as

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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 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 just and reasonable, value of her dower interest in said real estate.

Alice McElroy

Oath.

The State of Ohio, Union County.
Alice McElroy being duly sworn, says, that the statements in the foregoing answer are true, as she verily believes.

Alice McElroy, By Wm J. Porter attorney
sworn to before me, and, signed in my presence, this 25-day of August, A.D. 1927.

Wm J. Porter, Probate Judge

Waiver.

Waiver of Summons.

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 enters 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.
Aug. 25: A.D. 1927.

Mrs Ida Graham.

Answer, ^{an}
Cross
Petition

Answer ^{an} Cross Petition of
The Northwestern Mutual Life Insurance Co -
Answer.

Now comes the defendant, The Northwestern Mutual Life Insurance Co, and, waives the issuing and service of summons, and, enters its appearance, herein, and, files its answer herein, and, for such says, that it is a Corporation, incorporated and doing business under the laws of the State of Wisconsin, with its principal office and place of doing business at Milwaukee in said State of Wisconsin; it admits that it has a claim which is a lien on the premises described in the petition.

The defendant, The Northwestern Mutual Life Insurance Company, further answering says that it knows nothing of the other matters

Cross-
Petition

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Final Record, Union County Probate Court.

and things set forth in said petition and therefore denies each and every other allegation therein contained.

Cross-Petition

Cross-Petition

First Cause of action:

The defendant, The Northwestern Mutual Life Insurance Company, says, that on the first day of May 1924, George F. Mc Elroy being then in full life, executed and delivered to The Northwestern Mutual Life Insurance Co. his promissory note, a copy of which with all endorsements thereon is hereto attached and marked exhibit "A" and made a part of this cross petition.

The Northwestern Mutual Life Insurance Company is not the owner and holder of said note in which there is due and payable the sum of \$1200. with interest thereon at 5 1/2% per annum from May 1. 1927. as per the terms of said note, which sum with interest as aforesaid and costs the defendant. The Northwestern Mutual Life Insurance Company claims:

Second Cause of action:

This answering cross petitioner adopts and makes a part of the second cause of action each and all the allegations of said First Cause of action the same as if fully recited herein, and further says, that at the time of delivering said promissory note described in the First Cause of action herein and hereto attached and marked Exhibit "A", and to secure the payment of the same, the said George F. Mc Elroy, then in full life, and Alice Mc Elroy, his wife, executed and delivered to The Northwestern Mutual Life Insurance Company their mortgage deed and conveyed to the said The Northwestern Mutual Life Insurance Company, the following described real estate, being the same premises described in the petition of the plaintiff, situated in the Township of Liberty, County of Union, and State of Ohio, to wit:

Three adjoining tracts of land situated in Survey No. 6863 and 6776. bounded and described as follows, viz:

First Tract:

Beginning at an iron stake in the middle of a gravel road, leading from Raymond to Broadway and at the south east corner of George F. Mc Elroy's land, and thence

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Langhorst Brothers, Wapakonetta, Ohio.

running north 12° west 78.70 poles to a post at the north east corner of said George F. McDougal's land; thence north twelve degrees east nine and fourteen one-hundredths poles to a post at the south west corner of the land of Charles Carter's heirs; thence south seventy-eight and one-half degrees east twenty-four and seven tenths poles with said Carter's south line to a stone; thence south ten and one-half degrees west sixty-seven and fifteen one-hundredths poles to a stone; thence south 12° east fifteen poles to an iron stake in the middle of said gravel road, and thence south seventy and one-half degrees west one rod to the place of beginning. Containing six and one-tenth acres more or less.

Second Tract.

Second Tract:

Beginning at a stone in the middle of the Bellefontaine and Delavan road, at the south east corner of land owned by Newman Dillon, and thence running northerly with said Newman Dillon's east line nine-six poles to a stake and stone at the north east corner of said Newman Dillon's land; thence south eighty-one and one-half degrees east thirty-nine poles to the west line of land owned by the heirs of John Carter deceased; thence southerly with said John Carter's west line eighty-one poles to a stake or stone in the middle of said Bellefontaine and Delavan road, and thence westerly with the middle of said road forty-six poles to the place of beginning.

Containing 24 acres, more or less.

Third Tract.

Third Tract:

Beginning at a stone and broken tile in the Dist Road, at the north east corner of C. H. Lockwood's land, and also, in the east line of said Survey; thence with the east line of said Survey and said Dist Road north eleven and one-half degrees east forty one and thirty eight one-hundredths poles to a stone and broken tile; thence north seventy eight and one-half degrees west seventy one and seventy six one-hundredths poles to a stone and broken tile in the south line of J. J. Fickman's land; thence south eleven degrees thirty three minutes west forty one and forty five one-hundredths poles to a stone and thence south seventy-eight and one-half degrees east seventy one and seventy one one-hundredths poles to the place of beginning.

Containing eighteen and fifty-six one hundredths acres more or less, excepting therefrom about one acre bounded and described as follows, viz:

Beginning at a stone and broken tile in the middle of the road and in the east line of said survey and at the southeast corner of E.B. Bernard's land and thence running with the south line of said land north seventy-eight and one-half degrees west twenty-five and seventy-six one-hundredths poles to an iron stake; thence south eleven and one-half degrees west six and twenty-one one-hundredths poles to an iron stake; thence south seventy-eight and one-half degrees east twenty-five and seventy-six one-hundredths poles to an iron stake in the middle of said road and thence with said road north eleven and one-half degrees east six and twenty-one one-hundredths poles to the place of beginning.

on the 26-day of May 1924, at 10:00 o'clock A.M. said mortgage deed was duly left for record at the office of the Recorder of Union County, Wis. and recorded in Vol. 91, at page 355 of the Mortgage Records of said County. Said mortgage was conditioned as follows:

Conditioned, however, that if George F. McElroy one of said parties of the first part, his heirs, executors administrators or assigns, shall pay or cause to be paid to the said party of the second part, its successors or assigns at the office of said party of the second part in the City of Milwaukee, Wisconsin, the sum of Three Hundred Dollars, with interest, according to the terms of a promissory note bearing even date herewith executed by George F. McElroy one of said parties of the first part, to the said party of the second part; and shall pay all taxes and special assessments of any kind that may be levied or assessed within the State of Wis. upon said premises or any part thereof or upon the interest of the mortgage, its successors or assigns in said premises, or upon the note or debt secured by this mortgage and procure and deliver to said party of the second part its successors or assigns at its or their

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Langhorst Brothers, Wapakonetta, Ohio.

home office. before the day fixed by law for the first interest or penalty to accrue thereon, the official receipt of the proper officer showing payment of all such taxes and assessments, and, so long as any part of the debt hereby secured remains unpaid, shall keep the building upon said premises insured against the loss or damage by fire in some reliable insurance company or companies to be approved by the said party of the second part, its successors or assigns to the amount of not less than -- dollars (provided, however, that if the policies of such insurance contain any condition or provision as to co-insurance the buildings shall be kept insured for a sufficient amount, also, to comply with such Co-insurance condition), with loss, if any, payable to said party of the second part, its successors, or assigns, as its or their interest may appear and forthwith upon issuance thereof deposit such policies with the said party of the second part, its successors, or assigns: and shall keep the buildings and other improvements on said premises in as good condition and repair as at this time, ordinary wear and tear only excepted; and shall keep said premises free from all statutory liens; and upon demand by said party of the second part, its successors, or assigns, shall pay all prior liens, if any, which may be found, to exist on said property, and all expenses and attorney's fees incurred by said party of the second part, its successors or assigns, by reason of litigation with third parties to protect the lien of this mortgage; all of which said parties of the first part hereby agree to do: then these presents to be void, otherwise to remain in full force.

It is agreed, that if the insurance above provided for is not promptly effected and the policies therefor duly deposited or, if the liens, taxes, special assessments, expenses, or attorney fees, above specified shall not be paid as hereinbefore provided, the said party of the second part, its successors, or assigns (whether electing to declare the whole indebtedness hereby secured due, and collectible or not) may effect the insurance above provided for and pay the reasonable premiums and charges therefor, and may pay said taxes and special assessments (irregularities in the levy ^{or} assessments

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thereof being expressly waived) and may pay such
liens, expenses, and attorney's fees, and all such
payments with interest thereon from the time of
payment at the rate of 8% per annum, shall
be deemed part of the indebtedness secured by this
mortgage.

And it is agreed, that in case default shall
be made in the payment of any instalments of said
note or of interest thereon when due, or, if there
shall be a failure to comply with any or either of the
terms or conditions of this mortgage, then the said
note and the whole indebtedness secured by this
mortgage, including all payments for taxes,
assessments, insurance premiums, liens,
expenses and attorney's fees herein above specified,
shall, at the option of the party of the second part
and without notice to the party of the first part,
become due and collectible at once by foreclosure
or otherwise; and upon commencement of a suit in
foreclosure of this mortgage or at any time during
the pendency thereof, the Court in which such suit
is pending, upon application of the party of the
second part, its successors or assigns, may at once
and without notice to the parties of the first part,
or any person claiming under them appoint
a receiver for said premises to take possession thereof,
to collect the rents issues and profits of said
premises, and out of the same to make
necessary repairs and keep said premises in proper
condition and repair, and to pay all taxes and
assessments accruing during said receivership,
and all taxes and assessments unpaid and tax
sales remaining unredemmed at or prior to
the foreclosure sale, and to pay insurance
premium necessary to keep said premises insured
in accordance with the provisions of this mortgage
and the expense of receivership.

and it is agreed that the parties of the
first part will repay the party of the second
part all reasonable expenses paid in procuring
abstracts of title whenever such abstracts shall
become necessary to protect the interests or enforce
the rights of said party of the second part,
and the amounts so paid with interest thereon
from the time of payment, at the rate of
eight per centum per annum, shall be deemed

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Langhorst Brothers, Wapakonetta, Ohio.

part of the indebtedness secured by this mortgage; and, it is further agreed that in case suit shall be brought to foreclose this mortgage, the said parties of the first part will pay, in addition to the taxable costs, an adequate and reasonable sum, as a solicitor's or attorney's fee, the amount thereof to be fixed by the Court, and, included in the judgment or decree.

The condition of said mortgage have been broken and that by virtue of the terms of the note and mortgage, the whole indebtedness is now due; that by the terms of said note and mortgage, if the indebtedness represented by said note is paid before May 1- 1929, then there shall be due 60 days of additional interest on half of the loan, which on this note is in the sum of \$600; that no part of the sum mentioned in the said note and mortgage has been paid and there is now due, and, owing the Northwestern Mutual Life Insurance Company, the sum of \$1200 with interest at 5 1/2% from May 1- 1927, in the sum of \$600.

Wherefore, this answering cross petitioner, The Northwestern Mutual Life Insurance Company prays that the property described in its cross petition be sold, that it may be declared to have the first and best lien on the premises described, in its cross petition, and, that its debt and interest and additional claim be paid in full out of the proceeds of the sale and for all other proper relief to which it is entitled in law and in equity.

The Northwestern Mutual Life Insurance Co.

By, Brown and Williamson, Its atty.

State of Ohio, Marion Co. ss.

Oath.

J. D. Williamson, being duly sworn, says that he is one of the attorneys for the plaintiff, duly authorized herein, that the plaintiff is a corporation and, a non-resident of the state of Ohio, and that the facts and allegations contained in the foregoing answer and cross-petition are true, as he truly believes.

J. D. Williamson.

Sworn to before me, and, subscribed in my presence, this 8th day of Sept. 1927.

Tax fee \$0.4.

Woke Donithen, Notary Public, Marion Co. O.

Exhibit a.

Final Record, Union County Probate Court.

Exhibit A. \$1200.-

Exhibit A.

Union Co. Ohio. May 1-1924

For value received I promise to pay to the order of the Northwestern Mutual Life Insurance Co. at its office in the City of Milwaukee, Wisconsin, the sum of \$1200.00 at the expiration of five years from the date hereof with interest thereon from date until paid at the rate of five and one-half per cent per annum, payable semi-annually, with the privilege at any time after two years and before maturity, of paying one hundred dollars, or any multiple thereof, upon said principal, provided that sixty days' additional interest shall be paid on any and all such payments in excess of one-half of the original principal sum.

This note is secured by a mortgage of even date executed by George F. Mc Elroy and Alice Mc Elroy - to said

The Northwestern Mutual Life Insurance Co., on lands in Union Co. O. which is the first lien on the property therein described; and in case the interest on this note is not fully paid when due or in case of default in the performance of any or either of the terms and conditions of said mortgage the whole indebtedness secured by said mortgage shall, at the option of said The Northwestern Mutual Life Insurance Co. become due and payable at once without notice (notice of the exercise of such option being hereby expressly waived)

In case said principal sum shall not be paid at maturity or when declared due in accordance with the provisions herein contained, and in case suit shall be brought for the collection of said principal sum or for the foreclosure of the mortgage given to secure this note, I further promise and agree to pay a reasonable attorney's fee, to be fixed by the Court.

No payment of the principal of this note shall be deemed valid except upon the receipt of the authorized officers of said The Northwestern Mutual Life Insurance Co.

George F. Mc Elroy

Internal Revenue Stamps

to the value of \$49

affixed & cancelled

on the back of the note are the following

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

credits and endorsements

Oct. 27-1924. rec'd int. to Nov. 1-1924.

Apr. 27-1925 " " " May 1-1925.

Oct. 27-1925 " " " Nov. 1-1925.

Apr. 27-1926 " " " May 1-1926.

Oct. 27-1926 " " " Nov. 1-1926.

May 2-1927 " " " May 1-1927.

Probate Court, Union County, Ohio

September 10-1927.

Order for Private Sale

This day this cause came on to be heard upon the petition, evidence, and testimony, of William Kausch, and Russell S. Banks, 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 G. F. Mc Dermott deceased, did leave a widow not entitled to dower in the estate to be sold, and an appraisement of such estate is contained in the Inventory. It is ordered, that another appraisement be and hereby is dispensed with, and the Court being satisfied that it is necessary to sell the real estate of said G. F. Mc Dermott, 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 said real estate described in the petition at private sale.

It is therefore further ordered, that said Ralph Graham, as such Executor proceed to sell said real estate, free of dower, at private sale for not less than the appraised value, on the following terms, to wit

Cash in hand on day of sale, or, upon delivery of deed.

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

W. W. Husted, Probate Judge

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

Application

The said Plaintiff represents, that it would be for

the best interest of the said estate to sell the real estate described in the petition in this case at private sale, for the following reasons:

That there is a buyer ready, willing and able to pay.

That it would be much cheaper for the estate to sell at private sale than at Public Sale - and he therefore asks for an order authorizing him to sell said real estate at private sale -

Ralph Graham,

Ex. of the estate of G. F. McElroy, Dec'd.

The State of Ohio, Union Co -

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

Ralph Graham.

Known to before me, and signed in my presence, this 15 day of Sept. 1927.

W. H. Husted, Probate Judge -

Affidavit of Disinterested Persons

The State of Ohio, Union County.

Russell Banks and Milton Canack, 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.

Russell B. Banks, Milton Canack,

Known to before me, and signed in my presence this 15 day of Sept. 1927

W. H. Husted, Probate Judge -

Order of Sale Free of Dower.

The State of Ohio, Union County. Probate Court.

To, Ralph Graham, Ex. of the estate of G. F. McElroy, deceased. Residing:

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 G. F. McElroy, Plaintiff and Ida Graham, et al. are

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

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 Nancy McIlroy widow of G. F. McIlroy deceased. The following described premises, to-wit:

Situate in the State of Ohio, County of Union and Township of Liberty, being part of Survey 65-63 and 6776, and bounded lands described as follows:

Beginning at an iron stake in the center of the gravel road leading from Raymond to Broadway and southeast corner to George F. McIlroy land; thence N. 12° W. 78.70 poles to a post north east corner to said George F. McIlroy land; thence N. 12° E. 9.14 poles to a post south west corner to Charles Carter's heirs land; thence S. $10\frac{1}{2}^{\circ}$ E. 24.7 poles to said Carter's south line to a stone; thence south $10\frac{1}{2}^{\circ}$ W. 67.15 poles to a stone; thence S. 12° E. 15 poles to an iron stake in the center of said gravel road; thence south $70\frac{1}{2}^{\circ}$ W. 1 rod to the place of beginning containing $6\frac{1}{10}$ acres of land, also, the following premises.

Beginning at a stone in the center of the Bellefontaine and Delavan Road at the north east corner of land owned by Newman Dillon; thence northerly with said Newman Dillon's east line 96 poles to a stake and stone at the northeast corner of said Newman Dillon's land; thence South 81.12° E. 39 poles to the west line of land owned by the heirs of John Carter, deceased; thence southerly with said John Carter's west line 81 poles to a stake or stone in the center of said Bellefontaine and Delavan Road; thence westerly with the center of said road 46 poles to the beginning, containing 24 acres, more or less, also, the following Premises.

Beginning at a stone and broken tile in dirt road, north east corner to C. B. Lockwood's land, also in the east line of said survey no. 65-63, and 6776; thence with the east line of said survey and dirt road north. $11\frac{1}{2}^{\circ}$ E. 41.35 poles to a stone, and broken tile; thence N. $78\frac{1}{2}^{\circ}$ W. 71.76 poles to a stone and broken tile in the south line of J. J. Fullman's land; thence S. 11.23° W. 41.45 poles to a stone; thence S. $78\frac{1}{2}^{\circ}$ E. 71.70 poles to the place of beginning, containing 18.56 acres of land.

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Except the following premises.

Beginning at a stone and broken tile in the center of a road in the east line of survey no- 6563- and 6776. at the southeast corner of E. B. Brewer's land: thence with the south line of said land. N. 78 1/2° W. 25.76 poles to an iron stake thence S. 11 1/2° W. 6.21 poles to an iron stake: thence 78 1/2° E. 25.76 poles to an iron stake in the center of said road: thence with said road N. 11 1/2° E. 6.21 poles to the beginning containing one acre of land.

Said sale to be free the donor of Nancy Mc Droy 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 Mansfield, Ohio. this 10 day of Sept. 19 27.

Wm. Husted Probate Judge

Return

To the Probate Court of Union County, Ohio.

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

Dated Sept. 10-1927.

Ralph Graham.

Report of Sale

In obedience to the within order, I sold said premises on the 10 day of September 1927, to Lee R. Mc Keerr and Nellie Viola Mc Keerr, his wife, for the sum of Twenty-eight Hundred Dollars, said sum being not less than the appraised value of the same.

Ralph Graham.

Dated the 10- day of September, 1927.

The State of Ohio, Union County.

The above named Ralph Graham executor of the estate of G. F. Mc Droy, 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.

Ralph Graham.

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Langhorst Brothers, Wapakonetta, Ohio.

present to before me, and signed in my presence. This 10-day of September, 1927.

WTTusted. Probate Judge-

Journal entry: orders approving and confirming Sale.
Probate Court, Union County, Ohio.
September 10-1927.

orders approving and confirming Sale-

This day, this cause coming on to be heard on the report of Ralph Graham, executor, of the estate of G. F. McElroy, deceased, of his proceedings and sale under the former order of this Court; and upon the motion of said petitioner to confirm the sale made in obedience to said order, the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made.

It is ordered, that the same be, and hereby is approved, and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said G. F. McElroy, in said real estate to the purchasers, Lee R. McKeown, and Nellie Viola McKeown, his wife, upon the said purchaser paying the purchase price thereof.

It is further ordered, that this proceeding be recorded, and that said petitioner pay the costs taxed at \$13.00

WTTusted. Probate Judge-

9755-P
Mar 11 - 1928

Final Record, Union County Probate Court.

9755-P
Mar 11 - 1928

In the matter of the Guardianship of Mary J. Chapman, ^{deceased}
Application for authority to file
suit in Partition of Journal Entry.

In the Probate Court of Union Co. Ohio.
Now comes C. O. Wiley and represents to the Court that
he is the duly appointed, qualified and acting
guardian of the estate of Mary J. Chapman, an
insane person, and that he was appointed
such, by the Probate Court of this county.

Further, the said guardian represents that his
said ward, and Julia A. Chapman, and
Raymote Chapman, and Julia A. Chapman, are both
now deceased, and, by reason thereof, his ward, is now
the owner of the undivided ³/₄ part of said
real estate and her brother John W. Chapman
is, the owner of the remaining ¹/₄ part thereof.

That his ward, and the said Raymote
and Julia A. Chapman, were the joint owners
of the undivided ³/₄ part of 26.93 acres of real
estate situated in Washington Township Union
County, Ohio, after the termination of the said
dowry estate of Sarah Whitley therein, and that
by deeds of conveyance, his ward and the
said Raymote Chapman, recurred and were
the owners of the remaining ¹/₄ interest in said
26.93 acres, after the termination of the
said dowry estate and that the said
Sarah Whitley is deceased, said dowry estate
has terminated and that the said Raymote
Chapman, is now deceased, without issue of
his body, and, by reason thereof, his said ward is
now the owner and, seized in fee simple of the
undivided ¹¹/₁₆ part of said real estate, and,
that her brother John W. Chapman, is, the
owner of the remaining ⁵/₁₆ part thereof.

That by reason of said joint and fractional
interest in said real estate of his ward,
the same cannot now be managed
and, rented to an advantage or to a
benefit for his ward, and, that he believes
that it would be to the best advantage
for his ward and her estate that the
said real estate be divided and that
her interest therein be set off, to her
in severalty, and, that he be authorized
to retain counsel, and, bring an action in
partition for the partition of said real estate

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Wherefore, he asks the Court as such guardian for authority and that he may be directed to retain counsel and bring action in partition and for such other orders, as the Court may direct.
Wm. L. Myers, Atty. for Plff.

State of Ohio, Union County ss.

C. O. Wiley, being duly sworn says that the facts stated and the allegations made and contained in the foregoing application are true as he believes.

C. O. Wiley,

Sworn to before me and signed in my presence, this 1-day of March, 1928.

Wm. L. Myers, Notary Public

Journal 41, Pg. 228.

18922
Feb 15-
1929.

Handwritten notes on the right margin, including a checkmark and various initials and words.

Final Record, Union County Probate Court.

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10922

July 15-
1929.

see page 321-

Order of Sale

The State of Ohio, Union Co., Probate Court,
To L. B. Mc Neal, Ex. of the estate of Highalmer R. VanHouten
Isrueting:

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, succ. executor, are Plaintiff and --- et. all, are Defendants, you are commanded to proceed, according to law, to sell at Private sale, for not less than the appraised value thereof free of --- down the following described premises: Situated in the City of Marion, County of Marion and State of Ohio:

Known as the North half, Lot No. 2217, in Thompson's Addition located on the east side of Sharp Street in the City of Marion, Ohio, excepting, sixty feet off of the east end thereof. Said Sale to be private and, take 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 exhibition of this order.

Witness my signature and the seal of said Probate Court at Marysville Ohio, this 6 day of January, 1928.

Wm. H. Husted, Probate Judge

Report of Sale - Public.

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Marion Star two times, a newspaper of general circulation in Marion Co. Ohio, where said real estate is situate, for at least --- consecutive weeks prior to the --- day of --- 1928, the day of sale therein mentioned; stating in the notice the time, place, and terms of sale; and on said day, at the hour ---, I attended the sale and offered said real estate for sale, --- the down estate therein; when no bid was received at either sale.

Louis B. Mc Neal, Ex.

Dated the 30 day of Oct. 1928

The State of Ohio Marion Co. The above named, Louis B. Mc Neal, being duly sworn, says that the report has been made after diligent endeavor to obtain the best price for said property, and that said report is true. Louis B. Mc Neal, Ex. Sworn to before me, signed in my presence, this 30 day of Oct. 1928.

Lorena B. Ferry

Deputy Clerk of the Probate Court,
Marion Co., Ohio

Wm

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1922. From 321.
May 28
1927.

Journal Entry: Order on Hearing for Public Sale
Probate Court Union Co. Ohio.
May 28 - 1927.

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 Heghalmes R. Van Bonten deceased, did not leave a widow, entitled to dower in the estate to be sold and an appraisement of such real estate is contained in the inventory. It is ordered that another appraisement be and hereby is dispensed with.

And the Court being satisfied that it is necessary to sell the real estate of said decedent, described in the petition to pay his debts, and the legacies.

It is therefore further ordered, that said Louis B. McNeal as such Ex. proceed according to law to sell said real estate, free of dower, at public

Auction for not less than 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 3 weeks consecutively of the terms and time and place of sale, prior thereto, in some newspaper printed and of general circulation in Union Co. where said real estate is situate.

And it further appearing to the Court that the Bond heretofore given by said Louis B. McNeal as the Executor of the estate of Heghalmes R. Van Bonten dec'd. is sufficient in amount to secure the additional assets in case of sale of said real estate.

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

March 21 - 29

Filed.
Mar. 21 - 1929 From Pg. 321.

Order of appraisement
The State of Ohio Union Co. Probate Court.
To, Louis B. Mc Neal, Ex. of the estate of
Heghalmes R. Van Bonten. Executors.

In obedience to an order & decree of the Probate Court within and for said County, made this day in a certain cause, wherein you as Executor are Plaintiff and Della Main et al. are Defendants you are commanded that by the oath of

Final Record, Union County Probate Court.

A. W. Bryant, George J. Orms^{Esq.}, B. R. Pritchard 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 downer. Situated in the City of Marion Co., Mo. Marion, and State of Mo. known as the north half of Lot # 2217 in Thompson addition located on the East side of Sharp Street in the City of Marion Mo. excepting sixty feet off of the East 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 Maryville Mo. this 15-day of Feb. 1929. W. W. Husted Probate Judge

Return To the Probate Court of Union County Mo. 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 1-day of March, 1929

Louis B. McNeal Executor

Oath of appraisers: The State of Mo. Marion Co. We the undersigned appraisers, do make solemn oath that we will, upon actual view, honestly and impartially appraise the within described real estate at its fair Cash value, and perform the duties required of us in pursuance of the foregoing order. A. W. Bryant; Geo. J. Orms; B. R. Pritchard Appraisers. Shown to before me, and signed in my presence, this 1-day of March, 1929. L. B. McNeal, Notary Public Marion Co. Mo.

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 \$900⁰⁰ free said downer estate. Given under our hands, this 1-day of March, 1929.

A. W. Bryant, Geo. J. Orms, B. R. Pritchard (appr - Fee. 2⁰⁰ p. ea. pair)

March 21-29 Journal, entry:

Orders approving appraisement, for Public Sale Probate Court, Union County, Mo.

March 21- 1929

This day came, the said Plaintiff by his atty. and produced to the Court, the report of an appraisement herein made by A. W. Bryant, Geo. J. Orms, & B. R. Pritchard in pursuance of a former order of this Court; and, it appearing upon examination that said report is in all respects regular and correct, it is ordered, that the same be and hereby is, approved and confirmed.

It is therefore further ordered, that said

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

Louis B. McNeal, as such Executor proceed according to law to sell the real estate, described in the petition at public auction, for not less than 2/3 the appraised value thereof, on the following terms, to wit: cash in hand on day of sale.

It is further ordered that said petitioner give notice 4 weeks consecutively of the terms and place and time of sale, prior thereto, in some general newspaper of general circulation in Union County, Ohio, where said real estate is situate. And said petitioner is ordered to make return to this Court immediately after such sale is made. In this cause, is, continued, W. W. Husted, Probate Judge. Jour. 42, Pg. 13.

10 922

Report of Sale

10 922
Aug 6-1924

Order of Sale, Free of Debt.
The State of Ohio, Union County, Probate Court.
To, Louis B. McNeal, Ex. of the estate of Highalmer R. Van Houten.

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 Highalmer R. Van Houten, are Plaintiff, and Della Main 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 debt, the following described premises, to wit:

orders of Confirmation
Distribution

Situated in the City of Marion, in the County of Marion, and State of Ohio. Known as the north half of Lot No. 2217 In Thompsons Addition located on the East side of Sharp Street in the City of Marion, Ohio, excepting sixty feet off of the east end thereof.

Said sale, to be at public outcry, and to be 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 Probate Court, at Mansville, Ohio, this 11th day of March, 1924.
W. W. 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

10 922

appear by the proceedings hereto attached.

Dated the 6 day of May, 1929.

Louis B Mc Neal, Executor.

Report of

Report of Sale Public.

Sale

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Marion Star a newspaper printed and of general circulation in Marion County, Ohio, where said real estate is situate, for at least 4 consecutive weeks prior to the 4 day of May, 1929, 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 2 P.M. I attended the sale and offered said real estate for sale free of down, when Erasmus J. Ford of bid to pay for the same the sum of six hundred dollars, which being the highest and best bid that was offered, and being two-thirds of the appraised value of said premises I then and there sold the same to Erasmus J. Ford for that sum.

Dated the 6 day of May, 1929.

Louis B Mc Neal, Executor.

orders of Confirmation

Journal Entry; Orders of Confirmation, Distribution.

Probate Court Marion County, Ohio (Marion Co.)

May 6-1929

Distribution

Orders of Confirmation

This day this cause came on to be heard on the report of Louis B Mc Neal, Ex. of Heydalmur R Van Bonten 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; and this 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 Heydalmur R Van Bonten in said real estate, to the purchaser Erasmus R. Ford upon the said purchaser executing to said petitioner 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 upon the motion to distribute the proceeds of the sale

Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

1892

Amounting to the sum of Six Hundred Dollars,

It is further ordered, that said petitioner, out of the money in his hands pay: First, - To the treasurer of this County, the sum of \$---, being the taxes, penalties, and interest thereon, against said property. Second, the costs and expenses incurred in the sale of said property, including an attorney fee of --- and percentage of said --- herein, amounting to \$---. It is further ordered, that the balance of said proceeds, amounting to the sum of \$600.00 be accounted for by said petitioner according to law. And, it is further ordered, that this proceeding be recorded, and that said petitioner pay the costs \$---, out of the proceeds of said sale, within ten days. W. H. Husted, Probate Judge

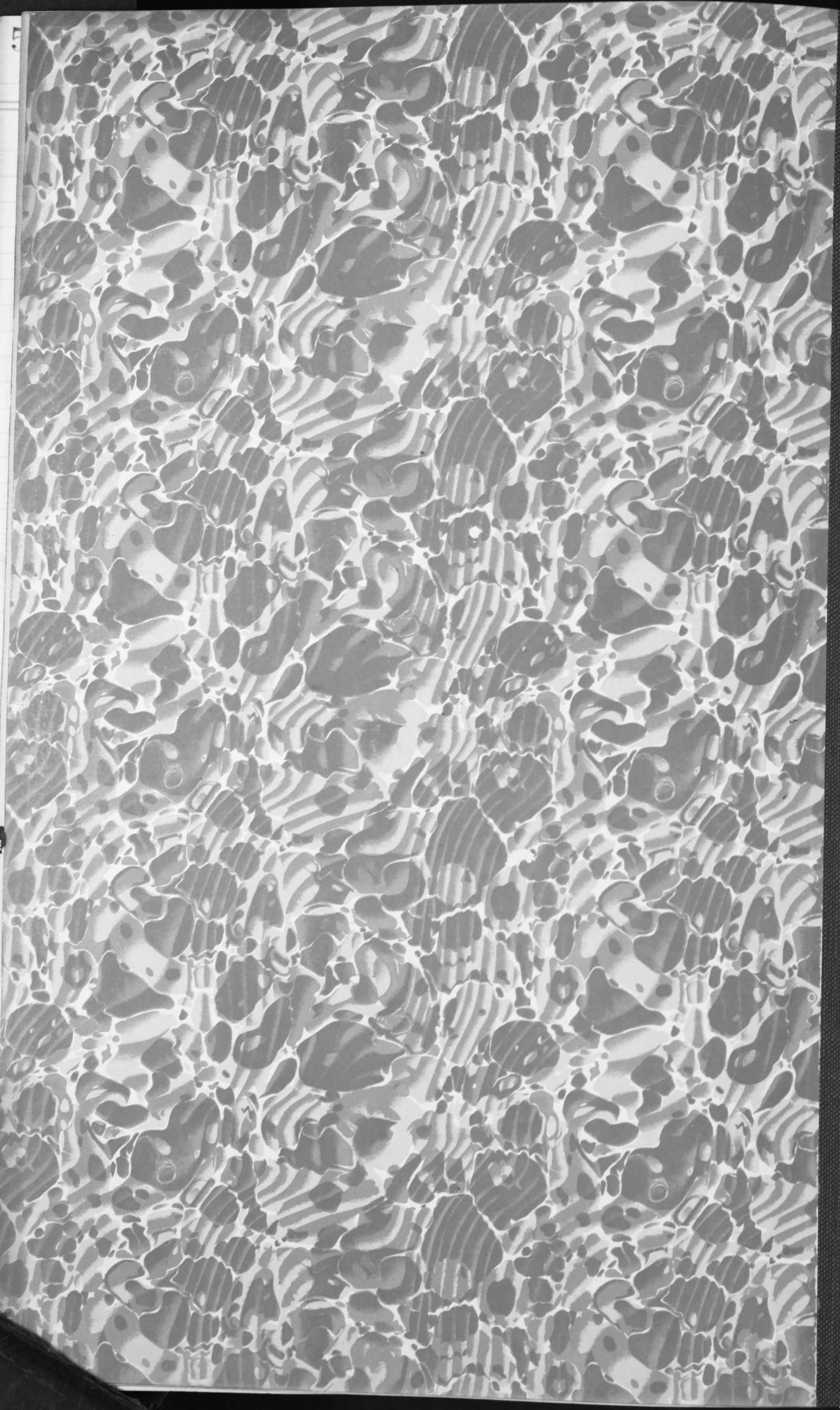
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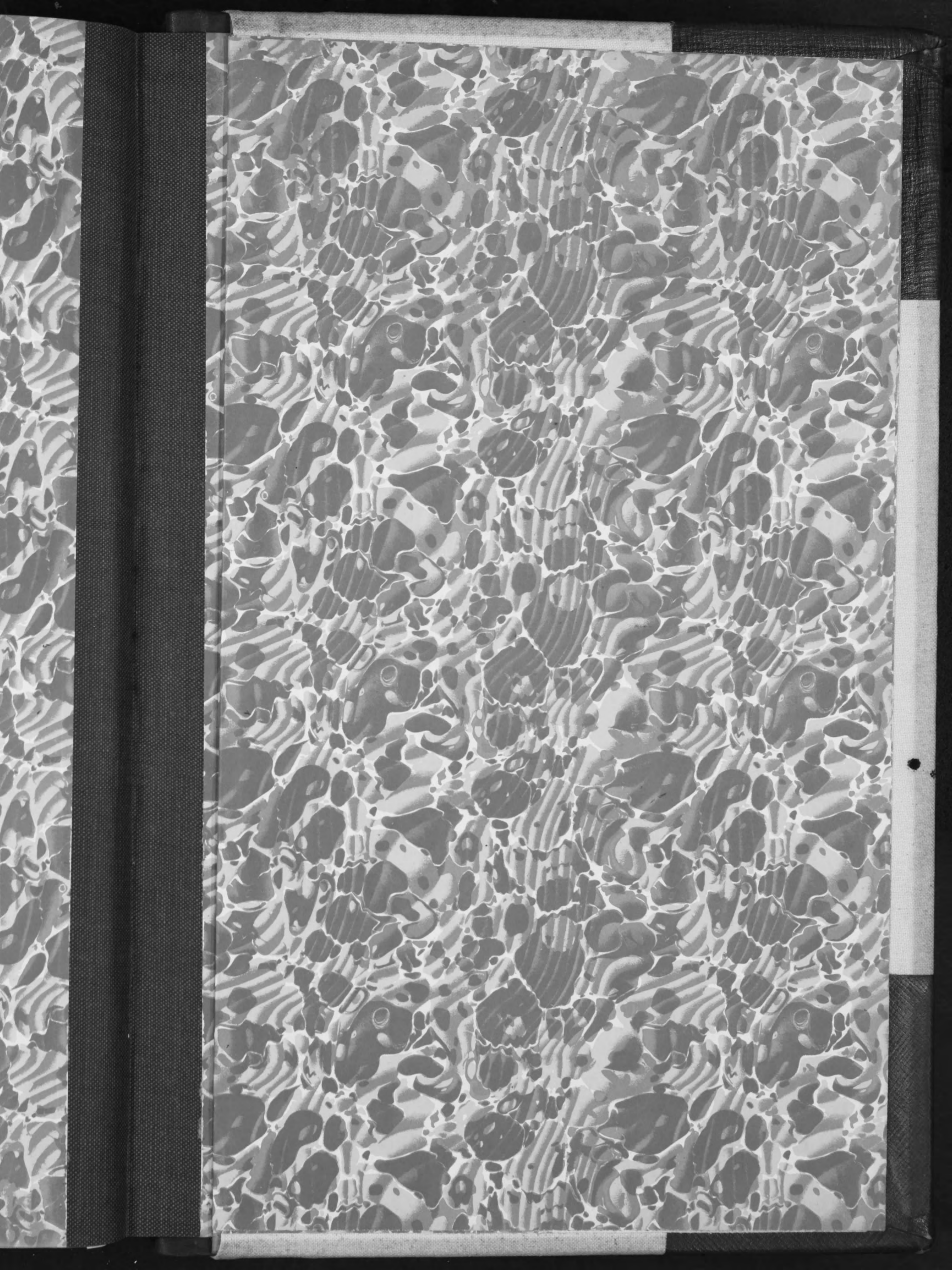
Final Record, Union County Probate Court.

Langhorst Brothers, Wapakonetta, Ohio.

*Orders
from
State*

Ordered
from
Storage Co.





**FINAL
RECORD
NO. 34
PROBATE COURT
UNION COUNTY**