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FINAL RECORD

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PROBATE COURT
UNION CO.

THE COL. B. E. MFG. CO.
COLUMBUS, OHIO

FINAL
RECORD
39

THE COLUMBUS BLANK BOOK MFG. CO.
MANUFACTURING STATIONERS & PRINTERS
LOOSE LEAF DEVICES - STATIONERY - OFFICE FURNITURE
311 TO 321 S. HIGH ST., COLUMBUS, OHIO
No. 73503
ORDER DUPLICATES BY REFERRING TO THE ABOVE NUMBER
TELEPHONE ADAMS 5171

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12867
Filed
Nov. 28-1934.
Hoopes & Sanders
attorneys.

Petition.

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Final Record, Union County Probate Court

12806
Filed
Nov. 23-1934.
Hooper & Sauder
attorneys.

Petition to Sell Real Estate.
In the Probate Court of Union County, Ohio.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,
Plaintiff,
-vs-
W. Raymond Carson and Ruth B. Carson, Fairlawn, Ohio, J. Donivan Carson and Esther Geyer Carson, New Dover, Ohio, Ralph T. Carson and Blanche Marie Carson, Clemente, Michigan, J. Everett Carson, Plain City, Ohio, Paul R. Carson, Plain City, Ohio, Elsie M. Carson, a minor 19 years of age, Fairlawn, Ohio, Ruth M. Carson, a minor 15 years of age, Plain City, Ohio, Blanche Carson, Plain City, Ohio, and The Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin.
Defendants.

No. 12806.
Petition.

Plaintiff says that she is the duly appointed, qualified and acting executrix of the Estate and last will and testament of G. Walker Carson, deceased, by virtue of an order of the Probate Court of Union County, Ohio.

Petition.

That G. Walker Carson, late a resident of Union County, Ohio, died on the 9th. day of August, 1934 leaving a last will and testament, which was duly admitted to probate by the Probate Court of Union County, Ohio, on the 21st. day of August, 1934, and recorded in Volume U of the Will Records of Union County, Ohio; that by virtue of the request in said will and an order of the Probate Court of Union County, Ohio, Blanche Carson was duly appointed and qualified as executrix of the estate of G. Walker Carson, deceased, and of his last will and testament on the 23rd. day of August, 1934; that a copy of the last will and testament of the said G. Walker Carson is hereto attached, marked "Exhibit A," and made a part of this petition.

That as near as can be ascertained the amount of the valid debts against said deceased is approximately $14,000.00. An allowance of $1000.00 was made by the appraisers of the said estate to the widow and the minor child, Ruth M. Carson, for their support for twelve months; that the costs of administering said estate will be about $500.00.

The total value of the personal property of said estate was fixed by the appraisers in their inventory and appraisement

12856 at $2539.74, said inventory and appraisement having been filed in the Probate Court of Union County, Ohio, and there being no exceptions thereto and the same having been approved by said court; said inventory and appraisement under and by virtue of Section 10509-54 of the General Code of Ohio exempted to the widow and surviving spouse of G. Walker Carson personal property of the value of $2500.00, leaving in said estate personal property of the value of $39.74, which is wholly insufficient to pay the debts, allowance and costs aforesaid.

Said decedent died seized in fee simple of the following described real estate:

Situate in the State of Ohio, County of Union and Township of Jerome, being part of Surveys Nos. 5134, 6581 and 7058, and bounded and described as follows:

Beginning at a stone at the southeast corner of lands formerly owned by Samuel B. Woodburn in the easterly line of said Survey No. 5134; thence with said line S. 33° E. 152 poles to a stone at the south-westerly corner of lands formerly owned by David McCampbell; thence with the South line of said lands S. 87° E. 113.20 poles to a stake on the West bank of a ditch; thence along the West bank of said ditch and crossing the same S. 4° 30' W. 83.50 poles to a stake on the East bank of said ditch (witnessed by a hickory 4½ feet East); thence along the East bank of said ditch S. 20° 30' W. 12 poles to a stake in the center of the Dewitt Gravel Road; thence continuing along the East bank of said ditch S. 18° 15' E. 111 poles to a stone, a corner to lands formerly owned by Jesse McCampbell; thence with a line of said lands S. 48° W. 40 poles to a stone, a corner to said lands in the center of the Marysville and Columbus Gravel Road; thence with two consecutive lines following the center of said road N. 43° W. 216.80 poles to a stake and thence N. 49° 45' W. 95.90 poles to a stone in the southerly line of said lands formerly owned by Samuel B. Woodburn; thence with said line N. 56° 30' E. 106 poles to the beginning.

Containing 195.40 acres, more or less.

Excepting therefrom the following premises, situate in said County, Township and State, part of Survey No. 5134, and bounded and described as follows:

Beginning at a stone at the southeast corner of land formerly owned by Samuel B. Woodburn (but now in name of J. F. Fredrick) in the easterly line of said Survey No. 5134; thence with said line S. 33° E. 33 feet to a stone; thence S. 56° 30' W. 106 poles to a stone in the center of the Marysville and Columbus Gravel Road; thence with the center of said road N. 49° W. 33 feet to a stone in the southwesterly line of lands formerly owned by said Samuel B. Woodburn (but now in the name of J. F. Fredrick); thence with said last mentioned line N. 56° 30' E. 106 poles to the beginning.

Containing One acre of land, more or less.

12806

Said real estate was included in the inventory and appraisement of said estate pursuant to the order of the Probate Court of Union County, Ohio, and appraised for the sum of $9700.00.

Said real estate is subject to a mortgage held by the defendant, The Northwestern Mutual Life Insurance Company, in the sum of $10,000.00.

The decedent died leaving the defendant, Blanche Carson, as his widow, who is 58 years of age; the defendants, W. Raymond Carson, J. Donivan Carson, Ralph T. Carson, J. Everett Carson, Paul K. Carson, Elsie M. Carson and Ruth M. Carson, are all of the heirs at law, next of kin, and the beneficiaries under the will of G. Walker Carson, deceased, or persons entitled to the next estate of inheritance from the decedent in said real estate and having an interest therein.

The defendant, Ruth B. Carson, is the wife of the defendant, W. Raymond Carson; the defendant, Esther Geyer Carson, is the wife of the defendant, J. Donivan Carson; the defendant, Blanche Marie Carson, is the wife of the defendant, Ralph T. Carson.

All of the defendants are over the age of 21 years except Elsie M. Carson, who is a minor of the age of 19 years, and Ruth M. Carson, who is a minor of the age of 15 years.

Wherefore, plaintiff prays that said real estate be sold free from all of the right of dower of said Blanche Carson therein; that the rights, interests and liens of all parties may be justly determined, adjusted and protected by the court; and that your petitioner 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 the court deems just and proper.

Hooper & Sanders- Attorneys for Plaintiff.

State of Ohio, Union County.

Blanche Carson, being first duly sworn, says that she is plaintiff herein, and that the facts stated and allegations contained in the foregoing petition are true as she verily believes.

Blanche Carson.

Bath.

Sworn to before me and subscribed in my presence this 20 day of November, 1934.

Seal

Gwynn Sanders- Notary Public.

"Exhibit A."

Will of G. Walker Carson.

I, G. Walker Carson of the Township of Jerome, in the County of Union and State of Ohio, being of sound mind and disposing memory, do make this my last will and testament, hereby revoking any and all former wills by me heretofore made.

Item. I hereby direct my executrix, hereinafter named, to pay all my just debts, funeral expenses, and the expenses incident to the administration of my estate as soon as reasonably may be after my decease.

THE EDWARD E. WEIS CO. 73503

12806

Item. I give, devise and bequeath to my beloved wife, Blanche, in lieu of her dower rights and distributive share in my property, my farm situated in Jerome Township, in the County of Union and State of Ohio, and all the furniture and household goods contained in the dwelling house thereon, to hold the same, to her, her heirs, executors, administrators and assigns, absolutely forever. The farm is bounded and described as follows: Survey Nos. 6134, 6681 and 7068. By true Meridian courses as follows: Beginning at a stone at the South East corner of lands formerly owned by Samuel B. Woodburn in the easterly line of said Survey No. 6134; thence with said line South 33° East 62 poles to a stone at the south-westerly corner of lands formerly owned by David McCampbell; thence with the south line of said lands South 87° East 113-20/100 poles to a stake on the west bank of a ditch; thence along the west bank of said ditch and crossing the same South 4° 30' West 83-60/100 poles to a stake on the east bank of said ditch (witnessed by a hickory 4-1/2 feet east); thence along the east bank of said ditch South 20° 30' West 12 poles to a stake in the center of the Dewitt Gravel Road; thence continuing along the east bank of said ditch South 18° 15' East 111 poles to a stone, a corner to lands formerly owned by Jesse C. McCampbell; thence with a line of said lands South 78° West 45 poles to a stone, a corner to said lands in the center of the Marysville and Columbus Gravel Road; thence with two consecutive lines following the center of said road North 43° West 216-80/100 poles to a stake and thence North 49° 15' West 94-90/100 poles to a stone, in the southerly line of said lands formerly owned by Samuel B. Woodburn; thence with said line North 56° 30' East 196 poles to the beginning. Containing 195-40/100 acres, more or less. Excepting therefrom a strip of 33 feet wide off of the North East line of said premises which was conveyed to Grant E. Herriott and wife, containing one acre.

Item. I desire my wife to maintain and support, in such manner as she may see fit, my six living children and all other children which may be born to me after the execution of this will.

Item. Should any child or children be born to me after the execution of this will, I give and bequeath to each such child the sum of Twenty-five ($25.00) Dollars.

Item. All the rest, residue and remainder of my estate, real and personal, which I now own or may own at my decease, I give, devise and bequeath to my wife, Blanche, her heirs, executors, administrators and assigns forever.

Item. I hereby appoint and nominate my wife, Blanche, guardian of my minor children, and also appoint her executrix of this my last will; and I desire, also, that my executrix shall not be required to give bond, and that she shall have power to sell my real and personal property and to make all

Filed
Nov. 23-1934.
Recipe.

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Nov. 23-1934.
Answer and Cross-Petition of the Northwestern Mutual Life Ins. Co.

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assurance and conveyance necessary without first obtaining permission to do so from the court. I also desire that no appraisement be made of my household goods and furniture, and that no sale be made of my personal property unless my executrix desires such sale.

In Testimony Whereof, I, the said G. Walker Carson, have hereunto set my hand to this will at my residence in Jerome Township, in the County of Union and State of Ohio, this Thirteenth day of August in the year of our Lord One Thousand Nine Hundred and Thirteen.

"G. Walker Carson".

Signed by the said testator, G. Walker Carson, he being of sound mind and disposing memory, as his last will, in the presence of us, who, at his request and in his presence, have hereunto subscribed our names as witnesses, at his residence in Jerome Township, in the County of Union and State of Ohio, this Thirteenth day of August, A. D. 1913.

Marysville, Ohio, R. D. "Elsie Mitchell."

149 W. Frambes Ave., Columbus, O. "Homer C. McDowell."

Filed Nov. 28- 1934. Precipe.

In the Probate Court, Union County, Ohio.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,

Plaintiff,

-vs-

W. Raymond Carson, et al.,

Defendants.

No. 12856.
Precipe.

To the Probate Judge, Clerk Ex-Officio:

Issue summons in the above entitled cause to the Sheriff of Union County, Ohio, for the minor defendants, Elsie M. Carson and Ruth M. Carson, and cause the Sheriff to serve the same upon the said minor defendants, Elsie M. Carson and Ruth M. Carson, and upon Blanche Carson, the mother of said defendants and the person having the care of them, and make the same returnable according to law.

Endorse summons, "Action by Executrix for sale of real estate and other relief."

Hooper & Sandusr - Attorneys for Plaintiff.

Filed Nov. 23- 1934. Answer and Cross-Petition of the North-western Mutual Life Ins. Co.

In the Probate Court, Union County, Ohio.

Loan No. 104901 - Carson.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,

Plaintiff,

-vs-

W. Raymond Carson, et al.,

Defendants.

No. 12806.
Cross Petition of the Northwestern Mutual Life Insurance Company.

This defendant is a corporation organized under the laws of Wisconsin with its principal place of business at Milwaukee,

THE COL. B. B. MFG. CO 73503

12856

Wisconsin.

This defendant says that on the 7th. day of March, 1925, the said G. Walker Carson, deceased, executed and delivered to this defendant his promissory note, a copy of which with all endorsements is hereto attached, marked "Exhibit A", and made a part hereof; that this defendant is the legal owner thereof and that there is due this defendant thereon the sum of Ten thousand (10,000) dollars principal, with interest from the 7th. day of September, 1933, at five and one-quarter per cent, less credit of Eighty-five and five one-hundredths (85.05) dollars, paid on account of interest due March 7, 1934,

That at the time of the execution and delivery of the note above described the said G. Walker Carson and Blanche Carson, his wife, executed and delivered to this defendant their certain mortgage deed thereby conveying to the defendant, The Northwestern Mutual Life Insurance Company, its successors and assigns, the real estate described by metes and bounds in the petition herein.

On the 26th. day of March, 1925, at 11:20 A. M. o'clock said mortgage was duly left for record in the Records office of Union County, Ohio, and was duly recorded in Volume 91, page 635, of his mortgage records.

Said mortgage was conditioned upon the payment of the promissory note above set forth with interest thereon and is the first and best lien upon said real estate.

That on the 14th. day of April, 1930, the said G. Walker Carson and Blanche Carson entered into a contract in writing with this defendant whereby the time of the payment of the principal sum of the note above described was extended to March 7, 1935, and containing a stipulation that the interest thereon from and after March 7, 1930, would be five and one-quarter per cent per annum, payable semi-annually, a copy of which is attached hereto, made a part hereof and marked Exhibit "B."

Wherefore, this defendant prays that there may be found due it upon said note the sum of Ten thousand (10,000) dollars, with interest as aforesaid; that said mortgage may be found to be the first and best lien upon said real estate, and that if an order of sale should be issued in this cause, that said real estate be sold subject to said mortgage, and for such other relief as is proper.

The Northwestern Mutual Life Insurance Company.

By- Henry L. Kellogg- Assistant Counsel.

State of Wisconsin, County of Milwaukee, ss:

Edmund Fitzgerald, being first duly sworn, says that he is an officer of The Northwestern Mutual Life Insurance Company, to-wit: Vice President, and that said defendant is a corporation, and that the facts stated and allegations contained in the foregoing cross petition are true as he verily believes.

Edmund Fitzgerald.

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Sworn to before me and subscribed in my presence this 12th day of November, 1934.

{Seal}

Harry L. Kellogg - Notary Public, Milwaukee County, Wis.
My Commission expires: May 17, 1936.

Copy.

$10,000.00 Union County, Ohio, March 7, 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 Ten thousand Dollars at the expiration of five 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 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 herewith executed by G. Walker Carson and Blanche Carson, 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 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).

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 mortage 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 Company.

G. Walker Carson.

Exhibit "A".

Note- Dated the 7th. day of Mar. 1925.
Interest paid on this note to and including the installment of interest due Sept. 7, 1933 and $85.05 on accn't of Mch. 7, 1934.

Copy.

No. 104901 Extension Agreement.

Part of Surveys No. 5784, 6581 and 7068 of L.a.

Whereas, on the 7th. day of March, 1925, G. Walker Carson of Plain City, Ohio, executed and delivered to The Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin,

12856 a note in the sum of ten thousand dollars secured by a mortgage of even date therewith upon certain real estate situated in Union County, Ohio, filed for record in said County on March 26, 1925 and recorded in Volume 91 of Mortgages, on pages 635 and there remains unpaid of the principal of said note the sum of ten thousand dollars with interest from March 7, 1930 and

Whereas, title to the mortgaged premises is now vested in G. Walker Carson subject to said mortgage; and

Whereas, said Insurance Company has been requested to extend the time of payment of said note and mortgage as hereinafter stated, which it has consented to do in consideration of the payments to be made as herein provided;

Now therefore, the said G. Walker Carson, agrees to procure and deposit with said mortgagee policies of fire insurance to the amount of $5000 and tomado insurance to the amount of $5000 all in conformity with the provisions of said mortgage relating to insurance and hereby agrees to pay the principal sum remaining unpaid as aforesaid on March 7, 1935, with the privilege, at any time after March 7, 1932 and before maturity, of paying $100, 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 principal sum; and said party also agrees to pay interest on the said sum of $10,000 from March 7, 1930, until maturity at the rate of five and one-fourth per cent per annum, payable semi-annually.

And the parties hereto hereby agree that said note and mortgage shall continue a first lien upon said premises and shall remain in force, with all their covenants and conditions, except as herein modified.

In Witness Whereof, the said G. Walker Carson and Blanche Carson, his wife, have hereunto set their hands this fourteenth day of April, A. D. 1930.

Signed and acknowledged in presence of
Chas. D. Webb.
W. T. Porter.

G. Walker Carson.
Blanche Carson.

Exhibit "B"

State of Ohio, County of Union, ss:

Be it remembered that on this 17th. day of April in the year of our Lord one thousand nine hundred and thirty before me, the subscriber, a Notary Public in and for said County, personally came G. Walker Carson and Blanche Carson, his wife, the grantors in the foregoing instrument, and acknowledged the signing and sealing thereof to be their voluntary act, for the uses and purposes therein mentioned.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal, on the day and year last aforesaid.

{Seal}

Chas. D. Webb- Notary Public,
Union County, Ohio.

12856 Exten[...]
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Filed Nov. 23-1934. Answer of the Defendant Blanche Carson.

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Filed Nov. 27-1934. Entry.

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Extension Agreement - Dated the 14th. day of April, 1930.
State of Ohio, County of Union, ss.
Recived for Record on the 17 day of April, A. D. 1930 at 2 o'clock P. M., and recorded in Volume 99 of Mortgages, on pages 365, recorded April 21, 1930.
Frank L. Adams - Recorder. .75

Filed Nov. 28-1934. Answer of the Defendant, Blanche Carson.

In the Probate Court of Union County, Ohio.
Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased, Plaintiff,
-vs-
W. Raymond Carson, et al., Defendants.

No. 12856.
Answer of the Defendant, Blanche Carson.

Now comes Blanche Carson, 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 and surviving spouse of the said G. Walker Carson, deceased, and as such is entitled to an interest in said real estate described in said petition, and that her age is 53 years.

Wherefore, she prays that said real estate be sold as asked in said petition, and that out of the proceeds of the sale of said real estate she be allowed a sum in money equal to the value of her interest therein.

Hoopes & Sanders - Attorneys for Blanche Carson.

State of Ohio, Union County, ss:
Blanche Carson, being first duly sworn, says that she is the widow and surviving spouse of G. Walker Carson, deceased, and that the facts stated in the foregoing answer are true as she verily believes.

Blanche Carson.

Sworn to before me and subscribed in my presence this 20 day of November, 1934.
{Seal}
Gwynn Sanders - Notary Public.
Union County, Ohio.

Filed Nov. 27-1934. Entry.

In the Probate Court, Union County, Ohio.
Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased, Plaintiff,
-vs-
W. Raymond Carson, et al., Defendants.

No. 12856.
Entry.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased, having filed in this Court her petition praying for the sale of real estate therein described to pay the debts of said estate, and all the defendants having been properly served with summons, or having voluntarily entered their appearance herein, it is ordered that said petition be heard on the 27th. day of November, 1934, at 2:30 P. M.
L. W. Hazen - Probate Judge.

THE COL. A. B. MFG. CO 73503

12806
Filed
Nov. 26 - 1934.
Summons.

Summons on Petition to Sell Real Estate.
Sheriff - Minors.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are commanded to notify Mrs. Blanche Carson - Mother
Action "Action by Executrix for Sale of Real Estate and other Relief."
Blanche Carson, Executrix of the Estate of G. Walker Carson,
Deceased, Plaintiff, vs. W. Raymond Carson, et al, Defendants,
Hoopes & Sandus, Attorneys, and the following named who are
minors, to-wit: Elsie M. Carson and Ruth M. Carson making
service of this summons upon such minors as are over fourteen
years of age, and also upon the guardian, father, mother or
custodian of said minors, in the order named; that on the
28nd. day of November A. D. 1934, Blanche Carson, Executrix of
the Estate of G. Walker Carson deceased, filed her petition in
the Probate Court of said Union County, Ohio, against them and
others; the object and prayer of which petition is to obtain an
order for the sale of certain Real Estate belonging to said decedent,
and in said petition described, for the purpose of paying "Relief"
and that unless they answer by the 22nd. day of December,
1934, said petition will be taken as true, and the order granted
accordingly.

Said Sheriff will make due return of this summons on the
2nd. day of December, 1934.

Witness my hand and the seal of said Court, this 28nd.
day of December, 1934.

L. W. H. Judge and ex-officio Clerk of the
Probate Court of said County.

[Seal]

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees

Sheriff's Return.

Service & Return, first name	$ .75
2 additional names, at 25¢	.00
42 miles traveled at 8¢	3.36
Total	$ 4.61

Received this writ Nov. 28, 1934, at 11 o'clock A. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz:

November 26th. 1934, on Elsie M. Carson and Ruth M. Carson, minors by personally handing to each of them a true and certified copy thereof with all the endorsements thereon, and also Nov. 26th. 1934, on Blanche Carson the mother of the said Elsie M. Carson and Ruth M. Carson, and the person having custody and control of said minors and the person with whom said minors reside.

William Rausch - Sheriff.
By - A. Grigsby - Deputy.

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Filed
Nov. 27-1934.
Waiver.

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Nov. 27-1934.
Waiver.

In the Probate Court, Union County, Ohio.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,
Plaintiff,
-vs-
W. Raymond Carson, et al.,
Defendants.

No. 12806.
Waiver.

Now comes the undersigned, parties defendant in the above entitled cause, and being competent, adult persons hereby waive the issuing and service of summons and process upon them and each of them, and voluntarily enter their appearances as such defendants, and consent to the sale of the real estate described in the petition, as therein prayed for.

Dated this 21 day of November, 1934.

Blanche Marie Carson.
Ralph T. Carson.

Filed
Nov. 27- 1934.
Waiver.

In the Probate Court, Union County, Ohio.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,
Plaintiff,
-vs-
W. Raymond Carson, et al.,
Defendants.

No. 12806.
Waiver.

Now comes the undersigned, parties defendant in the above entitled cause, and being competent, adult persons hereby waive the issuing and service of summons and process upon them and each of them, and voluntarily enter their appearance as such defendants, and consent to the sale of the real estate described in the petition, as therein prayed for.

Dated this 27 day of November, 1934.

J. Dorman Carson.
Esther Geyer Carson.

Filed
Nov. 27-1934.
Waiver.

In the Probate Court, Union County, Ohio.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,
Plaintiff,
-vs-
W. Raymond Carson, et al.,
Defendants.

No. 12806.
Waiver.

Now comes the undersigned, parties defendant in the above entitled cause, and being competent, adult persons hereby waive the issuing and service of summons and process upon them and each of them, and voluntarily enter their appearances as such defendants, and consent to the sale of the real estate described in the petition, as therein prayed for.

Dated this — day of November, 1934.

Blanche Carson - Paul R. Carson - J. Everette Carson.

12856
Filed
Nov. 27 - 1934.
Waiver.

In the Probate Court, Union County, Ohio.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,
Plaintiff,
-vs-
W. Raymond Carson, et al.,
Defendants.

No. 12856.
Waiver.

Now come the undersigned, parties defendant in the above entitled cause, and being competent, adult persons, hereby waive the issuing and service of summons and process upon them and each of them, and voluntarily enter their appearances as such defendants, and consent to the sale of the real estate described in the petition, as therein prayed for.
Dated this 24th. day of November, 1934.

W. Raymond Carson.
Ruth W. Carson.

Filed
Nov. 27 - 1934.
Application.

In the Probate Court of Union County, Ohio.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,
Plaintiff,
-vs-
W. Raymond Carson, et al.,
Defendants.

No. 12856.
Application.

Now comes the defendants, Elsie M. Carson, a minor of the age of 19 years, and Ruth M. Carson, a minor of the age of 15 years, by their next of friend, and represent that they have been duly served with summons in this case and that they are over the age of 14 years, and now within 20 days after said service, ask the court to appoint J. Everett Carson guardian for the suit for these minor defendants herein, and that he defend this cause as such guardian for these defendants.

Blanche Carson, mother and next of friend of the defendants, Elsie M. Carson and Ruth M. Carson.

Filed
Nov. 27 - 1934.
Entry.

In the Probate Court of Union County, Ohio.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,
Plaintiff,
-vs-
W. Raymond Carson, et al.,
Defendants.

No. 12856.
Entry.

On application of the minor defendants, Elsie M. Carson and Ruth M. Carson, who are over the age of 14 years, by their next of friend, Blanche Carson, and it appearing that said defendants were duly served with summons and process and

12856 that they are minor over the age of 14 years, it is ordered that J. Everett Carson be, and he hereby is, appointed guardian ad litem of said Elsie M. Carson and Ruth M. Carson.

L. W. Hazen - Probate judge.

Filed Nov. 27-1934. Answer.

In the Probate Court of Union County, Ohio.

Blanche Carson, Executrix of the Estate of S. Walker Carson, deceased, Plaintiff,

-vs-

W. Raymond Carson, et al., Defendants.

No. 12856. Answer.

Now comes J. Everett Carson duly appointed by the court as guardian ad litem for Elsie M. Carson and Ruth M. Carson, minor children of S. Walker Carson, deceased, and for answer to the petition of the plaintiff filed herein, says that said minors are not, by reason of the tender age of said defendants, informed as to the truth of the matters set forth in said petition; and, therefore, on behalf of said minor defendants, denies the same, and submits the interest of said defendants to the care and protection of the court, to order in the premises as justice and the interests of the said defendants shall require.

J. Everette Carson - Guardian Ad Litem of the minor defendants, Elsie M. Carson and Ruth M. Carson.

Filed Nov. 28-1934. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Blanche Carson, Executrix of the Estate of S. Walker Carson, deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Executrix of the Estate of S. Walker Carson, deceased, are Plaintiff and W. Raymond Carson, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than $9700.00 the appraised value thereof the following described premises to-wit:

Situate in the State of Ohio, County of Union and Township of Jerome, being part of Surveys Nos. 6134, 6581 and 7058, and bounded and described as follows:

Beginning at a stone at the southeast corner of lands formerly owned by Samuel B. Woodburn in the easterly line of said Survey No. 6134; thence with said line S. 33° E. 102 poles to a stone at the southwesterly corner of lands formerly owned by David McCampbell; thence with the South line of said lands S. 87° E. 113.20 poles to a stake on the West bank of a ditch; thence along the West bank of said ditch and crossing the same S. 4° 30' W. 83.50 poles to a Stake on the East bank of said ditch (witnessed by a hickory 4½ feet East);

THE COL. B. B. MFG. CO. 73503

12806

thence along the East bank of said ditch S. 20° 30' W. 12 poles to a stake in the center of the DeWitt Gravel Road; thence continuing along the East bank of said ditch S. 18° 15' E. 111 poles to a stone, a corner to lands formerly owned by Jesse McCampbell; thence with a line of said lands S. 78° W. 45 poles to a stone, a corner to said lands in the center of the Marysville and Columbus Gravel Road; thence with two consecutive lines following the center of said road N. 43° W. 210.80 poles to a stake and thence N. 49° 45' W. 95.90 poles to a stone in the southerly line of said lands formerly owned by Samuel B. Woodburn; thence with said line N. 56° 30' E. 106 poles to the beginning.

Containing 195.40 acres, more or less.

Excepting therefrom the following premises, situate in said County, Township and State, part of Survey No. 5134, and bounded and described as follows:

Beginning at a stone at the southeast corner of land formerly owned by Samuel B. Woodburn (but now in name of D. F. Fredrick) in the easterly line of said Survey No. 6184; thence with said line S. 33° E. 33 feet to a stone; thence S. 56° 30' W. 106 poles to a stone in the center of the Marysville and Columbus Gravel Road; thence with the center of said road N. 49° W. 33 feet to a stone in the southwesterly line of lands formerly owned by D. F. Fredrick; thence with said last mentioned line N. 56° 30' E. 106 poles to the beginning.

Containing One Acre of land, more or less.

Said sale to be upon the following terms: subject to the mortgage of The Northwestern Mutual Life Insurance Company in the sum of $10,552.00, and cash for any amount over and above said mortgage.

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 November A. D. 1934.

Seal

L. W. Hazen - Probate Judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 28th. day of November, 1934.

Blanche Carson.

Repot of Private Sale.

In obedience to the command of the within order of sale, I did on the 28th. day of November 1934, offer said property, at private sale, and J. Everett Carson having offered therefor the

Repot of Private Sale. sum of Ten Thousand Seven Hundred Ninety-six and 71/100 Dollars, ($10,796.71) that being $244.71 more than the mortgage of The Northwestern Mutual Life Insurance Company, and the same being not less than the appraised value of said property,

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affidavit to Repot of Private Sale.

Filed Nov. 28 - 1934.

Executor's Bond.

12866 I sold the same to said J. Everett Carson for that sum.
Blanche Carson.

Affidavit to Repot of Private Sale.

State of Ohio, Union County. ss:

Affidavit to Repot of Private Sale.

Blanche Carson, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Blanche Carson.

Subscribed in my presence and sworn to before me this 28th. day of November, 1934.

(Seal) Guyon Saudue - Notary Public.

Filed Nov. 28 - 1934. Executor's Bond.

Executor's Bond.

Know all men by these presents: that we Blanche Carson, J. Everett Carson and Paul R. Carson 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 28th. day of November 1934.

The condition of the above obligation is such, that whereas, the above bound Blanche Carson was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Executrix of the estate of G. Walker Carson deceased.

And whereas, the said Blanche Carson as such Executrix 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 27th. day of November, 1934, made an order requiring said Blanche Carson to execute a bond according to the statute in such cases made and provided.

Now, if the said Blanche Carson, Executrix 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 face.

Blanche Carson.
J. Everette Carson.
Paul R. Carson.

Executed in Presence of
Guyon Saudue.
William Hooper.

This Bond approved in open Court, this 28th. day of November 1934.

(Seal) L. W. Hazen - Probate judge.

THE COL. & B. MFG. CO. 73503

12806
Filed
Nov. 28- 1934.
Journal Entry.
Approving
Additional Bond
and Ordering
Private Sale.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Blanche Carson as Executrix
of the Estate of G. Walker Carson,
deceased,
Plaintiff,
-vs-
W. Raymond Carson, et al.,
Defendants.

November 28, 1934.
Approving Additional Bond and
Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of One Thousand Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said Estate of G. Walker Carson to sell the real estate described in the petition at private sale, it is now ordered that Blanche Carson as such Executrix, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit:

Subject to the mortgage of The Northwestern Mutual Life Insurance Company in the sum of $10,052.00, and each for any amount over and above said mortgage.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed
Nov. 27- 1934.
Entry.

In the Probate Court, Union County, Ohio.

Blanche Carson, Executrix of
the Estate of G. Walker Carson,
deceased,
Plaintiff,
-vs-
W. Raymond Carson, et al.,
Defendants.

No. 12806.
Entry.

This day this cause came on to be heard upon the petition of the plaintiff, Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased, for authority to sell real estate of the decedent to pay the debts of his estate, and the answer of Blanche Carson, widow of G. Walker Carson, deceased, and the answer of J. Everett Carson, Guardian ad litem of Ruth M. Carson and Elsie M. Carson, minors, the answer and cross petition of The Northwestern Mutual Life Insurance Company, mortgagee, the other defendants having all waived the service of summons and process and having voluntarily entered their appearance herein and having consented to the sale of the real estate as prayed for in the petition of the plaintiff.

The court finds, from the evidence, that all necessary parties are before the court, and that the prayer of the petition should be granted.

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The court further finds that there is due the defendant, The Northwestern Mutual Life Insurance Company, on a promissory note set forth in its cross-petition, the sum of $10,000.00 with interest from the 7th. day of September, 1933, at 6% %, less a credit of $85.06, paid on account of interest due March 7, 1934.

The court further finds that in order to secure the payment of the note given to The Northwestern Mutual Life Insurance Company, G. Walker Carson and his wife, Blanche Carson, executed and delivered to said The Northwestern Mutual Life Insurance Company, their certain mortgage deed, thereby conveying to the said The Northwestern Mutual Life Insurance Company the premises described in the petition; that said mortgage was duly recorded in Volume 91, Page 636, of the Mortgage Records of Union County, Ohio, on the 26th. Day of March, 1925, at 11:20 A. M., and is a good and valid lien on the premises described in the petition.

The court further finds that Blanche Carson is the widow and surviving spouse of G. Walker Carson, deceased, and that by virtue of the last will and testament of the said G. Walker Carson, title to the real estate described in said petition is vested in the said Blanche Carson, subject to the payment of the debts of G. Walker Carson, deceased.

The court finds that W. Raymond Carson, J. Donivan Carson, Ralph T. Carson, J. Everett Carson, Paul R. Carson, Elsie M. Carson and Ruth M. Carson are the only heirs at law of G. Walker Carson, deceased, and are the only persons entitled to the next estate of inheritance in said real estate, and the only persons interested therein; that the defendant, Esther Guyer Carson, is the wife of the defendant, J. Donivan Carson; the defendant, Ruth E. Carson, is the wife of the defendant, W. Raymond Carson; the defendant, Blanche Marie Carson, is the wife of the defendant, Ralph T. Carson; that all of the other defendants are unmarried.

The court further finds that the real estate described in the petition was appraised by the appraisers of the estate of G. Walker Carson in the sum of $9700.00, and orders that a further appraisement be dispensed with.

The court further finds that Blanche Carson, as executrix of the Estate of G. Walker Carson, deceased, was not required to give a bond for the administration of said estate, and it is ordered that she file a bond herein, with sufficient sureties to be approved by this court, in the sum of $1000.00.

And it appearing that private sale of said real estate, subject to the mortgage of The Northwestern Mutual Life Insurance Company thereon, would be to the best interest of the estate, it is ordered that said Blanche Carson, as executrix, sell said real estate at private sale, subject to the mortgage of The Northwestern Mutual Life Insurance Company, at

THE COL. B. B. MFG. CO. 73503

12856

not less than $9700.00, including the mortgage aforesaid, that being the appraised value thereof.

And it is further ordred that said Blanche Carson, as such executrix, make return of sale without unnecessary delay.

L. W. Hazen - judge.

In the Probate Court, Union County, Ohio.

Filed Nov. 28 - 1934. Entry.

Blanche Carson, Executrix of the Estate of G. Walker Carson, deceased,

Plaintiff,

-vs-

W. Raymond Carson, et al.,

Defendants.

No. 12856. Entry.

This day this cause came on to be heard upon the repat of Blanche Carson, Executrix of the Estate of G. Walker Carson, 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; the court, having carefully examined the 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 it 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. Walker Carson in said real estate, to the purchaser, J. Everett Carson, subject to the mortgage of The Northwestern Mutual Life Insurance Company in the amount found due herein, upon the said purchaser paying to said Executrix the amount of $ 244.71, that being the amount of the purchase price over and above the amount due to The Northwestern Mutual Life Insurance Company by virtue of said mortgage.

It is further ordered that said Blanche Carson, out of the money in her hands, pay the costs and expenses incurred in the sale of said property, including an attorney fee of $ 200.00 to Hooper and Sanders, amounting to the sum of $ 244.71.

L. W. Hazen - Probate Judge.

12934 Filed Apr. 30-1935. Carson & Carson, attorneys.

Petition.

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Apr. 30-1935.
Cameron & Cameron,
attorneys.

Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio.

State of Ohio, Fulton County, ss.
Alpha Gladys Miller, Guardian of Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, Minors.
Plaintiff,

-vs-

Henry Ward Brooks, Arizona Brooks, Paul Brooks, Florence Brooks, Casper Brooks, Bertha Brooks, James Arthur Brooks, Lillian Brooks, Olivia Brooks, Mary Brooks, Susannah Belle Swartzlander, Ted Swartzlander, Wilma Helen Brooks, and Mary Margaret Brooks.
Defendants.

No. 12934.

Petition for Guardian to Sell Real Estate.

Petition.

Plaintiff was on the 1st. day of April, 1935 by the Probate Court of Fulton County, Ohio, duly appointed and qualified as and now is the acting guardian of Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, Minors, certified copies are here to attached of such appointment and are marked Exhibit "A".

Said wards are seized of an undivided one sixth (1/6) interest in the following real estate situated in the Township of York, County of Union and State of Ohio and being a part of Survey No. 2984 and bounded and described as follows to-wit:

Beginning at a stone in the south line of William Stalder's land in the Survey line between Surveys No. 2984 and 3285, said stone being placed to mark the northwest corner of Marian Temple's land; Thence with said Temple's two consecutive lines South 12 3/4° West 115.00 poles to a post; Thence South 78° East 43.03 poles to a post North-west corner of Frank Staley's land; Thence with the said Staley's west line South 12° West 231.13 poles to a stone in the center of the West Mansfield and York Center Pike; Thence with Henry W. Brooks' five consecutive lines North 76 1/4° West 1.51 poles to a stake; thence North 13° East parallel to Frank Staley's West line 156.17 poles to an iron stake; Thence North 77° West 33.94 poles to an iron stake; thence North 13° East 11.88 poles to an iron stake; thence North 77° West 99.57 poles to an iron stake in J. Eastman's east line; thence with said Eastman's east line North 12½° East 58.78 poles to a post Northeast corner of said Eastman's land and in the South line of Charles Stalder's 75.98 acre tract; thence with said Charles Stalder's two consecutive lines South 79° East 7.34 poles to an iron stake; thence North 11 3/4° West 128.07

THE COL. & B. MFG. CO. 73503

12934.

poles to an iron pin in the aforesaid William Stalder's south line and aforesaid Survey line; thence South 78 3/4° East 85.47 poles to beginning. Containing 117 acres more or less. Exclusive of the 25 foot strip leading from the gravel road to Southeast corner of the said 117 acres which is to be a perpetual easement for a right of way.

The defendants Henry Ward Brooks and his spouse Arizona Brooks, Paul Brooks and his spouse Florence Brooks, Casper Brooks and his spouse Bertha Brooks, James Arthur Brooks and his spouse Lillian Brooks, Oliver Brooks and his spouse Mary Brooks, Susannah Belle Swartzlander a minor, Wilma Helen Brooks a minor and Mary Margaret Brooks a minor, all have an interest in said real estate and are residents of the State of Ohio.

The defendant Fred Swartzlander is the spouse of Susannah Belle Swartzlander one of said wards and has a contingent dower right in said premises.

It is necessary to sell said real estate for the support and for the payment of just debts and save the expense of a partition suit being brought for such sale. It is to the best interests of said wards for sale of said real estate as set forth.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays the court to set this petition for hearing, to issue summons to the sheriff of Fulton County for minor defendants, and to the sheriff of Union County to all of adult defendants who have not signed waiver and consent for such sale, returnable according to law, and for an order authorizing the plaintiff to sell said real estate; and for such other and further relief as plaintiff may be entitled to.

H. Mercer Pugh - Attorney for Plaintiff.

Verification.

The State of Ohio, Fulton County. ss.

Alpha Gladys Miller, being duly sworn, says she is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as she verily believes.

Oath.

Alpha Gladys Miller.

Sworn to before me and signed in my presence by the said Alpha Gladys Miller, at Wauseon, Ohio this 29th. day of April, 1935.

(Seal)

L. H. Deyo, Notary Public, Fulton County, Ohio.

(Exhibit "A") Application for Appointment as Guardian (Aff/Minor)

Probate Court, Fulton County, Ohio.

In the Matter of The Guardianship of Mary Margaret Brooks, et al, Minors. No. 12934.

Alpha Gladys Miller, a resident of Fulton County, Ohio, hereby makes application for the appointment of herself as Guardian

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of the person and estate of the following minors:

Name	Age.	Residence or Legal Settlement.
Martha Susannah Belle Swartzlander	19 years, Mar. 5, 1935	Liberty Center, R.F.D.
Wilma Helen Brooks	17 years, Mar. 19, 1935	Liberty Center, R.F.D.1.
Mary Margaret Brooks	13 years, Aug. 17, 1934	Liberty Center, R.F.D.1.

and says that the names and residence of father, Luke Brooks, deceased, mother, Alpha Gladys Miller; that the name and residence of the person having custody of said minors is Alpha Gladys Miller, Liberty Center, R.F.D. 1, Fulton County, Ohio; and that the following is a statement of the whole estate of said minors, to-wit:

Personal Property consisting of nothing of the probable value of — Dollars; and Real Estate consisting of an undivided one-sixth (1/6) interest in two farms of 117 acres and 60 acres, situate in Union County, Ohio, of the probable value of Six Thousand Dollars.

The probable annual rents of said Real Estate amount to $225.00.

Alpha Gladys Miller.

The State of Ohio, Fulton County, ss.

Alpha Gladys Miller, being duly sworn, says that the statements contained in the foregoing application are true as she verily believe.

Alpha Gladys Miller.

Sworn to before me and signed in my presence, this 20 day of March, 1935.

(Seal) T. Mercer Pugh - Notary Public.

To the Probate Court of Fulton County, Ohio:

The undersigned offers a bond for Guardian of said minors in the sum of $1000.00, with Jay H. Miller and Charles E. Miller as Sureties thereon.

The name of T. Mercer Pugh, Attorney, who will represent her in matters relating to this trust, is hereby filed in said Court.

Dated this 20 day of March, 1935.

Alpha Gladys Miller.

Waiver of Notice.

Probate Court, Fulton County, Ohio.

In the Matter of The Guardianship of Mary Margaret Brooks, et al., Minors.	No. 12934.

We, the undersigned, do hereby waive the issuing and service of Notice, and voluntarily enter our appearance herein.

And we do hereby consent to the appointment of Alpha Gladys Miller as Guardian of said minors, according to the prayer of the application filed in said Court.

Dated March 20, 1935.

Alpha Gladys Miller.

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Journal Entries.

Appointment of Guardian for Minor.

Probate Court, Fulton County, Ohio.

In the Matter of The Guardianship of Mary Margaret Brooks, et al., Minors.	No. 12934 - March 27-1935. Order for Hearing and Notice.

This day Alpha Gladys Miller filed an application in Court for the appointment of a Guardian of Mary Margaret Brooks, et al, Minors.

It is ordered that said application be set for hearing on the 1st. day of April, 1935, at two o'clock P.M., and that at least three days' notice of the time and place of said hearing be given to:

The proposed wards, by personal service in writing.

All interested parties as provided by law.

A. W. Barber - Probate Judge.

Probate Court, Fulton County, Ohio.

In the Matter of The Guardianship of Mary Margaret Brooks, et al., Minors.	No. 12934 - April 1, 1935. Order on Hearing.

This day this matter came on to be heard upon the application filed herein. The Court finds that notice has been given to all interested parties as heretofore ordered.

The Court finds that said Mary Margaret Brooks, et al, are minors, and that a guardian is necessary.

It is therefore ordered that a Guardian be appointed.

It appearing to the Court that Alpha Gladys Miller is legally competent, and she having filed the application herein and given bond in the sum of $1000.00, conditioned according to law, with Charles E. Miller and Jay H. Miller as sureties thereon, it is ordered that said bond be approved and that Letters of Guardianship issue to said Alpha Gladys Miller as provided by law.

A. W. Barber - Probate Judge.

For Choice of Guardian and Notice to Wards, see original papers.

Bond of Guardian.

Know all men by these presents, that we, Alpha Gladys Miller, Charles E. Miller and Jay H. Miller, are held and firmly bound unto the State of Ohio in the penal sum of One Thousand Dollars, to the payment of which sum well and truly to be made we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

Signed by us and dated at Wauseon, Ohio, this 20 day of March, 1935.

The condition of this obligation is such, that, whereas, the Probate Court of Fulton County, Ohio, appointed Alpha Gladys Miller, Guardian of the person and estate of Martha Susannah Belle Swartzlander, Wilma Helen Brooks, Mary Margaret Brooks, children of Luke Brooks, deceased, late of Fulton County, Ohio,

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which appointment the said Alpha Gladys Miller has accepted.

Now, if the said Alpha Gladys Miller shall faithfully and honestly discharge the duties devolving upon her as such Guardian as is required by law; then this obligation to be void; otherwise to be and remain in full force and virtue in law.

Executed in the Presence of

T. Mercer Pugh.
H. R. Yeager.

Alpha Gladys Miller.
Charles E. Miller.
Jay H. Miller.

This Bond approved in open Court, this 1st. day of April, 1935.
A. M. Barber - Probate Judge.

Letters of Guardianship. (Minors)

The State of Ohio, Fulton County, ss.

To All to whom these Presents may come, Greeting:

Know Ye, that the Honorable, the Judge of the Probate Court of the County of Fulton and State of Ohio, has appointed, and by these presents does appoint Alpha Gladys Miller Guardian of the person and estate of Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, minors; hereby granting to said Guardian all and singular the power necessary and by law required, to enable her fully to do, act and perform all and singular the duties of Guardian for the aforesaid minors according to the statute in such case made and provided.

In Testimony Whereof, I have hereunto affixed my signature and the seal of said Court, at Wauseon, Ohio, this 1st. day of April, 1935.

{Seal} A. M. Barber - Judge and ex-officio Clerk.

Certificate to Copies.

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

I, A. M. Barber, Judge and ex-officio Clerk of the Probate Court within and for said County, having the custody of the Files, Journals and Records of said Court, do hereby certify that the foregoing is a true copy of Application for appointment, Journal Entries, Bond, and Letters of Guardianship, in re: Guardianship of Mary Margaret Brooks, et al., minors, as the same appear upon the records of said Court; and I further certify that I have carefully compared the foregoing copy with the original record, and that the same is a full and correct transcript thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court, at Wauseon, Ohio, this 18 day of April, A. D. 1935.

{Seal} A. M. Barber - Probate Judge and ex-officio Clerk of said Court.

THE COL. B. B. MFG. CO. 73503

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The State of Ohio, Fulton County, ss.

I, the undersigned, sole judge of the Probate Court, within and for said County and State, the same being a Court of law and read, do hereby certify that under the laws of the State of Ohio the judge of the Probated Court is ex-officio Clerk of his own Court. And I further certify that I, the said A. M. Barber, whose genuine signature is attached to the foregoing certificate, am, and was at the time of signing the same, ex-officio Clerk of said Probate Court, and as such, full faith and credit are due my acts, and that the above certificate and attestation are in due form of law, and made by the proper officer.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court, at Wauseon, Ohio, this 18 day of April, A. D. 1935.

(Seal) A. M. Barber- Judge as aforesaid.

Filed Apr. 30-1935. Journal Entry. Orders fixing time for hearing and for notice.

In the Probate Court of Union County, Ohio.

Alpha Gladys Miller as Guardian of Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, Minors, Plaintiff,

-vs-

Henry Ward Brooks, et al., Defendants.

No. 12934 - April 30, 1935.
Journal Entry
Orders fixing time for Hearing and for Notice.

This day Alpha Gladys Miller, Guardian of the estates of Mrs. Martha Susannah Belle Swartzlander, Wilma Helen Brooks, Mary Margaret Brooks, filed in this Court her petition praying for an order to sell the real estate therein described, belonging to the estate of said wards for their support and payment of just debts and for the best interest of said wards.

It is ordered that said petition be heard on the 3rd. day of June, 1935, at ten o'clock A. M., and that summons for the minor defendants issue to the Sheriff of Fulton County, returnable according to law.

L. W. Hazen- Probate Judge.

Filed May 7- 1935. Waiver.

In the Probate Court of Union County, Ohio.

State of Ohio, Fulton County, ss.

Alpha Gladys Miller, Guardian of Martha Susannah Belle Swartzlander, Wilma Helen Brooks, and Mary Margaret Brooks, Minors, Plaintiff,

-vs-

Henry Ward Brooks, Arizona Brooks, Paul Brooks, Florence Brooks, Casper Brooks, Bertha Brooks, James Arthur Brooks, Lillian Brooks, Oliver Brooks, Mary Brooks, Susannah Belle Swartzlander, Fred Swartzlander, Wilma Helen Brooks, Mary Margaret Brooks, Defendants

No. 12934.
Petition for Guardian to Sell Real Estate.

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Filed May 6-1935. Summons.

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Henry Ward Brooks, Arizona Brooks, Paul Brooks, Florence Brooks, Casper Brooks, Bertha Brooks, James Olivia Brooks, Lillian Brooks, Olivia Brooks, May Brooks and Fred Swartzlander, the undersigned parties defendant in the above entitled action being competent adult persons hereby waive the issuing and service of summons upon them and each of them, and voluntarily enter their appearance as such defendants and consent to the sale of the real estate described in the petition as therein prayed for.

1- Fred Swartzlander
2- Paul Brooks
3- Florence Brooks
4- Henry Ward Brooks
5- Arizona Brooks
6- Casper Brooks
7- Bertha Brooks
8- James Arthur Brooks
9- Lillian Brooks
10- Olivia Brooks
11- May Brooks

Filed May 6-1935. Subsumons.

Summons on Petition to Sell Real Estate.

Sheriff - Minors only.

The State of Ohio, Fulton County. To the Sheriff of said County:

Probate Court. Marysville, Ohio, Union County, Ohio.

You are commanded to notify alpha Gladys Miller as Guardian of May Margaret Brooks, a minor under thirteen years of age. Residence, Liberty Center, R. F. D. #1 - Fulton County, Ohio. Case. State of Ohio, Fulton County, Ohio; alpha Gladys Miller, Guardian of Martha Susannah Belle Swartzlander, Wilma Helen Brooks, and May Margaret Brooks, Minors, Plaintiffs, -vs- Henry Ward Brooks, Arizona Brooks, Paul Brooks, Florence Brooks, Casper Brooks, Bertha Brooks, James Arthur Brooks, Lillian Brooks, Susannah Belle Swartzlander, Fred Swartzlander, Wilma Helen Brooks & May Margaret Brooks, Defendants.

"Petition for Guardian to Sell Real Estate"; making service of this summons upon such minor as is not over fourteen years of age, and also upon the guardian, or custodian of said minors, in the order named; That on the 30th. day of April A. D. 1935, Alpha Gladys Miller, Guardian of the Estates of Mrs. Martha Susannah Belle Swartzlander, Wilma Helen Brooks and May Margaret Brooks, deceased, filed her petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, and in said petition described, for the purpose of paying for their support, paying just debts and for

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the best interest of the Wards.

It is ordered that said Petition be for hearing on the Third day of June at 10 a. M. 1935; and that unless they answer by the first day of June 1935, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons not later than the 18th. day of May 1935.

Witness my hand and the seal of said Court, this 30th. day of April, 1935.

(Seal)

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Fulton County.

Sheriff Fee	
Service & Return, first name	$ .75
27 miles traveled at 8¢	2.16
Total	$ 3.91

Received this writ May 1st. 1935, at 9 o'clock A. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants who are over fourteen years of age, viz: And on May 3rd. 1935, I served the within named Alpha Gladys Miller as Guardian of Mary Margaret Brooks a minor under thirteen years of age, by leaving for her at her usual place of residence a true and certified copy thereof with all the endorsements thereon.

Harley W. Loveland - Sheriff.
By - Dale E. Mead - Deputy.

Sheriff's Return.

Filed May 6 - 1935.

Summons.

Summons on Petition to Sell Real Estate.

Sheriff - Minors.

The State of Ohio, Fulton County.

To the Sheriff of said County:

You are commanded to notify Fred and Martha Susannah Belle Swartzlander, Wilma Helen Brooks, Minors over fourteen years of age. With their Guardian Alpha Gladys Miller, R. F. D. #1, Liberty Center, O. Fulton Co. O.

Probate Court. April 30th. 1935.
Marysville, O. Union County, Ohio.

Case - In the Probate Court of Union County, Ohio.

Alpha Gladys Miller, Guardian of Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, Minors, Plaintiff, -vs- Henry Ward Brooks, et al, Defendants, and the following named who are minors, to-wit: making service of this summons upon such minors as are over fourteen years of age, and also upon the guardian or custodian of said minors, in the order named; that on the 30th. day of April a. D. 1935, Alpha Gladys Miller, Guardian of the Estates of Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks - Minors, 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, and in said petition described, for the purpose of paying for their support, paying just debts and for

Filed May 13 - 1935.

Summons.

12934

the best interest of the Wards.

It is ordered that said Petition be heard on the Third day of June at Ten o'clock A. M. 1935; and that unless they answer by the First day of June 1935, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons not later than 18th. day of May, 1935.

Witness my hand and the seal of said Court, this 30th. day of April 1935.

{Seal} L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Fulton County.

Sheriff Fees.	
Service & Return, first name &	.75
2 additional names, at .25¢	.50
Total	$1.25

Sheriff's Return.

Received this writ May 1st. 1935, at 9 o'clock A. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: May 3rd. 1935, on May 3rd. 1935, I served the within named Wilma Helen Brooks, a Minor, over fourteen years of age, by leaving for her at her usual place of residence a true and certified copy thereof with all the endorsements thereon. The within named Fred and Martha Susannah Belle Swartzlander, minors over fourteen years of age, not found by me in my County. Both live on #109 in Henry County.

Harley W. Loveland - Sheriff.
By Dale E. Mead - Deputy.

Filed May 13-1935. Summons.

Summons on Petition to Sell Real Estate.
Sheriff - Minors.

To the Sheriff of said County: (Henry County, Ohio)

You are commanded to notify Fred Swartzlander (Husband) and Martha Susannah Belle Swartzlander (Wife) (Minor over 14 yrs. of age.) living on Route #109, Henry County, Ohio, with her husband Fred Swartzlander.

Case - In the Probate Court of Union County, Ohio.

Alpha Gladys Miller, Guardian of above mentioned M. S. B. Swartzlander et al. Plaintiff -vs- Henry Ward Brooks, et al. Defendants; Petition for Guardian to Sell Real Estate, and the following named who are minors, to-wit: making service of this summons upon such minor as is over fourteen years of age, and also upon the minor, in the order named; That on the 30th. day of April, A. D. 1935, Alpha Gladys Miller Guardian of Martha Susannah Belle Swartzlander, et al. of the Estate of above mentioned Minors, 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, and in said petition described, for the purpose of paying for their support, paying just debts and for the best

THE COL. B. B. MFG. CO. 73503

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interest of the Wards.

It is ordered that said Petition be heard on the Third day of June, 1935 at 10 o'clock A.M. and that unless they answer by the first day of June 1935, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons not later than 18th. day of June 1935.

Witness my hand and the seal of said Court, this 30th. day of April, 1935.

(Seal)

L. W. Hazen- Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Henry County.

Sheriff Fees.	
Service & Return, first name	$.75
20 miles traveled at 8¢	1.60
Total	$ 2.35

Received this writ May 8th. 1935, at 9 o' clock a. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: Susannah Belle Swartzlander, by leaving for her at her usual place of residence a true and certified copy of this writ with all the endorsements thereon.

Sheriff's Return.

Geo. Boreman- Sheriff.

Filed June 27-1935. Application & Journal Entry- Guardian Ad Litem.

Application for Appointment of Guardian Ad Litem.

Probate Court, Union County, Ohio. May 10, A.D. 1935.

To the Hon. L. W. Hazen, Judge of said Court:

The undersigned Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, make application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The defendants Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, the age of fourteen years, and have been duly served with summons herein.

The undersigned suggests that Enos Tallman, who is a suitable person be appointed as such Guardian ad litem.

Martha Susannah Belle Swartzlander.
Wilma Helen Brooks.
Mary Margaret Brooks.

Probate Court, Union County, Ohio.

Alpha Gladys Miller, Guardian of Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, Plaintiffs,

-vs-

Henry Ward Brooks, et al., Defendants.

No. 12934- May 10- 1935. Appointment of Guardian Ad Litem.

This day Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks appeared in open Court, and made application for the appointment of a Guardian ad litem

Filed June 27-1935. Answer of Guardian Ad Litem.

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for the minor defendants in this case.

And it appearing to the Court that the defendants, Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks the age of fourteen years, and have been duly and legally served with summons herein, it is ordered that Enos Tallman be and he hereby is appointed Guardian for the suit, for said minor defendants.

And now comes the said Enos Tallman and in open Court accepts said appointment.

L. W. Hazen - Judge.

Filed June 27-1935. Answer of Guardian ad Litem.

In the Probate Court, Union County, Ohio.

Answer of Guardian ad Litem.

Alpha Gladys Miller, Guardian of Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, Plaintiff,

-vs-

Henry Ward Brooks, et al., Defendants.

No. 12934.

Answer of Minor Defendants.

And now comes the said Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, the minor defendants to the petition in said cause, by Enos Tallman 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 therefor pray the Court to protect their rights in this cause, and for such relief as may be just.

Dated this — day of May, A. D. 1935.

Martha Susannah Belle Swartzlander.
Wilma Helen Brooks.
Mary Margaret Brooks.
By- Enos Tallman - Guardian ad litem.

Filed June 27-1935. Entry.

In the Probate Court of Union County, Ohio.

Alpha Gladys Miller, Guardian of Martha Susannah Belle Swartzlander, Wilma Helen Brooks, and Mary Margaret Brooks, Minors, Plaintiff,

-vs-

Henry Ward Brooks, Arizona Brooks, Paul Brooks, Florence Brooks, Casper Brooks, Bertha Brooks, James Arthur Brooks, Lillian Brooks, Elmer Brooks, Mary Brooks, Martha Susannah Belle Swartzlander, Fred Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks.

No. 12934.

Journal Entry.

12984 This matter came on to be heard upon the petition of the plaintiff for authority to sell real estate to pay debts and for the support of said minors, and the answer of the guardian ad litem of Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, minors, the other defendants being in default for answer, and the court finds all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance and consent to the sale prayed for, and are properly before this court. The Court finds from the evidence that all necessary parties are before the Court and that the prayer of the petition should be granted; that the real estate described in the petition be duly appraised according to law.

It appearing that private sale be to the best interest of the estate, it is ordered that said Alpha Gladys Miller as such guardian sell said real estate at private sale at not less than the appraised value thereof, terms to be cash.

And it is further Ordered that said Alpha Gladys Miller as such guardian for said minors make return of sale without unnecessary delay after the said appraisement.

And it is further ordered that Charles Kearns, Reuben Peters and Howard Skidmore, three judicious and disinterested persons of the vicinity, not next of kin of the petitioner, be and they hereby are appointed to appraise said real estate at its true value in money.

L. W. Hazen - Probate Judge of Union County.

Filed Aug. 30-1935. Order of Appraisement.

Order of Appraisement.

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

To Alpha Gladys Miller:

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 Martha Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, minors, are Plaintiff and Henry Ward Brooks et al. are Defendants, you are commanded that by the oaths of Charles Kearns, Reuben Peters and Howard Skidmore, judicious disinterested persons of the vicinity, not of kin to the petitioner, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises to-wit:

The undivided one-sixth (1/6) interest of said wards in the following real estate, situated in the Township of York, County of Union, and State of Ohio, and being a part of Survey No. 2984, and bounded and described as follows:

Beginning at a stone in the south line of William Stalder's land in the Survey line between Surveys No. 2984 and 3235, said stone being placed to mark the northwest corner of Marion Temple's land; thence with said Temple's two consecutive lines South 12 3/4 West 115.50 poles to a post; thence South 78 East 43.03 poles to a post Northwest corner of Frank Staley's

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land; thence with the said Staley's west line South 13 West 231.13 poles to a stone in the center of the West Mansfield and York Center Pike; thence with Henry H. Brooks' five consecutive lines North 76¼ West 1.01 poles to a stake; thence North 13 East parallel to Frank Staley's West line 156.17 poles to an iron stake; thence North 77 West 32.94 poles to an iron stake; thence North 13 East 11.88 poles to an iron stake; thence North 77 West 99.07 poles to an iron stake in J. Eastman's east line; thence with said Eastman's east line North 12½ East 68.78 poles to a post Northeast corner of said Eastman's land and in the South line of Charles Stalder's 75.98 acre tract; thence with said Charles Stalder's two consecutive lines South 79 East 7.34 poles to an iron stake; thence North 11¾ West 123.07 poles to an iron pin in the aforesaid William Stalder's south line and aforesaid Survey line; thence South 73¾ East 85.47 poles to beginning. Containing 117 acres, more or less. Exclusive of the 25 foot strip leading from the gravel road to Southeast corner of the said 117 acres which is to be a perpetual easement for a right of way.

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 June, A.D. 1936.

{Seal} L. W. Hazen - 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.

Return

Dated the 1st. day of July, 1936.

Mrs. Alpha Gladys Miller.

Oath of Appraisers.

The State of Ohio, } Union County.

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

Oath of Appraisers.

Charles Kemp.
Reuben Peters.
H. W. Skidmore.
} Appraisers.

Sworn to before me and signed in my presence, this 17th. day of July, 1936.

{Seal} Granville Stanley - Notary Public.

Appraisers' Return.

In obedience to the foregoing order, after being first duly sworn, and upon actual view of the premises therein described, we the undersigned appraisers, estimate the value in money of said real estate at Six hundred sixty six dollars &

Appraisers' Return.

THE COL. B. B. MFG. CO 73503

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sixty six & two thirds cents ($ 666.66 2/3).

Given under our hands, this — day of July, 1935.

Charles Kemp.
Reuben Peters.
H. W. Skidmore. } Appraisers.

Appraisers' fees $ 6.25.

Filed Aug. 30 - 1935. Journal Entry Confirming Appraisement and Ordering Additional Bond

Journal Entry - Proceeding to Sell Real Estate.

Probate Court, Union County, Ohio.

Alpha Gladys Miller, Guardian of Martha Susannah Belle Swartzlander, et al.,

Plaintiff,

-vs-

Henry Ward Brooks, et al.,

Defendants.

August 30, 1935.
Confirming Appraisement and Ordering Additional Bond.

This day this matter came on to be further heard on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

It is further ordered that said Alpha Gladys Miller, execute within ten days to the State of Ohio a bond with sufficient sureties to be approved by the Court in the sum of One Hundred Dollars, conditioned according to law.

L. W. Hazen - Probate Judge.

Filed Sept. 14 - 1935.

Probate Court of Fulton County, Ohio.

I, A. M. Barber, Judge of the Probate Court of said County, hereby certify that Alpha Gladys Miller, Guardian of Susannah Belle Swartzlander, Wilma Helen Brooks and Mary Margaret Brooks, minors, has given an additional guardianships bond to secure the further assets arising from the sale of real estate, with — and — as sureties, and that said bond has been duly approved by this Court.

In Witness Whereof, I have hereunto set my hand and affixed the seal of this Court at Wauseon, Ohio, this 9th. day of September, 1935.

(Seal)

A. M. Barber - Probate Judge.

Filed Oct. 11 - 1935. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Alpha Gladys Miller, Guardian, 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 Martha Susannah Belle Swartzlander, et al., are Plaintiff and Henry Ward Brooks, 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 an undivided one-sixth interest in the following real estate situated in the Township of York, County of Union and State of Ohio, being

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Report of Private Sale.

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part of Survey No. 2984 and bounded and described as follows: Beginning at a stone in the South line of William Stalder's land and in the Survey line between Surveys No. 2984 and 3236, said stone being placed to mark the northwest corner of Marian Temple's land; Thence with said Temple's two consecutive lines South 12 3/4° West 116.50 poles to a post; Thence South 78° E. 43.03 poles to a post Northwest corner of Frank Staley's land; Thence with the said Staley's W. line S. 13° W. 231.13 poles to a stone in the center of the West Mansfield and York Center Pike; Thence with Henry W. Brooks' five consecutive lines N. 76¼° W. 1.61 poles to a stake; Thence N. 13° E. parallel to Frank Staley's W. line 156.17 poles to an iron stake; thence N. 77° W. 33.94 poles to an iron stake; thence N. 13° E. 11.88 poles to an iron stake; thence N. 77° W. 99.57 poles to an iron stake in J. Eastman's E. land line; thence with said Eastman's E. line N. 12½° E. 58.78 poles to a post Northeast corner of said Eastman's land and in the S. line of Chas. Stalder's 76.98 acre tract; thence with said Chas. Stalder's two consecutive lines S. 79° E. 7.34 poles to an iron stake; thence N. 11 3/4° W. 123.07 poles to an iron pin in the aforesaid William Stalder's S. line and aforesaid Survey line; thence S. 73 3/4° E. 86.47 poles to the beginning. Containing 117 acres, more or less. Exclusive of the 25 foot strip leading from the gravel road to Southwest corner of said 117 acres which is to be perpetual easement for a right of way.

You are therefor hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 20th. day of August, 1935.

{Seal} L. W. Hagen - Probate judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 20th. day of September, 1935.

Alpha Gladys Miller.

Return.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 20th. day of September, 1935, offer said property, at private sale, and Henry Ward Brooks and Paul Brooks having offered therefor the sum of Six Hundred Sixty-Six - 67/100 Dollars ($666.67) and the same being not less than the appraised value of said property, I sold the same to said Henry Ward Brooks and Paul Brooks for that sum.

Alpha Gladys Miller.

THE COL. B. B. MFG. CO 73503

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Affidavit to Repot of Private Sale.

Affidavit to Repot of Private Sale

The State of Ohio, Union County. ss.

Alpha Gladys Miller, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Alpha Gladys Miller.

Subscribed in my presence and sworn to before me, this 20th. day of September, 1935.

{Seal} M. Mercer Pugh - Notary Public.

Filed Sept. 14- 1935. Journal Entry. Approving Additional Bond and Ordering Private Sale.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Alpha Gladys Miller, Guardian of Martha Susannah Belle Swantzlander, et al,

Plaintiff,

-vs-

Henry Ward Brooks, et al,

Defendants.

Sept. 14th. 1935.
Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of One Hundred Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said wards to sell the real estate described in the petition at private sale, it is now ordered that Alpha Gladys Miller as such Guardian, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash in hand.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed Oct. 11- 1935. Journal Entry. Confirming Sale, Ordering Deed and Distribution.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Alpha Gladys Miller as Guardian of Martha Susannah Belle Schwantzlander, et al.,

Plaintiff,

-vs-

Henry Ward Brooks, et al.,

Defendants.

September 20 th. 1935.
Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the repot of Alpha Gladys Miller, Guardian of Martha Susannah Belle Schwantzlander, et al., 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; the Court having carefully examined said repot, and finding the proceedings of said petitioner in all respects correct; and being satisfied that

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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 Martha Susannah Belle Schwartzlander, Wilma Helen Brooks and Mary Margaret Brooks her wards and Ruf Schwartzlander in said real estate, to the purchaser, Henry Ward Brooks and Paul Brooks. 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 Six hundred and sixty six and 67/100 ($666.67) Dollars.

It is further ordered that said Alpha Gladys Miller, Guardian, out of the money in her hands, pay: First, to the Treasurer of this county the sum of $ None, 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 $60.00 to T. Mercer Pugh, Marysville, Ohio.

It is further ordered that the balance of said proceeds, amounting to the sum of $636.91, be accounted for by said Alpha Gladys Miller, Guardian, according to law. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $—, out of the proceeds of said sale, within ten days.

L. W. Hagen - Probate Judge.

12512
Filed
May 19- 1933.
Caudron & Caumon,
Attorneys.

Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio.

Emma T. Conklin, and Henry Conklin, as Administrators of the Estate of Lewis H. Conklin, Deceased,

Plaintiffs,

-vs-

Emma T. Conklin;
Hazel Aukland;
Henry Conklin;
Harold L. Conklin; and
George May Conklin, a
minor over 14 years of age;
The Northwestern Mutual Life
Insurance Company; The First
State Bank of Plain City, Ohio;
and Isa J. Fulton, Superintendent
of Banks, in charge of the
liquidation of The First State
Bank of Plain City, Ohio, and
William A. Conklin and
Clara Conklin,

Defendants.

No. 12512.
Petition to Sell Real Estate
to Pay Debts.

THE COL. B. B. MFG. CO. 73503

12512

The plaintiffs are the duly appointed, qualified and acting administrators of the estate of Lewis H. Conklin, deceased, late a resident of this county, and as near as can be ascertained, the amount of valid debts existing against said estate is $27,273.31. In addition thereto, there was set off to Emma N. Conklin, widow, and George Max Conklin, minor child, the sum of $640.25 over and above the amount of personal property selected by said widow, and the appraisers of said estate also made an allowance to the said widow and child in the sum of $1200.00 for their support for the 12 months immediately following the death of said decedent. That the costs of administering said estate will be about $250.00.

The total value of the personal property of said decedent was fixed by the appraisers of said estate at the sum of $2435.93, said appraisement not having been excepted to, and $1859.76 of said personal estate having been chosen and set off to the widow and minor child under the provisions of Section 10609-64 of the General Code of Ohio, and said personal property is wholly insufficient to pay the debts, allowance and costs of administration as aforesaid.

Petition

Said decedent died seized in fee simple of the following described real estate:-

First tract. Situated in the Township of Millcreek, County of Union and State of Ohio, to-wit:

A tract of land in Millcreek Township, about 12 miles east of Marysville and about 4½ miles south of Watrander, in Virginia Military Survey No. 3006, bounded and described as follows, viz: Beginning at a stone in the middle of the Henderson Road at the Southwest corner of said survey; thence with the west line of the survey, N. 27° W. 188.2 poles to a post corner to Dugmire; thence with his line, N. 84½° E. 76 poles to a large post corner to Sheppard; thence with his lines, N. 88½° E. 72 poles to a post and north 84½° E. 146½ poles to an iron pin in the State Road; thence with said Road S. 64½° E. 6.6 poles to an iron pin in the middle of the New California and Delaware Road; thence with said road S. 87° 46' W. 83.72 poles to an iron pin corner to William A. Conklin; thence with his lines, S. 52¼° E. 6.64 poles to an iron pin, S. 37-3/4° W. 3.32 poles to an iron pin, S. 52¼° E. 2.88 poles to an iron pin, south 37-3/4° W. 2.88 poles to an iron pin, S. 52¼° E. 18.72 poles to an iron pin and S. 37-3/4° W. 121 poles to an iron pin in the middle of the Harriott Stone Road; thence with said road and with the Henderson Road S. 84½° W. 106 poles to the place of beginning. Containing two hundred twenty-six (226) acres, more or less, subject to public easements for highways as now located.

An undivided one-half interest in the following real estate: Second Tract: Situated in the County of Licking, in the State of Ohio, and in the Township of Washington and bounded and described as follows:

Being part of Lot number One (1), being in the south-east corner of said lot, the first quarter of the fourth Township and

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Twelfth Range of the United States Military Tract, in the State of Ohio: Beginning at the center of the south line of Lot Number One (1); thence east one hundred and sixty-three and 3/4 (163-3/4) perches; to the south-east corner of said Lot; thence north one hundred and sixty (160) perches; to a corner of Lee A. Bell; thence west one hundred (100) perches to a corner of Samuel Bell's twenty (20) acres lot; thence south fifty (50) perches to a post in the prairie; thence west sixty-four (64) perches to a post near a large White Oak tree; thence south one hundred and one-fourth (100¼) perches to the place of beginning. Containing one hundred and forty-six acres of land more or less.

The decedent died leaving the defendant, Emma R. Conklin, as his widow who is 61 years of age, and is entitled to dower in said premises.

The defendants, Hazel Ankland, Henry Conklin, Harold L. Conklin, and George May Conklin, a minor over the age of 14 years, are the children and heirs, or persons entitled to the next estate of inheritance from the decedent in such real estate and having an interest therein.

The defendant, The Northwestern Mutual Life Insurance Company has an interest by way of mortgage upon the first tract of real estate herein described, and the plaintiffs ask that they may be required to set forth their claim in full herein or be forever barred of the same.

The defendant, The First State Bank of Plain City has an interest by way of mortgage upon the second tract of real estate herein described and said bank is now in liquidation in charge of the defendant, Ora J. Fulton, Superintendent of Banks in the State of Ohio, and the plaintiffs ask that said Superintendent and said Bank may be required to set forth its claim herein or be forever barred of the same. And Clara Conklin by way of judgment, which she is asked to set up herein.

There are no other persons to the knowledge of the plaintiffs who have any interest in said real estate.

Wherefore, plaintiffs pray that said real estate may be sold free from all right of dower of said Emma R. Conklin therein but out of the proceeds of the sale in lieu of dower the court may allow to said Emma R. Conklin such sum in money as is the just and reasonable value thereof; that the rights, interests and liens of all the parties may be fully determined, adjusted and protected, and that your petitioners be authorized and ordered to sell said real estate according to the provisions of the statutes in such cases made and provided, and for such other and further relief as may be proper.

Cameron & Cameron.
Attorneys for Plaintiffs.

THE COL. & B. MFG. CO. 73503

12512

State of Ohio, Union County, ss.

Henry Conklin, being first duly sworn, says that he is one of the plaintiffs in the above entitled cause, and that the facts stated and allegations made in the foregoing petition are true as he verily believes.

Henry Conklin.

Oath.

Sworn to before me and signed in my presence this 9th. day of May, 1933.

{Seal} R. L. Cameron - Notary Public - Union County, Ohio.

Filed May 19 - 1933. Waiver of Summons and Consent to Sell.

Waiver of Summons, on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Emma T. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased, Plaintiffs,

-vs-

Emma T. Conklin, et al., Defendants.

No. 12512.

Proceeding to Sell Real Estate.

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.

May 19 th. A. D. 1933.

Emma T. Conklin.
Henry Conklin.
Hazel Auckland.
Harold Conklin.
W. A. Conklin.

Filed May 19 - 1933. Waiver of Summons and Consent to Sell.

Waiver of Summons, on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Emma T. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs.

-vs-

Emma T. Conklin, et al.,

Defendants.

No. 12512.

Proceeding to Sell Real Estate.

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.

May 16 th. A. D. 1933.

Consent - H. L. K.

The Northwestern Mutual Life Insurance Company.
By - H. D. Thomas - Vice President.

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Filed May 19 - 1933.
Answer of The Northwestern Mutual Life Insurance Company.

Emma Conklin Estate

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Filed
May 19 - 1933.
Answer of
The North-
western Mutual
Life Insurance
Company.

In the Probate Court of Union County, Ohio.
Loan No. 118890 - Conklin.

Emma T. Conklin, and Henry Conklin as Administrators of the Estate of Lewis H. Conklin, deceased,
Plaintiffs,

-vs-

Emma T. Conklin; Hazel Aukland; Henry Conklin; Harold L. Conklin; and George Max Conklin, a minor over 14 years of age; The Northwestern Mutual Life Insurance Company; The First State Bank of Plain City, Ohio; and Ira J. Fulton, Superintendent of Banks, in charge of the liquidation of The First State Bank of Plain City, Ohio, and William A. Conklin,
Defendants.

Answer of The Northwestern Mutual Life Insurance Company.

Now comes The Northwestern Mutual Life Insurance Company and for its answer to the petition herein alleges that at all the times hereinafter mentioned this defendant was and now is a corporation organized and existing under and by virtue of the laws of the State of Wisconsin, with its principal office in the City of Milwaukee, Wisconsin, and that at all of said times this defendant was and now is duly authorized to transact business in the State of Ohio;

Further answering, this defendant alleges that it has no knowledge or information as to the death of Lewis H. Conklin or the appointment and qualification of the administrators, nor as to the debts against said estate or the value of the personal property thereof, nor as to the persons entitled to the next estate of inheritance, and as to these matters it will require strict proof on behalf of the petitioner;

Further answering, this defendant alleges that on or about August 8, 1928, it loaned to Lewis H. Conklin the sum of Twelve thousand (12,000) dollars, and that to evidence said indebtedness the said Lewis H. Conklin executed and delivered to this defendant his promissory note for said sum of Twelve thousand (12,000) dollars, and to secure said note said Lewis H. Conklin and Emma T. Conklin, his wife, executed and delivered to this defendant a mortgage bearing even date with said note, upon real estate in Union County, Ohio, more particularly described in said mortgage, and described in the petition herein as the "First Tract," which said mortgage was filed for record on August 20, 1928, and is now of record in Volume 93 of Mortgages, on Page 583, of the Records of Union County, Ohio; that there is unpaid on said indebtedness the sum of Eleven thousand (11,000) dollars, with interest at five per cent from February 8, 1933,

THE COL. B. B. MFG. CO 73503

12512

and that said mortgage is the first and best lien upon said real estate, and this defendant consents to the sale of said real estate, subject to its said mortgage, in accordance with the laws of the State of Ohio;

Wherefore, this defendant prays the judgment of this court determining and establishing its said lien upon the "First Mortgage" described in the petition herein as a first and best lien, and that in the event that said real estate should be sold discharged of all liens, that the lien of this defendant be transferred to the proceeds of said sale, and for such other and further relief as may be proper.

Harry L. Kellogg - Attorney for the Defendant, The Northwestern Mutual Life Insurance Company.

State of Wisconsin, County of Milwaukee, ss.

H. D. Thomas, being first duly sworn, upon oath says that he is an officer of The Northwestern Mutual Life Insurance Company, the defendant in the above entitled action, to-wit: Vice President, and as such Vice President is duly authorized to verify this answer; that he has read the above and foregoing answer and knows the contents thereof and that the same is true of his own knowledge, except as to matters therein alleged upon information and belief, and as to those matters he believes it to be true; that the reason this answer is not verified by the defendant, is because such defendant is a corporation.

H. D. Thomas.

Subscribed and sworn to before me this 16th. day of May, A.D. 1933.

(Seal)

Harry L. Kellogg - Notary Public, Milwaukee, County, Wis. My Commission expires: May 17-1936.

Filed June 2-1933. Waiver of Summons and Consent to Sale.

Waiver of Summons and Consent to Sale.

Probate Court, Union County, Ohio.

Emma F. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma F. Conklin, et al.,

Defendants.

No. 12512.
Petition to Sell Real Estate.
Waiver of Summons and 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.

May 22 nd. 1933.

J. J. Fulton - Superintendent of Banks, in charge of the liquidation of The First State Bank, Plain City, Ohio.

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Filed June 2-1933. Answer and Cross-Petition.

Emma Conklin, the Estate deceased,

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June 2 - 1933.
Answer and
Cross-Petition.

Probate Court of Union County, Ohio.

Emma T. Conklin and Henry Conklin, as Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma T. Conklin, et al,

Defendants.

No. 12512.
Answer and Cross Petition.

Now comes the defendant, Ira J. Fulton, Superintendent of Banks of the State of Ohio, and for his answer to the petition herein says that he, said Ira J. Fulton, is the duly appointed, qualified and acting Superintendent of Banks of the State of Ohio; that the defendant, The First State Bank of Plain City, Ohio, is a banking corporation organized and existing under the laws of the State of Ohio with place of business at Plain City in said state; that on the 12th. day of November, 1931, he, said Ira J. Fulton, as such Superintendent of Banks, took possession of the said The First State Bank of Plain City for the purpose of liquidating said bank pursuant to the provisions therefor of the General Code of Ohio, and that as such Superintendent of Banks he then became and now is vested with full title to and possession of all the property and assets of said bank including the note and mortgage hereinafter mentioned.

-1-

On the 9th. day of July, 1931, said decedent, Lewis H. Conklin, and one W. A. Conklin executed and delivered to the said The First State Bank of Plain City their promissory note, a copy of which with all credits and indorsements thereon is hereto attached, marked "Exhibit A" and made part hereof.

The said Lewis H. Conklin is now deceased, and plaintiffs Emma T. Conklin and Henry Conklin are the duly appointed, qualified and acting administrators of his estate by virtue of an order of the Probate Court of Union County, Ohio.

Said note is now past due and unpaid, and this answering defendant is the legal holder thereof, and there is due of this defendant upon said note from Emma T. Conklin and Henry Conklin, as administrators of the said estate, the sum of thirty-seven hundred dollars ($3700.00) with interest thereon at the rate of eight per cent (8%) per annum from the 17th. day of November, 1932.

-2-

On the said 9th. day of July, 1931, in order to secure the payment of said note the said Lewis H. Conklin and his wife, the said defendant Emma T. Conklin, and said W.A. Conklin and his wife, Mary J. Conklin, executed and delivered to the said The First State Bank of Plain City their mortgage deed, thereby conveying to the said The First State Bank

THE COL. B. B. MFG. CO 73503

12512

of Plain City the following described real estate, to-wit:-

Situated in the County of Licking, in the State of Ohio, and in the Township of Washington and bounded and described as follows:

Being part of Lot Number One (1), being in the south-east corner of said Lot; the first quarter of the fourth Township and twelfth Range of the United States Military Tract, in the State of Ohio; Beginning at the center of the south line of Lot Number One (1); thence east one hundred and sixty-three and 3/4 (163 3/4) perches; to the south-east corner of said lot; thence north one hundred and sixty (160) perches; to a corner of Lee A. Bell; thence west one hundred (100) perches to a corner of Samuel Bell's twenty (20) acres lot; thence south fifty (50) perches to a post in the prairie; thence west sixty-four (64) perches to a post near a large White Oak tree; thence south one hundred and one-fourth (100 1/4) perches to the place of beginning. Containing one hundred and forty-six acres of land more or less.

The said mortgage contained a condition in substance that if the said Lewis H. Conklin or W. A. Conklin or either of them should pay or cause to be paid unto the said The First State Bank of Plain City or to its successor or assigns the promissory note aforesaid with interest, according to the tenor and effect thereof, then said presents should be void, otherwise to be and remain in full force and virtue in law forever.

Said mortgage was duly filed for record with the Recorder of Licking County, Ohio, on the 22nd. day of August, 1931, at 9 o'clock A. M. and was by him duly recorded in book 224, page 73 of the Mortgage Records of said county, and thereby became and still is the first and best lien upon said real estate.

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

John W. Bricker - Attorney General of Ohio.

No verification required,
Section 348 G. C.

T. A. McAllister - Special Counsel.
Attorneys for Ira J. Fulton, Superintendent of Banks of the State of Ohio.

Exhibit A.

$3700.

Plain City, Ohio, July 9th. 1931.

Six months after date, for value received, we jointly and severally promise to pay The First State Bank of Plain City, or order Thirty Seven Hundred Dollars at its office in Plain City, Ohio, with interest from date at the rate of 8 per cent per annum, payable semi-annually.

And it is hereby agreed that after this obligation shall have become due, time of payment may be extended, from time to time, without our knowledge or consent, and we shall remain liable notwithstanding such extension of time, and we hereby authorize any attorney-at-Law to appear before any Court of Record, or

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Jan. 7-
Aug. 25
Apr. 20

Filed July 18-1932. Application for appointment of Guardian Ad Litem

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justice of the Peace in the State of Ohio, or elsewhere, at any time after this obligations becomes due, and waive process and service thereof and without notice confess judgment against me or any or either of us, in favor of The First State Bank of Plain City, for the amount that may appear due thereon, for principal, interest, cost of suit and all attorney fees, releasing all errors in the judgment so confessed, and waiving 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 also waive all benefit of advantage to which we may be entitled by virtue of any homestead or other exemption law, now or hereafter in force in this or any other state, or elsewhere, where judgment may be entered by virtue hereof. We hereby authorize the payee, its 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. Witness our hands this day and date above written:
No. A. 279

L. H. Conklin (Seal)
W. A. Conklin (Seal)

Jan. 7- 1932 - Int Pd. $129.00 to Jan. 9 - 1932.
Aug. 25- 1932 - " " 129.00 " July 9 - 1932.
Apr. 20- 1933 - " " 92.60.

Filed July 18- 1933. Application for appointment of Guardian Ad Litem

In the Probate Court, Union County, Ohio.

Emma T. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,
Plaintiffs,
-vs-
Emma T. Conklin, et al.,
Defendants.

No. 12512.
Application for Appointment of Guardian Ad Litem.

Now come Emma T. Conklin and Henry Conklin as administrators of the estate of Lewis H. Conklin, deceased, by Cameron & Cameron, their attorneys, and make application for the appointment of a guardian ad litem for George May Conklin, a minor over 14 years of age who has duly waived the issuing and service of summons and entered his appearance herein, and say that more than 20 days has expired since the entry of appearance by said minor and no application has been made by him for the appointment of such guardian and your applicants suggest that Clifton L. Cargill, who is a suitable person, be appointed as such.

Cameron & Cameron - Attorneys for Plaintiffs.

THE COL. B. B. MFG. CO. 73503

12512
Filed
July 18 - 1933.
Answer of
Guardian
Ad Litem.

In the Probate Court of Union County, Ohio.

Emma T. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiff's,

-vs-

Emma T. Conklin, et al.,

Defendants.

No. 12512.
Answer of Guardian Ad Litem.

Now comes Clifton L. Caryl, duly appointed by the Court as guardian ad litem for George May Conklin, the minor child of Lewis H. Conklin, deceased, and for answer to the petition of said Emma T. Conklin and Henry Conklin as administrators of the estate of Lewis H. Conklin, deceased, says that he has not by reason of the tender age of the said defendant, become informed as to the truth of the matters set forth in said petition; and, therefore, on behalf of said minor defendant, denies the same, and submits the interest of said defendant to the care and protection of the Court, to order in the premises as justice and the interest of said defendant shall require.

Clifton L. Caryl - Guardian Ad Litem of George May Conklin.

Filed
July 18 - 1933.
Entry.

In the Probate Court of Union County, Ohio.

Emma T. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiff's,

-vs-

Emma T. Conklin, et al.,

Defendants.

No. 12512.
Entry.

On the application of Cameron & Cameron, the counsel for the plaintiffs herein, it appearing that George May Conklin, one of the defendants herein, has duly waived the issuing and service of summons and entered his appearance herein, and that he is a minor over the age of 14 years and more than 20 days having elapsed since his entry of appearance herein, and he having made no application for the appointment of a guardian ad litem, it is ordered that Clifton L. Caryl be and he is hereby appointed guardian ad litem for the said George May Conklin.

L. W. Hagen - Probate judge.

This day came Clifton L. Caryl heretofore appointed guardian ad litem for George May Conklin, minor defendant herein, and accepted said appointment.

Clifton L. Caryl.

12512
Filed
July 24 - 1933.
Answer of
Emma T.
Conklin,
Surviving Spouse.

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Answer and
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Filed
July 24-1933.
Answer of
Emma F.
Conklin,
Surviving Spouse.

Probate Court of Union County, Ohio.

Emma F. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiff's,

-vs-

Emma F. Conklin, et al.,

Defendants.

No. 12512.
Answer of Emma F. Conklin, Surviving Spouse.

Now comes Emma F. Conklin, one of the defendants in the above entitled action, and for her answer to the petition of the plaintiffs and the answers and cross-petitions of The Northwestern Mutual Life Insurance Company, Ira J. Fulton, Superintendent of Banks of the State of Ohio, and William A. Conklin, says: That she is the widow of said Lewis H. Conklin, deceased, and as such is entitled to dower in the premises described in the petition; and that her age is 51 years; that she waives the assignment of dower by metes and bounds or in rents and profits, and consents to the sale of said real estate as prayed for; and asks that the just and reasonable value of her dower and other interest in such real estate may be allowed and paid to her in money out of the proceeds of the sale; and for such other and further relief as may be just and equitable.

Cameron & Cameron-
Attorneys for Emma F. Conklin.

State of Ohio, Union County, ss.

Emma F. Conklin, being first duly sworn, says that the facts stated and allegations made and contained in the foregoing answer are true as she verily believes.

Emma F. Conklin.

Sworn to before me and signed in my presence this 24th. day of July, 1933.

{Seal} R. L. Cameron - Notary Public.

In the Probate Court, Union County, Ohio.

Filed
July 24-1933.
Answer and
Cross-Petition
of William
A. Conklin.

Emma F. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiff's,

-vs-

Emma F. Conklin, et al.,

Defendants.

No. 12512.
Answer of William A. Conklin and Cross-Petition.

Now comes William A. Conklin, one of the parties defendant in the above entitled action, and for his answer to the petition of the plaintiffs, says: that he admits that the plaintiffs are the duly appointed, qualified and acting administrators of the estate of Lewis H. Conklin, deceased, and admits that there is indebtedness and obligations existing

THE COL. B. B. MFG. CO. 73503

12512

against said estate as set forth in the petition, and that the personal estate of the said Lewis H. Conklin is wholly insufficient to pay the same.

This answering defendant says that he is the owner of the other undivided one-half interest in the second tract of land described in the plaintiff's petition containing 176 acres and located in Washington Township, Licking County, Ohio, and that he consents to the prayer of the plaintiffs' petition as filed herein.

Cross-Petition.

Further answering, and by way of cross-petition, this defendant says that on the 9th. Day of July, 1931, the said decedent, Lewis H. Conklin and this defendant, under the name of W. A. Conklin, executed and delivered to The First State Bank of Plain City, the note set forth in the answer and cross-petition of Ira J. Fulton, Superintendent of Banks of the State of Ohio, and to secure the payment of the same, they together with their wives, Emma E. Conklin and Mary J. Conklin, executed and delivered to The First State Bank their mortgage deed as in said answer and cross-petition of Ira J. Fulton, Superintendent of Banks of the State of Ohio, set forth. That said mortgage note is now due and it will be necessary to sell the real estate described in said answer and cross-petition to pay the same.

That if this Court should order the undivided one-half interest of Lewis H. Conklin sold separately in this action it would not bring sufficient to pay the note and mortgage of The First State Bank of Plain City as set forth in said answer and cross-petition, and would cause serious loss in value to the estate of Lewis H. Conklin and to this answering defendant. That it would be to the best interest of the estate of said Lewis H. Conklin and of this answering defendant that said real estate be offered for sale as a whole and the proceeds thereof, so far as necessary, be applied to the payment of said note and mortgage, and that the balance thereof, if any, be distributed to the various parties to this action as their interests may appear.

Wherefore, this answering defendant prays that when said second tract of real estate described in the plaintiffs' petition and in the answer and cross-petition of Ira J. Fulton, Superintendent of Banks of the State of Ohio, shall be ordered sold that it may be sold as a whole and the proceeds thereof so far as necessary, may be applied to the payment of the note and mortgage of The First State Bank of Plain City, to Ira J. Fulton, Superintendent of Banks in Ohio, in charge of the liquidation of said Bank, and that the interests of this defendant in the one-half of the remainder of the proceeds of said sale not required to satisfy said note and mortgage may be fully protected, and the same may be paid to

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Filed July 24-1933. Entry of Appearance and Consent to Sale.

Filed July 24-1933. Motion for Additional Parties Defendant.

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this less such portion of the charges for said sale as the Court may deem just; and for such other and further relief as the Court may deem just and equitable.

Cameron & Cameron.
Attorneys for William A. Conklin.

State of Ohio, Union County, ss:

William A. Conklin, being first duly sworn says that the facts stated and allegations made and contained in the foregoing answer and cross-petition are true as he verily believes.

William A. Conklin.

Sworn to before me and signed in my presence this 24th. day of July, 1933.

{Seal} R. L. Cameron - Notary Public.

Filed July 24-1933. Entry of Appearance and Consent to Sale.

In the Probate Court, Union County, Ohio.

Emma F. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma F. Conklin, et al.,

Defendants.

No. 12512.

Entry of Appearance and Consent to Sale.

Mary J. Conklin, the undersigned party defendant in the above entitled action, says that she is the wife of William A. Conklin, who has filed answer and cross-petition herein, and as such, a necessary party defendant to the sale of the second tract of real estate described in the plaintiffs' petition. That she is of legal age and hereby waives the issuing and service of summons upon her upon the petition and the answer and cross-petition of Ira J. Fulton, Superintendent of Banks of the State of Ohio, and the answer and cross-petition of William A. Conklin; and voluntarily enters her appearance as such defendant, and consents to the prayer of the cross-petition of said William A. Conklin and to the sale of the real estate described in the petition as therein prayed for.

Dated July 24th. 1933.

Mary J. Conklin.

Filed July 24-1933. Motion for Additional Parties Defendant.

In the Probate Court of Union County, Ohio.

Emma F. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma F. Conklin, et al.,

Defendants.

No. 12512.

Motion for Additional Parties Defendant.

Now come Emma F. Conklin and Henry Conklin, as administrators of the estate of Lewis H. Conklin, deceased,

THE COL. B. B. MFG. CO. 73503

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plaintiffs, by Cameron & Cameron, their attorneys, and move the Court that Molean Conklin, Joseph B. Aukland, Helen R. Conklin and Mary J. Conklin be made parties defendant in the above entitled action, and for grounds for said motion says:

That the said Molean Conklin is the wife of Henry Conklin, one of the heirs to the estate of Lewis H. Conklin, deceased; and the said Joseph B. Aukland is the husband of Hazel Aukland, one of the heirs to the estate of Lewis H. Conklin, deceased; and the said Helen R. Conklin, is the wife of Harold L. Conklin, one of the heirs to the estate of Lewis H. Conklin, deceased, and the said Mary J. Conklin is the wife of William A. Conklin, defendant herein, who is the owner of the other undivided one-half of the second tract of land described in the plaintiffs' petition; and said parties are necessary and proper defendants in the above entitled action.

Cameron & Cameron
Attorneys for Plaintiffs.

Filed July 28 - 1933. Entry of Appearance and Consent to Sale.

In the Probate Court, Union County, Ohio.

Emma F. Conklin and Henry Conklin, Administrator of the Estate of Lewis H. Conklin, deceased, Plaintiffs, -vs- Emma F. Conklin, et al., Defendants.

No. 12512.
Entry of Appearance and Consent to Sale.

Molean Conklin, Joseph B. Aukland and Helen R. Conklin, the undersigned parties defendant in the above entitled action, being competent adult persons, hereby waive the issuing and service of summons upon them and each of them, and voluntarily enter their appearance as such defendants, and consent to the sale of the real estate described in the petition as therein prayed for.
Dated July 28th 1933.

Joseph B. Aukland.
Helen R. Conklin.
Molean Conklin.

Filed July 28 - 1933. Entry.

In the Probate Court, Union County, Ohio.

Emma F. Conklin and Henry Conklin, Administrator of the Estate of Lewis H. Conklin, deceased, Plaintiffs, -vs- Emma F. Conklin, et al., Defendants.

No. 12512.
Entry.

This day this cause came on to be heard upon the motion of Emma F. Conklin and Henry Conklin as administrator of the estate of Lewis H. Conklin, deceased, for leave to make

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Filed Oct. 3 - 1933. Entry, Order for Additional Bond.

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Filed Oct. 3 - 1933. Bond of Administrators.

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additional parties defendant in the above entitled action; and the Court, being fully informed in the premises, finds that the said Moleen Conklin, Joseph B. Aykland, Helen R. Conklin and Mary J. Conklin, are necessary and proper parties defendant in the above entitled action, and it is ordered and decreed that the said above named parties be made parties defendant with leave to plead as provided by law; and that they be required to set up any claim they may have in said premises or be forever barred of the same.

L. W. Hazen - Probate Judge.

Filed Oct. 3 - 1933. Entry, Order for Additional Bond.

In the Probate Court of Union County, Ohio.

Emma T. Conklin and Henry Conklin as Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma T. Conklin, et al.,

Defendants.

No. 12512.

Entry, Order for Additional Bond.

This cause came on to be heard upon the application of the plaintiffs for the Court to fix the amount of the additional bond to be given before ordering the sale of the real estate, and the Court, being fully advised in the premises, finds that said administrators have already given bond in the sum of $1500.00, and that an additional bond in the sum of $5000.00 will be sufficient under the provisions of the statute.

Wherefore, it is ordered that before order of sale issue said administrators give an additional bond in the sum of $5000.00.

L. W. Hazen - Probate Judge.

Filed Oct. 3 - 1933. Bond of Administrators.

In the Probate Court of Union County, Ohio.

Emma T. Conklin and Henry Conklin as Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma T. Conklin, et al.,

Defendants.

No. 12512.

Bond of Administrators.

Know all men by these presents, that we, Emma T. Conklin and Henry Conklin, as principals, and Andrew Hock and W. A. Conklin as sureties are firmly bound unto the State of Ohio in the penal sum of $5000.00, to the payment of which we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

The condition of this obligation is such, that whereas in a certain cause pending in the Probate Court of Union County, Ohio, wherein Emma T. Conklin and Henry Conklin as administrators of the estate of Lewis H. Conklin, deceased, are plaintiffs, and Emma T. Conklin, et al., are defendants;

THE COL. B. B. MFG. CO. 73503

12512

the said administrator have been ordered by said Court to sell certain real estate of said decedent to pay debts.

Now, if the said administrator as aforesaid shall faithfully discharge their duties in the premises and shall distribute and pay over the proceeds arising from said sale as they shall hereafter be ordered by the Court and shall properly account for all monies arising from said sale and coming into their hands according to law, then this obligation shall be void, otherwise to be in full force and effect.

Executed in the presence of:
R. L. Cameron.
Minnie Hock.

Emma F. Conklin.
Henry Conklin. Admrs.
Andrew Hock.
W. A. Conklin.

Filed Oct. 4-1933. Entry Dispensing with New Appraisement and Ordering Public Sale

In the Probate Court of Union County, Ohio.

Emma F. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma F. Conklin, Hazel Aukland, Henry Conklin, Harold L. Conklin, George May Conklin, a minor over 14 years of age, The Northwestern Mutual Life Insurance Company, The First State Bank of Plain City, Ohio, Ira J. Fulton, Superintendent of Banks in Ohio, in charge of the liquidation of The First State Bank of Plain City, Ohio, William A. Conklin, Nolan Conklin, Joseph B. Aukland, Helen R. Conklin, and Mary J. Conklin,

Defendants.

No. 12512.
Entry Dispensing with New Appraisement and Ordering Public Sale.

This cause came on to be heard upon the petition of the plaintiffs for authority to sell real estate of the above decedent to pay debts of his estate, the answer of the Northwestern Mutual Life Insurance Company, the answer and cross-petition of Ira J. Fulton, Superintendent of Banks in Ohio, in charge of the liquidation of The First State Bank of Plain City, Ohio, the answer and cross-petition of William A. Conklin, the answer of Clifton L. Caryl, guardian ad litem for George May Conklin, a minor over the age of 14 years, the answer of Emma F. Conklin, the surviving spouse of said decedent, and the evidence; and the Court,

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being fully advised in the premises, finds that the defendants, Helen R. Conklin, Hazel Aukland, Henry Conklin, Harold L. Conklin, Moleen Conklin, Joseph B. Aukland and Mary J. Conklin, have each waived the issuing and service of summons herein, and have voluntarily entered their appearance and consented to the sale of said real estate as prayed for in the petition, and that they are in default for demurrer or answer to the petition, and that the allegations thereof are by them confessed to be true.

The Court further finds that the defendant, George May Conklin, is a minor over the age of 14 years, and that he has been duly and legally served with summons as required by law, and that Clifton L. Caryl has been appointed his guardian ad litem and has filed answer as hereinbefore set forth.

The Court further finds that The Northwestern Mutual Life Insurance Company, The First State Bank of Plain City, and Ora J. Fulton, Superintendent of Banks, in charge of the liquidation of The First State Bank of Plain City, have each waived the issuing and service of summons herein and entered their appearance, and that they have filed answers setting forth their mortgage indebtedness upon said real estate as hereinbefore set forth.

The Court further finds that William A. Conklin, defendant herein, is the owner of the other undivided one-half interest in the second tract described in the plaintiffs' petition, and that he has filed answer and cross-petition herein setting forth his interest in the real estate and the liens thereon, and praying for the sale of said second tract of land as a whole, and asking that his interest in the same be fully protected.

The Court further finds that Emma F. Conklin has filed answer herein waiving the assignment of her dower in said real estate by metes and bounds, or in rents and profits, and asking that the value thereof after the payment of the liens upon said real estate, be set off to her in money from the proceeds of said sale.

The Court further finds that the real estate described in the petition was appraised by the appraisers of the estate at the sum of $13,060.00 for the first tract therein described, and at the sum of $4,260.00 for the second tract therein described, and that a further appraisement of said real estate is not necessary, and the Court therefore orders that a further appraisement be dispensed with.

The Court further finds that the bond heretofore given by the plaintiffs as administrators of the estate of Lewis F. Conklin, deceased, in the amount of $1600.00 is insufficient, and it is ordered that they file an additional bond with sufficient sureties to be approved by this Court in the

THE COL. & E. MFG. CO. 73503

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sum of $5000.00.

The Court further finds that The Northwestern Mutual Life Insurance Company has a lien by way of mortgage upon the first tract of lands described in the plaintiffs' petition as set forth in its answer and cross-petition, which said mortgage lien is a first and best lien upon said premises subject only to the lien for the unpaid taxes and assessments thereon; and that the defendant, The First State Bank of Plain City, has a mortgage lien upon the second tract of land described in the petition as set forth in the answer and cross-petition of Ira J. Fulton, Superintendent of Banks in charge of the liquidation of the said The First State Bank of Plain City, which said mortgage lien is a first and best lien upon said real estate subject only to the lien of the taxes and assessments which may be due and unpaid.

The Court further finds that the personal estate of said Lewis H. Conklin, deceased, is wholly insufficient to pay the indebtedness thereof, and that, in addition to said indebtedness, there is due Emma N. Conklin, the surviving spouse, upon her exemptions as provided by Section 10609-64 of the General Code, the sum of $640.25, and upon her year's allowance as provided by section 10609-74 of the General Code, the sum of $1200.00, which said sums are a lien upon said real estate subject only to the liens of the mortgages hereinbefore set forth, and that it is necessary to sell said real estate to pay the debts of the deceased, and the allowance to widow and minor child, and the costs of administering said estate.

It is further ordered that the said Emma N. Conklin and Henry Conklin, as such administrators, proceed to advertise said real estate for sale on the premises on the 2nd. day of November, 1933, the first tract of real estate described in said petition being sold at 10:00 o'clock on said day, and the second tract of real estate described in the petition being sold at 2:00 o'clock P.M. on said day as provided by law, and that they sell the same at not less than two-thirds of the appraised value thereof on the following terms to-wit: Cash in hand on the confirmation of said sale, 10% thereof to be paid by the bidder on the day of sale.

It is further ordered that said administrators be allowed to employ an auctioneer for the sale of said real estate at a sum not to exceed $10.00, which auctioneer shall sell both of said tracts of real estate.

It is further ordered that the plaintiffs make return to this Court forthwith upon such sale of their proceedings hereunder, and this cause is continued for such report and for order for distribution of the proceeds herein.

L. W. Hazen.
Probate Judge and ex-officio Clerk.

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Legal Notice
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Nov. 2-1933.

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Legal Notice.

In pursuance of the order of the Probate Court of Union County, we will offer for sale at public auction on the 2nd. day of November, 1933, at 10:00 o'clock A. M. on the premises the following described real estate situated in the Township of Mill Creek, County of Union and State of Ohio, to-wit:

A tract of land in Mill Creek Township, about 12 miles east of Marysville and about 4½ miles south of Upstander, in Virginia Military Survey No. 3006; bounded and described as follows:

Beginning at a stone in the middle of the Henderson Road at the southwest corner of said survey; thence with the west line of the survey, N. 27 degrees W. 188.2 poles to a post corner to Augmire; thence with his line, N. 84½ degrees E. 76 poles to a ridge post corner to Sheppard; thence with his lines, N. 88½ degrees E. 72 poles to a post and N. 84½ degrees E. 146½ poles to an iron pin in the State Road; thence with said Road S. 64½ degrees E. 6.6 poles to an iron pin in the middle of the New California and Delaware Road; thence with said road S. 37 degrees 45 minutes W. 83.72 poles to an iron pin corner to William A. Conklin; thence with his lines, S. 52¼ degrees E. 6.64 poles to an iron pin, S. 37¾ degrees W. 3.32 poles to an iron pin, S. 52¼ degrees E. 2.88 poles to an iron pin, S. 37¾ degrees W. 2.88 poles to an iron pin, S. 52¼ degrees E. 18.72 poles to an iron pin and S. 37¾ degrees W. 121 poles to an iron pin in the middle of the Harriott Stone Road; thence with said road and with the Henderson Road S. 84½ degrees W. 106 poles to the place of beginning. Containing two hundred twenty-six (226 acres, more or less, subject to public easement for highways as now located.

Said premises are appraised at $13,560.00 and must be sold for not less than two-thirds of the appraised value, and the terms of sale are cash upon the approval of sale and order for deed with 10% payment on day bid is made.

Emma M. Conklin.
Henry Conklin. Administrators of the estate of Lewis H. Conklin, deceased.

Cameron & Cameron, Attorneys.

The State of Ohio, Union County, ss.

Personally appeared before me J. M. 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 October 9, 1933, in the Marysville Tribune, a newspaper of genral circulation in the county aforesaid.

J. M. Huber.

Sworn to before me and signed in my presence this 1st. day of November, A. D. 1933.

{Seal} G. P. Huber - Notary Public.

Printers Fees, $16.50.

THE COL. B. B. MFG. CO 73503

12512
Filed
Nov. 2- 1933.
Legal Notice.

In pursuance of the order of the Probate Court of Union County, we will offer for sale at public auction on the 3rd. day of November, 1933, at 2 o'clock, P. M. the following described real estate:

Situated in the County of Licking, in the State of Ohio, and in the Township of Washington and bounded and described as follows:

Being part of Lot No. 1, being in the southeast corner of said lot, the first quarter of the South Township and 12th. range of the United States Military Tract, in the State of Ohio;

Beginning at the center of the south line of Lot No. 1; thence east 163 3/4 perches; to the southeast corner of said lot; thence north 160 perches; to a corner of Lee A. Bell; thence west 100 perches to a corner of Samuel Bell's 20 acre lot; thence south 60 perches to a post in the prairie; thence west 64 perches to a post near a large White Oak tree; thence south 100 1/4 perches to the place of beginning.

Containing one hundred and forty-six (146) acres of land, more or less.

Said premises are appraised at $4,250.00, and must be sold for not less than two-thirds of the appraised value, and the terms of sale are cash upon the approval of sale and order for deed with 10% payment on day bid is made.

Emma F. Conklin.
Henry Conklin - Administrators of the estate of Lewis H. Conklin, deceased.

Cameron & Cameron, Attorneys.

The State of Ohio, Licking County, ss.

C. W. Bluthart, Advertising Manager of the Newark Advocate and American Tribune, being duly sworn, deposes and says, that a Notice, of which a true copy is hereby attached, was published for four times as follows: October 5-12 & 19-26, in the Newark Advocate and American Tribune, a Daily Newspaper, during that time printed by The Advocate Printing Company, in the said County of Licking and of general circulation therein.

C. W. Bluthart.

Sworn to and subscribed before me this 26 day of October, A. D. 1933.

Seal

F. W. Spencer - Notary Public.

Printer's Fee $11.00.

Filed
Nov. 2- 1933.
Waiver of Summons and Consent to Sale.

Waiver of Summons and Consent to Sale.
Probate Court, Union County, Ohio.

Emma F. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,
Plaintiffs,
-vs-
Emma F. Conklin, et al.,
Defendants.

No. 12512.
Petition to Sell Real Estate.
Waiver of Summons and Consent to Sale.

12512

Filed
Nov. 2- 1933.
Waiver of Summons and Consent to Sell.

Filed
Nov. 17- 1933.
Answer and Cross-Petition.

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We, the undersigned parties Defendant to the petition in the above entitled action do each of us hereby waive the issuing and service of Summons, and voluntarily enter our appearances 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 19th. 1933.

W. A. Conklin - Guardian of
George Max Conklin.
George Max Conklin.

Filed
Nov. 2 - 1933.
Waiver of
Summons
and Consent
to Sell.

Probate Court, Union County, Ohio.

Emma T. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma T. Conklin, et al,

Defendants.

No. 12512.
Proceedings to Sell Real Estate.
Waiver of Summons and Consent to Sell.

The undersigned, party defendant to the petition in the above entitled action, does hereby waive the issuing and service of Summons, and voluntarily enters her 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. October 30th. 1933.

Clara A. Conklin.

Filed
Nov. 17 - 1933.
Answer and
Cross-Petition.

Court of Probate, Union County, Ohio.

Emma T. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

Against

Emma T. Conklin, et al,

Defendants.

No. 12512
Answer and Cross-Petition of
Clara A. Conklin.

Now comes Clara A. Conklin, one of the defendants in the above entitled cause, and waives the issuing and service of summons herein, and voluntarily enters her appearance as such defendant.

And further, this defendant consents to the sale of the real estate described in the plaintiffs' petition in said cause, according to the prayer of the same.

By way of cross-petition, this defendant for her cause of action, says:

That on, or about the 20th. day of September, 1929, the deceased, Lewis H. Conklin, together with one Joe Aukland and C. W. Aukland executed and delivered their one certain joint and several promissory cognovit note to this answering defendant, due in one year from date with interest

THE COL. B. B. MFG. CO. 73503

12512

at six per cent, in and for the consideration of a loan to them in cash, of One Thousand Dollars.

That on the 7th. day of January, 1932, in Cause No. 13397, in the Union County Common Pleas Court, this defendant obtained a judgment against said makers of said note, for said sum of $1,000.00 with the interest and costs thereon. That thereupon an execution and levy was made on the real estate described in plaintiffs' petition.

That no part of said note and judgment has been paid, except the interest thereon which has been paid in full to the 30th. day of September, 1933.

This defendant therefore says that said judgment and levy is the first and best lien on said real estate, next after the said mortgage described in plaintiffs' petition.

And further, defendant says that there is due her from said plaintiffs, as such administrators, on said note and judgment above stated, the sum of One Thousand Dollars, with interest from date, at six per cent from the 30th. day of September, 1933.

Wherefore, this defendant prays that out of the proceeds of the sale of said real estate described as aforesaid, this answering defendant be paid said sum of $1,000.00, with interest at 6% from September 30th. 1933, and her costs.

Potter & Potter.
Attorneys for Clara A. Conklin.

Clara A. Conklin, being sworn, makes oath and says, that she is one of the defendants in the above entitled action, and that the facts stated, and the allegations in this, her answer and cross-petition are true, as she believes.

Clara A. Conklin.

The State of Ohio, Union County, ss.

Sworn to by said Clara A. Conklin, before me, and signed by her in my presence this 18" day of November, A. D. 1933.

William J. Potter - Notary Public,
Union County, Ohio.

{Seal}

Probate Court, Union County, Ohio.

Filed
Dec. 14-1933.
Praecipe for Summons.

Emma V. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma V. Conklin, et al.,

Defendants.

No. 12512.

Praecipe for Summons.

To the Clerk:

Issue summons for George Max Conklin, a minor over 14 years of age, residing with Emma V. Conklin in Millcreek Township, Union County, Ohio, directed to the Sheriff of Union County, and returnable according to law.

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Filed
Dec. 16-1933.
Summons.

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Filed
Mar. 2-1934.
Application to Set Aside Order of Sale.

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12512 — Endorse summons, "Action for the sale of real estate to pay debts."
Cannon & Cannon.
Attorneys for plaintiffs.

Filed Dec. 16-1933. 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 George May Conklin, a Minor, residing with his Mother, Mrs. Emma T. Conklin, Millcreek Twp. Union County, Ohio. "Action for the sale of real estate to pay debts." Emma T. Conklin and Henry Conklin, Adm's. Estate of Lewis H. Conklin, Deceased, Plaintiffs; and Emma T. Conklin, et al., Defendants. (Case No. 12512); that on the 18th. day of December, A. D. 1933 Emma T. Conklin and Henry Conklin, Adm's of the Estate of Lewis H. Conklin deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts and that unless they answer by the 13th. day of January 1934, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 18th. day of December, 1933. (or before preferred).

Witness my hand and the seal of said Court, this 14th. day of December, 1933.

{Seal}

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees.

Service & Return, first name		$ .75
1 Additional name, at 25¢		.25
27 miles traveled at	8¢	2.16
Total		$ 3.16

Sheriff's Return.

Recived this writ Dec. 15th. 1933, at 8:30 o'clock A. M., and on the 16th. day of December 1933 I served the same by delivering a copy thereof personally to the within named George May Conklin, minor, and Mrs. Emma T. Conklin, mother of said George May Conklin, minor and with whom said minor resides.

William Rausch - Sheriff.
By - A. Grigsby - Deputy.

Filed Mar. 2-1934. Application to Set Aside Order of Sale.

Probate Court, Union County, Ohio.

Emma T. Conklin and Henry Conklin, Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma T. Conklin, et al.,

Defendants.

No. 12512.
Application to Set Aside Order of Sale.

Now come Emma T. Conklin and Henry Conklin, as

THE COL. & B. MFG. CO. 73503

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administrator of the estate of Lewis H. Conklin, deceased, and represent to the Court that pursuant to the order of sale issued out of this Court on the 4th. day of October, 1933, providing for the sale at public auction of the two tracts of real estated described in the plaintiffs' petition, they caused the first tract of real estate described in the plaintiffs' petition to be advertised for sale at public auction on the 3rd. day of November, 1933, at 10:00 A.M. on the premises, by publication of notice in the Marysville Tribune, a newspaper of general circulation in Union County, Ohio, and they caused the second tract of land described in the plaintiffs' petition to be advertised for sale at public auction on the 3rd. day of November, 1933, on the premises, at 2:00 P.M., by publication of notice in the Newark Advocate and American Tribune, a newspaper of general circulation in Licking County, Ohio.

That said sales were held according to notice, and said real estate offered at public auction, and bids were received therefor at two-thirds the appraised value thereof.

That after said sale was held it was discovered that there was a defect in the service in the case upon George Max Conklin, a minor defendant herein, and that it would therefore be impossible to confirm said sale and make to the purchasers a good title to said real estate.

That since the discovery of said defect in said title service of summons has been made according to law upon the said George Max Conklin and upon his mother, Emma V. Conklin, with whom he resides, and said minor defendant is now properly before this court.

That it is therefore necessary that the former order of sale issued by this court be set aside and a new order of sale issued. Your applicants further say that said first tract of land was appraised at the sum of $13,560.00 and said second tract of land was appraised at the sum of $4,250.00, each of which appraisements was more than the bids received for said land upon its being offered for sale at public auction.

That your applicants now believe that said real estate can be sold at private sale for not less than the appraised value of the same and that it would be for the best interest of said estate to set aside the order heretofore made for sale at public auction, thus saving the costs and expenses of advertisement and public sale, and to issue an order in this case directing your applicants, as administrators of the estate of Lewis H. Conklin, deceased, to sell said real estate at private sale for the highest and best price they can obtain therefor, and for not less than the appraised value thereof.

Wherefore, your applicants pray that the order of sale heretofore issued in this cause directing them to sell said real estate at public auction may be vacated and held for naught; and that an order may issue out of this court

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Order of Public Sale.

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directing them to sell said real estate at private sale for the highest and best price that they can obtain for the same and for not less than the appraised value thereof, and for such other and further relief as the court may deem just and proper.

Cameron & Cameron - attorneys for the Plaintiffs.

State of Ohio, Union County, ss:

Emma R. Conklin and Henry Conklin, administrators of the estate of Lewis H. Conklin, deceased, being first duly sworn, say that the facts stated and allegations made in the foregoing application are true as they verily believe.

Emma R. Conklin.

Henry Conklin.

Sworn to before me and signed in my presence this 2nd. day of March, 1934.

{Seal} R. L. Cameron - Notary Public.

Order of Public Sale.

Order of Public Sale.

The State of Ohio, Union County. Probate Court.

To Emma R. Conklin and Henry Conklin as administrators of the estate of Lewis H. Conklin, 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 administrators are Plaintiffs and Emma R. Conklin, et al., are Defendants, you are commanded to proceed according to law, to advertise and sell at Public Auction, on the premises in Millcreek Township, Union County, and Washington Township, Licking County, Ohio, on the 3rd. day of November 1933, at 10:00 o'clock, a.M., and 2:00 o'clock P.M. for not less than two thirds of the appraised value thereof the following described premises to-wit:

First Tract:

Situated in the Township of Millcreek, County of Union and State of Ohio, to-wit: A tract of land in Millcreek Township, about 12 miles east of Marysville and about 4 1/2 miles south of Ostrander, in Virginia Military Survey No. 3006, bounded and described as follows, viz: Beginning at a stone in the middle of the Henderson Road at the Southwest corner of said Survey; thence with the west line of the Survey, N. 27° W. 188.2 poles to a post corner to Dugmire; thence with his line, N. 84 1/2° E. 75 poles to a large post corner to Sheppard; thence with his lines, N. 83 1/4° E. 72 poles to a post and north 84 1/2° E. 146 1/2 poles to an iron pin in the State Road; thence with said Road S. 64 1/2° E. 6.6 poles to an iron pin in the middle of the New California and Delaware Road; thence with said road S. 37° 45' W. 83.72 poles to an iron pin corner to William A. Conklin; thence with his lines, S. 52 1/4° E. 6.64 poles to an iron pin, S. 37-3/4° W. 3.32 poles to an iron pin, S. 52 1/4° E. 2.88 poles to an iron pin, S. 37-3/4° W. 2.88 poles to an iron pin, S. 52 1/4° E. 18.72 poles to an iron

THE COL. B. B. MFG. CO. 73503

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pin and S. 37- 3/4° W. 121 poles to an iron pin in the middle of the Harriott Stone Road; thence with said road and with the Henderson Road S. 84½° W. 106 poles to the place of beginning. Containing two hundred twenty-six (226) acres, more or less, subject to public easement for highways as now located.

Also the following described real estate.

Second Tract:

Situated in the County of Licking, in the State of Ohio, and in the Township of Washington and bounded and described as follows: Being part of Lot number One (1), being in the south-east corner of said Lot; the first quarter of the fourth Township and Twelfth Range of the United States Military Tract, in the State of Ohio; Beginning at the center of the south line of Lot Number One (1); thence east one hundred and sixty-three and 3/4 (163-3/4) perches; to the south-east corner of said Lot; thence north one hundred and sixty (160) perches; to a corner of Lee A. Bell; thence west one hundred (100) perches to a corner of Samuel Bell's twenty (20) acre lot; thence south fifty (50) perches to a post in the prairie; thence West sixty-four (64) perches to a post near a large White Oak Tree; thence South one hundred and one-fourth (100¼) perches to the place of beginning. Containing one hundred and forty-six acres of land, more or less.

Said sale to be upon the following terms; 10% on making the bid, and balance cash on approval of sale and 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 4th. day of October, A. D. 1933.

{Seal} L. W. Hagen- Probate Judge.

Probate Court, Union County, Ohio.

Filed Mar. 2- 1934. Entry.

Emma V. Conklin and Henry Conklin as Administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma V. Conklin, et al.,

Defendants.

No. 12512.

Entry.

This day this cause came on to be heard upon the application of Emma V. Conklin and Henry Conklin, as administrators of the estate of Lewis H. Conklin, deceased, asking this court to vacate and hold for naught the former order of sale issued herein directing that the real estate described in the petition herein be sold at public auction, and praying the court that after said former order is vacated an order may issue from this court directing the sale of the real estate described in the plaintiffs' petition at private sale for the highest and best bid they can obtain

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Filed May 11-1935. Order of Private Sale.

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12012 therefore, and for not less than the appraised value thereof; and the court, being fully advised in the premises, finds that at the time of the issuing of the former order of sale and at the time the sale was held at public auction there was a defect in the service of parties defendant in this action, in that the minor defendant, George Max Conklin, had not been properly served with summons according to the provisions of the statute in such cases made and provided, and that it is therefore impossible to confirm said sale, and the same is hereby declared of no effect.

It further appears to the court that it is for the best interest of said estate and all parties interested therein that the order to sell said real estate at public auction heretofore made by this court be vacated and held for naught, and that an order issue from this court directing the sale of said real estate at private sale for the highest and best price that can be obtained therefor, and for not less than the appraised value thereof.

It is therefore adjudged and decreed that the former order of this court directing that the real estate in the plaintiffs' petition be sold at public auction shall be vacated and held for naught and said order of sale returned to this court showing no sale made thereunder, and it is further adjudged and decreed that a new order of sale be issued to the plaintiffs in this action directing them as such administrators, to proceed at once to sell said real estate for not less than the appraised value thereof and for the highest and best price they can obtain for the same.

L. W. Hazen - Judge.

Filed May 11-1935. Order of Private Sale.

Order of Private Sale.

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

To Emma F. Conklin and Henry Conklin, as administrators of the estate of Lewis H. Conklin, 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 administrators are Plaintiffs, and Emma F. Conklin, 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:

First Tract.

Situated in the Township of Millcreek, County of Union and State of Ohio, to-wit: A tract of land in Millcreek Township, about 12 miles east of Marysville and about 4½ miles south of Unionville, in Virginia Military Survey No. 3006, bounded and described as follows, viz: Beginning at a stone in the middle of the Henderson Road at the

THE COL. B. B. MFG. CO 73503

12512

Southwest corner of said Survey; thence with the west line of the survey N. 27° W. 188.2 poles to a post corner to Augmire; thence with his line, N. 84½° E. 75 poles to a large post corner to Sheppard; thence with his line, N. 83½° E. 72 poles to a post and north 84½° E. 146½ poles to an iron pin in the State Road; thence with said Road S. 64½° E. 6.6 poles to an iron pin in the middle of the New California and Delaware Road; thence with said road S. 37° 45' W. 88.72 poles to an iron pin corner to William A. Conklin; thence with his lines, S. 52¼° E. 6.64 poles to an iron pin, S. 37 3/4° W. 3.32 poles to an iron pin, S. 52¼° E. 2.88 poles to an iron pin, S. 52¼° E. 18.72 poles to an iron pin and S. 37 3/4° W. 121 poles to an iron pin in the middle of the Harriott Stone Road; thence with said road and with the Hudnson Road S. 84½° W. 106 poles to the place of beginning. Containing two hundred twenty-six (226) acres, more or less, subject to public easement for highways as now located.

An undivided one-half interest in the following real estate:

Second Tract.

Situated in the County of Licking, in the State of Ohio, and in the Township of Washington and bounded and described as follows: Being part of Lot number one (1), being in the south-east corner of said Lot, the first quarter of the fourth Township and Twelfth Range of the United States Military Tract, in the State of Ohio: Beginning at the center of the South line of Lot Number One (1); thence east one hundred and Sixty-three and 3/4 (163 3/4) perches; to the south-east corner of said Lot; thence north one hundred and sixty (160) perches; to a corner of Lee A. Bell; thence west one hundred (100) perches to a corner of Samuel Bell's twenty (20) acre lot; thence south fifty (50) perches to a post in the prairie; thence west sixty-four (64) perches to a post near a large White Oak Tree; thence south one hundred and one-fourth (100¼) perches to the place of beginning. Containing one hundred and forty-six acres of land, more or less.

Said sale to be upon the following terms: The first tract of real estate described in the plaintiffs' petition is to be sold subject to the mortgage of The Northwestern Mutual Life Insurance Company thereon, and the balance of the purchase price, if any, to be for cash; and the second tract of land described in the plaintiffs' petition is to be sold for cash upon the delivery of the deed to the purchaser thereof.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 15 day of April, 1935.

L. W. Hazen - Probate judge

{Seal}

12512

Return

Report of Private Sale.

Affidavit to Report of Private Sale.

Filed May 11- 1935. Entry, Confirming Sale, Ordering Deeds and Distribution.

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Return.

To the Probate Court of Union County, Ohio.

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

Return

Dated this 9 day of May, 1935.

Emma V. Conklin.
Henry Conklin. Administrators of the Estate of Lewis H. Conklin, deceased.

Repot of Private Sale.

In obedience to the command of the within order of sale we did on the 9 day of May, 1935, offer said property at private sale, and A.P. Gordon of Jamestown, Ohio, having offered for the first tract the sum of $13,560.00, payable as follows: $11,137.50 by the assumption of the mortgage of The Northwestern Mutual Life Insurance Company upon said real estate, and $2,422.50, in cash, said sum so offered being not less than the appraised value of said real estate, and William A. Conklin of Plain City, Ohio, having offered for the second tract the sum of $4250.00, and the same being not less than the appraised value of said property, we sold said two tracts of land to the said A. P. Gordon and William A. Conklin, respectively, upon those terms and for those sums.

Repot of Private Sale.

Emma V. Conklin.
Henry Conklin. Administrators of the Estate of Lewis H. Conklin, deceased.

Affidavit to Repot of Private Sale.

State of Ohio, Union County, ss.

Emma V. Conklin and Henry Conklin, administrators, being duly sworn, say that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Affidavit to Repot of Private Sale.

Emma V. Conklin.
Henry Conklin.

Subscribed in my presence and sworn to before me this 9 day of May, 1935.

(Seal)

Mary B. Aumine - Notary Public.
Probate Court, Union County, Ohio.

Filed May 11 - 1935. Entry, Confirming Sale, Ordering Deeds and Distribution.

Emma V. Conklin and Henry Conklin, administrators of the Estate of Lewis H. Conklin, deceased,

Plaintiffs,

-vs-

Emma V. Conklin, et al.,

Defendants.

No. 12512 - May 11th. 1935.
Entry, Confirming Sale, Ordering Deed and Distribution.

THE COL. & B. MFG. CO. 73503

12512

This day this cause came on to be heard on the report of Emma V. Conklin and Henry Conklin as administrators of the estate of Lewis H. Conklin, deceased, and their proceedings under the former order of this Court directing sale of real estate at private sale, and upon the motions of said petitioners to confirm the sale made in obedience to said order, the court having carefully examined said report and having found 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 Lewis H. Conklin to the first tract of land described in the petition herein being 226 acres situated in the Township of Millcreek, County of Union and State of Ohio, to the purchaser, A. V. Gordon, upon the said purchaser assuming and agreeing to pay to The Northwestern Mutual Life Insurance Company the amount now due on their mortgage on said real estate to-wit, the sum of $ 11,137.50, and paying to said administrators the sum of $ 2,422.50 in cash; and that the said petitioners execute a deed of all the right, title and interest of the said Lewis H. Conklin and William A. Conklin to the second tract of land described in the plaintiffs' petition, to-wit; 146 acres in the County of Licking, State of Ohio, and Township of Washington, upon the said William A. Conklin, the purchaser, paying to said petitioners the sum of $2125.00 for the undivided one-half interest in said real estate and paying to the liquidator of The First State Bank of Plain City, Ohio, the sum of $2085.50, being one-half of the amount due on the said mortgage to The First State Bank of Plain City.

This cause coming on further to be heard upon the pleadings herein and upon a motion to distribute the proceeds of the sale it is ordered that the said petitioners pay to the said The First State Bank of Plain City the one-half of the mortgage and interest due, or the sum of $ 2085.50, and that the balance be retained by them to be administered with the other assets of the estate of Lewis H. Conklin, deceased, and it is further ordered that this proceeding be recorded and that said petitioners pay the costs herein.

L. W. Hazen - Probate Judge.

12846
Filed
Jan. 8- 1930.

Waiver of Notice and Consent to Sale.

12846
Filed
Jan. 8- 1935.

In the Matter of The Estate of Rosa Victoria Spain, Deceased.
Probate Court, Union County, Ohio.

In the Matter of the Estate of Rosa Victoria Spain, Deceased. | No. 12846.
| Application to Sell Personal Property.

Richard L. Cameron, respectfully represents that he is the duly appointed, qualified and acting executor of the Last Will and Testament of Rosa Victoria Spain, deceased, late of said county; that the assets of said estate have been duly appraised and an inventory filed in this Court.

Your applicant asks authority to sell the following personal property at private sale through the usual banking channels and paying therefor the usual commission, to-wit:

One Fourth Liberty Loan Registered Bond,
Number 3060061 for $ 500.00, appraised value, $ 500.00.

Application is made for authority to sell said personal property for the reason that the same constitutes the only personal property belonging to said estate and there are no other assets from which to derive the funds for the payment of the debts and costs of administration except said bond; that there are bills for funeral expenses and physicians services during last sickness which should be paid as speedily as possible.

By the terms of the will of said Rosa Victoria Spain, Howard M. Eaton is the only legatee and devisee of her property and there is filed herewith his waiver of notice and consent to said sale.

Richard L. Cameron - Executor
of the Estate of Rosa Victoria Spain,
deceased.

State of Ohio, Union County, ss.

Richard L. Cameron, being first duly sworn, deposes and says that the facts stated and allegations made and contained in the foregoing application to sell Personal Property, are true as he verily believe.

Richard L. Cameron.

Sworn to before me and signed in my presence by the said Richard L. Cameron as Executor of the estate of Rosa Victoria Spain, deceased, this 18th. day of December, 1934.

{Seal} Mary B. Aurine - Notary Public.

Waiver of Notice and Consent to Sale.

Waiver of Notice and Consent to Sale.

The undersigned, Howard M. Eaton, being the only legatee and devisee named in the will of Rosa Victoria Spain, deceased, hereby waives notice of the foregoing application and consents to the private sale of said personal property as therein requested.

Howard M. Eaton.

THE COL. B. B. MFG. CO. 73503

12846 Filed Jan. 8-1935. Entry Ordering Sale.

Probate Court of Union County, Ohio.

In the Matter of the Estate of Rosa Victoria Spain, Deceased. | No. 12846- Entry Ordering Sale.

This day this cause came on to be heard upon the application of Richard L. Cameron, executor, to sell personal property therein described, and the evidence; and the Court being fully advised in the premises, finds that the statements and allegations are true; that there is no surviving spouse; that Howard M. Eaton, the only legatee and devisee, has filed herein his consent to said sale, and that it is for the best interest of said estate to sell said personal property at private sale.

It is therefore ordered that said Richard L. Cameron, as executor of the Last Will and Testament of the said Rosa Victoria Spain, deceased, proceed to sell at private sale through the usual banking channels and for not less than the then market value thereof with permission to pay the usual commission for said sale,

One Fourth Liberty Loan Registered Bond Number 306006 for $ 500.00, appraised value $ 500.00.

and that said executor make return of his proceedings herein within 30 days after the sale.

L. W. Hazen - Probate Judge.

12958 Filed Feb. 18-1936.

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12908
Filed
Feb. 18-1936.

In the Matter of the Estate of Lucinda Horn, Deceased.
In the Probate Court of Union County, Ohio.
Case No. 12908.
Application to Sell Real Estate Under Authority of Will.

In the Matter of the Estate of Lucinda Horn, Deceased.

Now comes Rene M. Baker and Lucille S. Smith and say the Last Will and Testament of Lucinda Horn, Deceased, was admitted to probate and record in the Probate Court of Union County, Ohio, on the 8th. day of June, A. D. 1935, in Case No. 12901; and that the said Rene M. Baker and Lucille S. Smith were duly appointed and qualified as Executrices of the Estate of Lucinda Horn, Deceased, on the 11th. day of June, A. D. 1935, by the Probate Court of Union County, Ohio, in Case No. 12908, and as such, they are now acting.

Applicants say Item XIV. of said Last Will and Testament is as follows, to-wit:

"All the residue of my estate, real and personal, of every kind and description, wheresoever situated, which I may own at the time of my decease, I give, devise and bequeath to N. W. Spratt, Thomas Spratt, Sarah Fisher, Caroline Baker, Eunice Smith, Armeda Householder and Ethel Daniels, to be equally divided among them, share and share alike. Should any of the above named legatees precede me to the great Beyond, then it is my Will that the portion they have received, be distributed to the heirs of the body of the deceased legatee."

Applicants say the real estate hereinafter described is a part of the residue of said Estate, which was appraised by the appraisers for the sum of One Thousand Nine Hundred Fifty Dollars ($1,950.), and which is more fully described as follows, to-wit:

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

Being all of Lot Number Two Hundred Twelve (212) in Poppleton's Addition to the Village of Richwood, in said County of Union, and a part of the North side of Lot Number Two Hundred and Eleven (211) in said Addition, said strip being nineteen and one third (19 1/3) feet wide in front and Seven (7) feet in width in the rear at the alley. Said lots fronting on Franklin Street.

For a more specific description, see the Recorded Plat of said Addition in the Recorder's Office at Marysville, O.

Applicants say J. A. Sanders has offered to purchase said real estate at private sale for the sum of Two Thousand Two Hundred Dollars ($2,200) and they believe it to the best interest of the residuary legatees of said estate and to all persons concerned, to sell said

THE COL. B. B. MFG. CO. 73503

12958

real estate to said purchaser for said sum.

Wherefore, Rene M. Baker and Lucille S. Smith, Executrices of the Estate of Lucinda Hom, Deceased, pray the Court for an Order authorizing and directing them to sell the real estate hereinabove described to J. M. Sanders at private sale in and for the sum of Two Thousand Two Hundred Dollars ($2,200) cash, and for such other and further Orders to which they are entitled in law and equity.

Robert T. Allen - Attorney for Lucille S. Smith and Rene M. Baker, Executrices.

State of Ohio, County of Union, ss:

Lucille S. Smith, being first duly sworn according to law, deposes and says that she is one of the Executrices of the Estate of Lucinda Hom, Deceased; that as such Executrix, she is duly authorized and empowered to make this oath; and that the facts stated and the allegations set forth in the foregoing application are true as she verily believes:

Lucille S. Smith.

Sworn to before me and subscribed in my presence this 4th. day of Feb. a. D. 1936.

{Seal} Martha T. Parrott - Notary Public.

State of Ohio, County of Lucas, ss:

Rene M. Baker, being first duly sworn, according to law, deposes and says that she is one of the Executrices of the Estate of Lucinda Hom, Deceased; that as such Executrix, she is duly authorized and empowered to make this oath; and that the facts stated and the allegations set forth in the foregoing application are true as she verily believes.

Rene M. Baker.

Sworn to before me and subscribed in my presence this 6th. day of February, a. D. 1936.

{Seal} Ella G. Kemp - Notary Public.

Filed Feb. 18-1936. Order to Executrices to Sell Real Estate Under Authority of Will.

In the Probate Court of Union County, Ohio.

In the Matter of the Estate of Lucinda Hom, Deceased.

Case No. 12958

Order to Executrices to Sell Real Estate Under Authority of Will.

This matter came on to be heard on the application filed herein by Rene M. Baker and Lucille S. Smith as the Executrices of the Estate of Lucinda Hom, Deceased, and it is therefore found by the Court that the Last Will and Testament of the said Lucinda Hom, Deceased, was admitted to probate on the 8th. day of June, a. D. 1935 in the Probate Court of Union County, Ohio, in Case No. 12951; that Rene M. Baker and Lucille S. Smith were duly appointed and qualified as Executrices of the Estate of Lucinda Hom, Deceased, on the 11th. day of June, a. D. 1935, by the Probate Court of Union County, Ohio, in Case No. 12958, and as such they are now acting.

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It is further found by the Court that Item XIV. in the Last Will and Testament of Lucinda Horn, Deceased, reads as follows, to-wit:

"All the residue of my estate, real and personal, of every kind and discription, wheresoever situated, which I may own at the time of my decease, I give, devise and bequeath to U. W. Spratt, Thomas Spratt, Sarah Fisher, Caroline Baker, Eunice Smith, Armeda Householder and Ethel Daniels, to be equally divided among them, share and share alike. Should any of the above named legatees precede me to the great beyond, then it is my will that the portion they have received, be distributed to the heirs of the body of the deceased legatee."

It is further found by the Court that the real estate hereinafter described is a part of the residuum of said estate which real estate was appraised by the appraisers of said Estate in and for the sum of One Thousand Nine Hundred Fifty Dollars ($1,950.), which is more fully described as follows, to-wit:

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

Being all of Lot Number Two Hundred and twelve (212) in Poppleton's Addition to the Village of Richwood, in said County of Union, and a part of the north side of Lot Number Two Hundred and Eleven (211) in said Addition, said strip being nineteen and one third (19 1/3) feet wide in front and of Seven (7) feet in width in the rear at the alley. Said lots fronting on Franklin Street.

For a more specific desciption, see the Recorded Plat of said Addition in the Recorder's Office at Marysville, O.

It is therfore, ordered, adjudged and decreed that the said Rene M. Baker and Lucille S. Smith, Executrices of the Estate of Lucinda Horn, Deceased, are hereby authorized and empowered to sell said real estate to J. A. Sanders at private sale in and for the amount of Two Thousand Two Hundred Dollars ($2,200) cash, and to execute and deliver a proper Deed for the premises.

L. W. Hazen - Probate Judge.

THE COL. B. B. MFG. CO. 73503

12988
Filed
Aug. 5 - 1935.

In the Matter of the Estate of Cyrus S. Coons, Deceased.
In the Probate Court of Union County, Ohio.
In the Matter of the Estate of Cyrus S. Coons, Deceased. | No. 12988.
Application to Sell.

Sarah B. Coons respectfully represents that she is the duly appointed, qualified and acting administratrix of the estate of Cyrus S. Coons, deceased, late of said county; that the assets of said estate have been duly appraised and an inventory filed in this court.

Your applicant asks authority to sell the following personal property at private sale, upon such terms as the court may order:

Description of Article	Appraised Value.
Pass Book showing deposit in the Bellefontaine Building and Loan	$ 443.40

Application is made for the reason that it is necessary to sell the chattels to pay the debts of the estate.

Hooper & Sanders
Attorneys for Applicant.

State of Ohio, Union County, ss:

C. A. Hooper being duly sworn, says that he is one of the attorneys for the applicant, and that the facts stated in the foregoing application are true as he verily believes.

C. A. Hooper.

Sworn to before me and subscribed to in my presence this 5th. day of August, 1935.

Seal

Ruth Hess - Notary Public.

Filed
Aug. 5 - 1935.
Entry Ordering Sale.

In the Probate Court of Union County, Ohio.
In the Matter of The Estate of Cyrus S. Coons, Deceased. | No. 12988.
Entry Ordering Sale.

This day this cause came on to be heard upon the application to sell personal property therein described, and the testimony; and the court being fully advised in the premises, finds that the statements and allegations in said petition are true, that the widow have been duly notified and has no desire to take the property sought to be sold at its appraised value, and that such property ought to be sold at its appraised value 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 Sarah B. Coons, as Administratrix of said Cyrus S. Coons, proceed to sell said personal property at private sale, for not less than $ 443.40.

It is further ordered that said sale be made upon the following terms, to-wit: Cash in hand at time of sale.

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12988 It is further ordered that said Administratrix make return of her proceedings herein, within thirty days after the sale.

L. W. Hazen - Probate judge.

THE COL. G. B. MFG. CO. 73503

11859
Filed
Jan. 28-1936.

In the Matter of the Trusteeship of Thompson B. Smuffin, as Trustee for Eva M. Spensley under the Will of Lonsdale P. Spensley, Deceased.

Probate Court, Union County, Ohio.

In the Matter of the Trusteeship of Thompson B. Smuffin as Trustee for Eva M. Spensley under the will of Lonsdale P. Spensley, Deceased.

No. 11859.
Application for an Order to Sell Stock.

Now comes Thompson B. Smuffin, heretofore appointed and still acting as Trustee for Eva M. Spensley under the provisions of the will of Lonsdale P. Spensley, deceased, and moves the Court for an order to sell an additional amount of the principal stock of the trust funds which are now invested in the participating preferred stock of The Capital Loan & Savings Company, for the reason that the income now produced by the principal of the trust funds invested is greatly diminished with that it produced at the time the will was made, and that the said Eva M. Spensley is now ill and incurring additional expenses because of said illness, and that it is necessary from time to time to use a small amount of the principal of said investment, and for that purpose it is requested that an order be issued permitting the sale of not to exceed $6300.00 additional of said stock at par value by said Trustee as and when the same is needed, such stock to be sold for not less than 75% of the face value thereof.

Thompson B. Smuffin - Trustee.

State of Ohio, Union County, ss.

Thompson B. Smuffin, being first duly sworn, says that he is the Trustee as above set forth, and that the facts stated and allegations made in the foregoing application are true as he verily believes.

Thompson B. Smuffin.

Signed in my presence and sworn to before me this 28th. day of January, 1936.

[Seal]

Mary B. Amrine - Notary Public.
Union County, Ohio.

Filed
Feb. 3-1936.
Consent to Sale.

Probate Court,

In the Matter of the Trusteeship of Thompson B. Smuffin as Trustee for Eva M. Spensley under the will of Lonsdale P. Spensley, Deceased.

No. 11859.
Consent to Sale.

The undersigned, Eva M. Spensley, beneficiary under the trust provisions of the will of Lonsdale P. Spensley, deceased, hereby waives the issuing and service of the notice of the application of Thompson B. Smuffin, Trustee, for an order to sell additional stocks of the principal investment in a sum not to exceed $6300.00, and for a

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Filed
Feb. 3-1936.
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price not less than 75% of its face value, and consents that said order may be issued forthwith and said stock may be sold as applied for therein.

Eva Spensley.

Filed Feb. 3-1936. Entry.

Probate Court, Union County, Ohio.

In the Matter of the Trusteeship of Thompson B. Smuffin, as Trustee for Eva M. Spensley under the will of Lonsdale P. Spensley, Deceased.

No. 11859. Entry.

This day this cause came on to be heard upon the application of Thompson B. Smuffin, Trustee for Eva M. Spensley under the provisions of the will of Lonsdale P. Spensley, deceased, for an order for the sale of an additional amount of the principal stock in which said funds are invested; and the Court, being fully advised in the premises, finds that the said Eva M. Spensley has been duly notified of said application and has filed herein her waiver of notice and consent to said sale, and the Court further finds that because of the diminishing returns from said principal investment and because of the extra-ordinary expense by reason of sickness of said Eva M. Spensley, that it is necessary to sell an additional amount of said stock, and it is therefore adjudged and decreed that the said Thompson B. Smuffin, as such Trustee, be directed and permitted to sell an additional amount of the principal investment now invested in the participating preferred stock of The Capital Loan & Savings Company in an amount not to exceed the face value of $6300.00, and that said sale or sales be made as deemed necessary by said Trustee but said stock is not to be sold for less than 75% of its face value.

L. W. Hazen - Probate Judge.

13082 Filed Jan. 22-1936.

In the Matter of the Estate of Josephine McDaniel, Deceased.

Petition to Sell Personal Property.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Josephine McDaniel, Deceased.

No. 13082 - January 22, a.D. 1936. Petition.

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified Administrator of the estate of Josephine McDaniel, late of said County; that the personal property of said estate has been duly appraised and the inventory and appraisement thereof filed in said Court; that the surviving spouse has not by election taken any of the property listed herein at its appraised value; that

THE COL. O. B. MFG. CO 73503

13082

none of the property listed herein has been specifically bequeathed nor has distribution in kind thereof been demanded.

Your petitioner makes application for authority to sell at private sale, as provided by law, and at such price and upon such time as the Court may order, the following personal property of said estate described in said inventory and appraisement, to-wit:

Description of Articles Appraised	Appraised Value	
20 shares stock of The Richwood Banking Company, Richwood, Ohio.	$ 2200.	00
Ring	10.	00
2 Nelson Rugs	7.	00
1 Floor Lamp	5.	00
1 Hall Chair	1.	00
1 Watch	10.	00
Dining room rug	7.	00
Table on porch	1.	00
cedar chest	3.	00
Day bed	5.	00
Sewing machine	3.	00
Sideboard	8.	00
clock	1.	00
1 small rocker	1.	00
1 large rocker	1.	00
2 wicker rockers	2.	00
1 small bed	5.	00
Drapes and curtains	10.	00
Gas stove	2.	50
Electric toaster	1.	00
Lawn mower	3.	00
Gas stove	40.	00
Parlor rug	15.	00
Dining table	7.	00
Electric iron	1.	00
Mattress	2.	00
Small parlor rug	1.	50
Straight chair	.	75
Bed	10.	00
Porch swing	1.	00
Bed and Springs	8.	00
Stand lamp	.	75
Cupboard and fruit	1.	50
Dresser	3.	50
Rug	1.	00
Radio	10.	00
Student table	2.	00
Stand	1.	25
Sweeper	1.	00

13082

Filed
Jan. 22-1936
Order of
Private Sale.

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The undersigned further represents that said sale would be for the best interest of said estate, for the following reasons:

That stocks ordinarily are not sold at public auction and the sale of this stock can be had at a better price at private than at public sale.

Dated January 22, 1936.

T. K. Mc Daniel - Administrator.

The State of Ohio, Union County.

T. K. Mc Daniel, being duly sworn, says that the various matters and things contained in the foregoing application are true, as he verily believes.

T. K. Mc Daniel.

Sworn to before me and signed in my presence, this 22 nd. day of January, 1936.

Seal

T. A. Mc Allister - Notary Public.

Filed Jan. 22-1936. Order of Private Sale.

Order of Private Sale, Personal Property.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Josephine Mc Daniel, Deceased. | No. 13082. Order of Sale of Personal Property.

To T. K. Mc Daniel, Administrator of the estate of Josephine Mc Daniel, deceased :-

In obedience to an order and decree of said court, 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, for the best price obtainable, the following goods and chattels belonging to said estate, to-wit:

Description of Articles Appraised	Appraised Value.	
20 shares stock of The Richwood Banking Company	$ 2200.	00
Ring	10.	00
2 Wilton Rugs	7.	00
1 Floor Lamp	5.	00
Hall chair	1.	00
Watch	10.	00
Dining room rug	7.	00
Table on porch	1.	00
Cedar chest	3.	00
Day bed	5.	00
Sewing machine	2.	00
Sideboard	3.	00
Clock	1.	00
1 small rocker	1.	00
1 large rocker	1.	00
2 wicker rockers	2.	00
1 small bed	5.	00
Drapes and curtains	10.	00
Gas stove	2.	50
Electric toaster	1.	00
Lawn mower	3.	00

THE COL. B. B. MFG. CO. 73503

13082	Gas stove	40.	00
	Parlor rug	15.	00
	Dining table	7.	00
	Electric iron	1.	00
	Mattress	2.	00
	Small parlor rug	1.	50
	Straight chair		75
	Bed	10.	00
	Porch swing	1.	00
	Bed and Springs	8.	00
	Stand lamp		75
	Cupboard and fruit	1.	50
	Dresser	3.	50
	Rug	1.	00
	Radio	10.	00
	Student table	2.	00
	Stand	1.	25
	Sweeper	1.	00

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

You will return this order within two months from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court, this 22nd. day of January, 1936.

Seal L. W. Hazen- Probate judge.

Return.

Probate Court, Union County, Ohio.

In the Matter of the Estate of
Josephine McDaniel, Deceased. | Report of Sale of Personal Property.

The undersigned, T. K. McDaniel, Administrator of said estate, says that in obedience to the order of said Court, hereto attached, he sold said personal property, on the 22nd. day of February, 1936, for the sum of One Hundred Eighty Two Dollars, and Seventy Five Cents, said sum being not less than the price fixed by the Court.

Return

A detailed Bill of said Sales is hereto attached.

Dated this 25th. day of February, 1936.

T. K. McDaniel- Administrator.

Bill of Sales.

Description	To Whom sold	Price
20 shares stock of The Richwood Banking Company, Richwood, Ohio.	W. S. Burgoon	$ 2200.00
Ring	Almeda M. Hopworth	10.00
2 Woven Rugs	" "	7.00
1 Floor Lamp	" "	5.00
1 Hall chair	" "	3.00

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7.	00		Table on porch	" "	1.00
1.	00		Cedar chest	" "	3.00
2.	00		Day bed	" "	5.00
1.	50		Sewing machine	" "	2.00
.	75		Sideboard	" "	3.00
10.	00		Clock	" "	1.00
1.	00		1 small rocker	" "	1.00
8.	00		1 large rocker	" "	1.00
.	75		2 wicker rockers	" "	2.00
1.	00		1 small bed	" "	5.00
3.	00		Draper and curtains	" "	10.00
1.	00		Gas stove	" "	2.50
10.	00		Electric toaster	" "	1.00
2.	00		Lawn mower	" "	3.00
1.	25		Gas stove	Leila M. Folk	23.00
1.	00		Parlor rug	" "	15.00
			Dining table	" "	7.00
			Electric iron	" "	1.00
			Mattress	" "	2.00
			Small parlor rug	" "	1.50
			Straight chair	" "	.75
			Bed	J. Alva McDaniel	10.00
			Porch swing	" " "	1.00
			Bed and springs	Lawrence W. McDaniel	8.00
			Stand lamp	" "	.75
			Cupboard and fruit	" "	1.50
			Dresser	" "	3.00
			Rug	" "	1.00
			Radio	J. Alva McDaniel	10.00
			Student Table	Almeda M. Hopworth	2.00
			Stand	Lawrence W. McDaniel	1.25
			Sweeper	T. K. McDaniel	1.00

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The State of Ohio, Union County.

T. K. McDaniel, Administrator of the estate of Josephine McDaniel, deceased, being duly sworn, says that the foregoing Report is in all respects true and correct, that such sale has been made after diligent endeavor to obtain the best price for the property, and that the sale reported is for the highest price he could get for the property.

T. K. McDaniel.

Sworn to before me and signed in my presence, this 25th. day of February, 1936.

Seal

T. A. McAllister - Notary Public.

THE COL. B. B. MFG. CO. 73503

13082

Journal Entry.
Probate Court, Union County, O.
Feb. 26, 1936.

In the Matter of the Estate of Josephine McDaniel, Deceased. | Sale of Personal Property Confirmed.

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

L. W. Hazen - Probate Judge.

Sale of Personal Property confirmed.

Filed
Jan. 27- 1936.
Journal Entry
Authorizing
Sale of
Personal Property.

Journal Entry.
Probate Court, Union County, Ohio.
Jan. 27- 1936.

The Estate of Josephine McDaniel, Deceased. | Authorizing Sale of Personal Property.

This day this cause came on to be heard upon the application to sell personal property therein described, 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 such property 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. K. McDaniel as Administrator of said estate proceed according to Law to sell said personal property at private sale, to the highest bidder.

It is further ordered that said sale be made upon the following terms, to-wit: cash in hand at time of sale:

It is further ordered that said Administrator make return of his proceedings herein, within 30 days after the sale, and this cause is continued.

L. W. Hazen - Probate Judge.

12704
Filed
Feb. 11- 1936.

In the Matter of the Estate of Louisa B. Brooks, Deceased.
In the Probate Court, Union County, Ohio.
No. 12704.
In the Matter of the Estate of Louisa B. Brooks, Deceased. | Application to Sell Personal Property.

Guyon Sanders respectfully represents that he is the duly appointed, qualified and acting administrator of the estate of Louisa B. Brooks, deceased; late of Union County, Ohio; that among the assets of said estate is the following personal property to-wit:

Detroit International Bridge Company Debenture No. M 3344.
Detroit International Bridge Company Debenture No. M 3428.
30 Shares of Common Capital Stock of Cleveland Securities Corporation - Certificate No. C 6416.

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12704 Certificate of Participation No. 96 in the Trusted assets of The Fairmpe State Bank and The Union Banking Co., both of West Mansfield, Ohio.
One Note signed by Jesse Pratt and Esther Pratt-Amt. due $250.00
One Note signed by Jesse Pratt and Esther Pratt-Amt. due $ 30.00
One Note signed by John + Nellie Tredmore - Amt. due $140.00
One Note signed by Ray + Nellie Middlesworth - Amt. due $125.00
One Note signed by D.W. Heindel + Joanna Green - Amt. due $100.00
One Note signed by C. E. Baldwin and Ellen M. Stahl-Amt. due $30.00
One Note signed by C. E. Baldwin + Ellen M. Stahl-Amt. due $40.00
That all of the assets above named do not exceed in value the sum of $317.78; that it is necessary to sell the same in order to administer said estate and pay the debts thereof; that he has been offered the sum of $317.78 for said assets and that said offer is the best price he can obtain for the same;
Wherefore; this applicant asks authority to sell the same to G. K. McGinnis and R. K. McGinnis at private sale for the sum of $317.78 cash.

Gwynn Sanders - Administrator.

State of Ohio, Union County, ss.

Gwynn Sanders being first duly sworn says that he is the administrator of the estate of Louisa B. Brooks, deceased, and that the facts stated and allegations made in the foregoing application are true as he verily believes.

Gwynn Sanders.

Sworn to before me and subscribed in my presence this 11th. day of February, 1936.

{Seal} R. B. Neer - Notary Public.

Filed Feb. 11-1936. Entry.

In the Probate Court of Union County, Ohio.

In the Matter of the Estate of Louisa B. Brooks, Deceased. | No. 12704. | Order of Sale.

This day this cause came on to be heard upon the application of Gwynn Sanders, Administrator of said estate for an order authorizing and directing him to sell to G. K. McGinnis and R. K. McGinnis, at private sale the following described chattel property, assets of said estate, to-wit:
Detroit International Bridge Company Debentures Nos. M 3347 and M 3428.
Certificate No. C 6416 for 30 shares of the Common Stock of the Cleveland Securities Corporation.
Certificate of Participation No. 96 in the Trusted Assets of The Farmers State Bank and The Union Banking Company, both of West Mansfield, Ohio.
Note signed by Jesse Pratt and Esther Pratt, amt. due $250.00
Note signed by Jesse Pratt and Esther Pratt, amt. due $ 30.00
Note signed by John and Nellie Tredmore, amt. due $140.00
Note signed by Ray and Nellie Middlesworth, amt. due $125.00
Note signed by D.W. Heindel + Joanna Green, amt. due $100.00

THE COL. B. B. MFG. CO. 73503

12704

Note signed by C. E. Baldwin and Ellen M. Stahl, amt. due $30.00
Note signed by C. E. Baldwin & Ellen M. Stahl, amt. due $70.00

And it appearing to the court that it is necessary to sell said assets in order to administer said estate and to pay the debts thereof; that the fair value of all of said assets is $317.78; That D. K. McGinnis and R. K. McGinnis have offered to buy the same for the sum of $317.78 in cash, and that it would be for the best interest of said estate to accept said offer.

It is therefore considered by the court that Guyon Sanders, as such administrator, be, and he is hereby authorized and directed to sell all of said assets to D. K. McGinnis and R. K. McGinnis for the sum of $317.78, and to cause the certificates for said stock to be transferred to said purchasers upon the books of said corporations.

L. W. Hazen - Probate judge.

Certificate.

I, L. W. Hazen, Judge and ex-officio Clerk of the Probate Court of Union County, Ohio, within whose custody the files and Records of said Court are required by law to be kept, do hereby certify that the foregoing is a true and correct copy of an order of said court in said cause, and remaining on file and of record in this office.

Witness my signature and the seal of said Court this 11th day of February, 1936.

L. W. Hazen - Probate judge.

13099
Filed
Feb. 20-1936.

In the Matter of the Estate of Katherine Schneider, Deceased.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of Katherine Schneider, Deceased.	No. 13099. Application to Sell Personal Property.

Jacob Grunbaum respectfully represents that he is the duly appointed, qualified and acting Executor of the Estate of said decedent; That the assets of said estate have been duly appraised and an inventory filed in this Court.

Applicant asks authority to sell personal property of said estate at public auction.

Jacob Grunbaum - Executor.

State of Ohio, Union County, ss:

Jacob Grunbaum, being first duly sworn, says that he is the Executor herein, and that the facts stated and allegations contained in the foregoing application are true as he verily believes.

Jacob Grunbaum.

Sworn to before me and subscribed in my presence this 19th. day of February, 1936.

(Seal)

C. A. Hooper - Notary Public.

13099
Filed
Feb. 20-1936.
Order of Public Sale.

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13099
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Feb. 20-1936.
Order of
Public Sale.

In the Probate Court, Union County, Ohio.
In the Matter of the Estate of | No. 13099.
Katherine Schiderer, Deceased. | Order of Public Sale.

To: Jacob Grumbaum, Executor of the Estate of:
Katherine Schiderer, deceased.

In obedience to an order and decree of the Probate Court within and for said County, you are hereby authorized and required to proceed according to law to sell, at public auction, to the highest bidder, after giving at least 15 days notice of the time and place of sale in some newspaper in general circulation throughout the County, or by advertisements set up in at ledst five public places in said township where said sale is to take place, the following personal property:

1 cow;
buggy, surry & sleigh;
corn sheller;
bee hives;
harness;
saddle;
grass seeder; corn grader;
rope;
stove;
wagon tongue;
brooder house;
chicken coops;
hog house;
water tank;
grind stone;
one horse cultivator;
garden plow;
miscellaneous;
12 barrels;
canned fruits, about 100 cans;
fruit jars and 10 gal. jar;
2½ gal. vinegar;
3 logs;
1 calf trough;
cook stove;
oil stove;
base burner;
heating stove;
sewing machine;
kitchen cabinet;
1 and 2 gallon jars and fruit jars;
kitchen table;
dresser;
stand;
wardrobe;

THE COL. B. B. MFG. CO 73503

13099

6 tall chairs;
6 low chairs;
3 straight chairs;
sewing rocker;
3. rockers;
1 straw rug, 1 small rug + linoleum rug;
1 - 9X12 rug;
1 - 12X15 rug;
1 side board;
table;
magazine rack;
book case;
piano;
mirror;
1 set dishes;
dishes + utensils;
single bed;
lounge;
ironing board;
box kitchen utensils;
dresser;
wash stand and small stand;
lap robe;
8 gal. apple butter;

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

You will return this order within thirty (30) days after the sale, together with your report thereon.

L. W. Hazen - Probate Judge.

Filed Mar. 9-1936. Report & Public Sale.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of Katherine Schiderer, Deceased. | No. 13099. | Report & Public Sale.

Now comes Jacob Grumbaum, Executor of the Estate of Katherine Schiderer, deceased, and says that in obedience to the order of this court heretofore entered herein, he sold said personal property on the 5th. day of March, 1936, at public auction; that he received for said personal property the sum of $319.86 that a copy of the Clerk's record of said sale, showing each item sold and the amount received therefor, is sheets attached, marked "Exhibit A", and made a part hereof; that the sum of $10.00 was paid to John Parr for acting as auctioneer of said sale, and the sum of $2.00 was paid to Peter Fisher for acting as Clerk of said sale, leaving the net amount received from said sale the sum of $307.86.

Dated this 7th. day of March, 1936.

Hoopes & Sanders.
Attorneys for Executor.

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13099 State of Ohio, Union County, ss:

Jacob Gruenbaum, being first duly sworn, says that he is the executor of the Estate of Katherine Schneider, deceased; that the facts stated and allegations made in the foregoing report of public sale are true as he verily believes.

Jacob Gruenbaum.

Sworn to before me and subscribed in my presence this 7th. day of March, 1906.

{Seal} Guynn Sanders-Notary Public.

"Exhibit A."

Article	Who purchased	Price
Dishes	Chas. Patrick	.20
Dishes	Ernest Schneider	.20
Dishes	Jonas Miller	.20
Dishes	Ernest Schneider	.30
Dishes	Hill	.95
Platter	Alfred Schneider	.10
Dishes	Herman Kleiber	.35
Dishes	Alfred Schneider	.25
Dishes	Ernest Schneider	.15
Teapot	Ernest Schneider	.15
Bacon dish	Mat Miller	.30
Pitcher	Chas. Patrick	.35
Tumblers	Adam Kleiber	.55
Dishes	Mr. Miller	.10
Plates and saucers	C. D. Bomhager	6.10
Table	Christie Rausch	1.75
Cans - basket	Mamie Burns	.25
Cans - basket	C. D. Bomhager	.10
Cans in box	Mrs. Kleiber	.25
Cans in basket	Broadstone	.20
Bottles	Alfred Schneider	.15
Jelly glasses	Miller	.05
Cake	Alfred Schneider	.35
Can - jugs	Mrs. Kleiber	.15
Lids & Vinegar	Alfred Schneider	.10
Vinegar	C. D. Bomhager	.35
Wash Bench	Fred Reed	.10
Mops	Mrs. J. W. Allen	.15
Lard can & case	H. Bomhager	.25
Small store	Patrick	.25
Dishes	Kleiber	.05
Canton	Fred Reed	.90
Apple peeler	Alfred Schneider	.70
Basket trinkets	H. Bomhager	.35
Scales	G. R. Nicely	.55
Basket trinkets	Ernest Schneider	.15

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THE COL. & B. MFG. CO. 73503

13099	Wash board	Uenrick	.15
	Wash tub	Ernest Schneider	.70
	Clothes rack	Christine Rausch	.05
	Scratcher	B. Boutrager	.10
	Cold packer	a. a. Lotter	.30
	Small tub	Ernest Schneider	.25
	Wringer + rack	Mrs. U. Schneider	2.00
	Library table	Miller Jonas	5.00
	Bed pan	Miller Jonas	.05
	Jars (2)	Louis Kleiber	.20
	Jars (2)	Herman Kleiber	.15
	Jars (2)	R. Rausch	.15
	Jars (2)	Ed Gruenbaum	.00
	Jars (7)	Jonas Miller	.40
	Jars (2)	Mrs. Plank	.20
	Jar	Bert Pyers	1.08
	Jars - mixing	Alfred Schneider	.30
	Jars	Perry Smith	.40
	Jars - large	Walter Volbrath	.65
	Cracked jar	Robert Nicol	.10
	20 gal. jar	John Kleiber	1.15
	Kettle	Chas. Patrick	.45
	Lids	Walter Volbrath	.15
	Wash pan	Mrs. Plank	.20
	Pans	Ernest Schneider	.20
	Roaster	Boutrager	.50
	Coffee pot	Mrs. Louis Kleiber	.40
	Cake pan	Ernest Schneider	.50
	Wash pans	Mr. Schneider	.25
	Skillets + Bucket	Ernest Schneider	.50
	Dish pan + kettles	Mrs. Hay	.55
	Box trinkets	Alfred Schneider	.30
	Trinkets	Geo. Hegenderfer	.45
	Kraut cutter	Chas Patrick	.20
	Kettles	Christine Rausch	.50
	Lamps	Bill Newland	.40
	Clothes hanger	Broadstone	.25
	Sprayer	Alfred Schneider	.25
	Pans	C. D. Boutrager	.45
	Pans + kettles	Mr. J. Millet	.30
	Pans	Ralph Rausch	.20
	Pans	Ernest Schneider	.20
	Trinkets	B. Boutrager	.20
	Skillets	Ernest Schneider	.15
	Table	Walter Volbrath	.15
	Table - aluminum	Nora Schneider	.80
	Box and Bench	Elmer Boerger	.20
	Chairs (4)	Christine Rausch	1.20
	Chairs (4)	Chas. Patrick	.80

13099	Chair
	Chair
	Rocker
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	Ward
	Piano
	Linol
	Rifle
	Shovel
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	9 X 12
	Grave
	12 X 1
	Blank
	Robe

.15	13099	Chairs	Alfred Schneider	4.80
.70		Chairs (4)	Bert Converse	2.00
.05		Rocker	Alfred Schneider	1.00
.10		Dresser	Mike Rausch	3.70
.30		Wash stand	Mike Rausch	.35
.25		Book case	Alfred Schneider	1.20
2.00		Bed springs + mattress	Ernest Schneider	8.50
5.50		Chair - rocker	Ernest Schneider	4.50
.05		Chair - rocker	Alfred Schneider	2.75
.20		Rocker	Christine Rausch	7.00
.15		Stands	Mary Grimm	.55
.15		Oak stand	Uenick	.35
.50		Stand + stool	Mrs. Grimm	1.00
.40		Stand - small	Alfred Schneider	1.60
.20		Magazine rack	Mrs. May	.65
1.08		Ironing board	Mr. Hill	.15
.30		Bed	Alfred Schneider	3.00
.40		Flower boxes	Christine Rausch	.20
.65		Heating stove	Alfred Schneider	.00
.10		Coal Bucket	Anthony	.20
1.15		Juic - stove rug	Alfred Schneider	.25
.75		Juic - stove rugs	Alfred Schneider	.10
.15		Kitchen cabinet	Anthony	4.25
.20		Dresser - cherry	Christine Rausch	4.00
.20		Stove - hot blast	Bert Pyers	5.00
.50		Broad axe	Alfred Schneider	.25
.40		Small tools	Alfred Schneider	1.40
.50		Small tools, saw, etc.	Hill	.60
.25		Small tools	Ernest Schneider	.50
.00		Small tools	Alfred Schneider	1.00
.55		Sleigh bells	W. J. Rausch	.25
.30		Hanging lamps	J. Morse	.25
.45		Range	Chas. Patrick	2.25
.20		Oil cook stove	W. J. Rausch	11.00
.50		Side board	Mrs. Robert Nicol	1.25
.40		Mirror	Mrs. Anthony	1.75
.25		Mirror	Otto Rausch	1.00
.25		Wardrobe	Ernest Schneider	5.00
.45		Piano	Christine Rausch	35.00
.80		Linoleum	Alfred Schneider	1.80
.20		Rifle	Alfred Schneider	.00
.20		Sewing machine	Otto Rausch	16.60
.20		Thro rug	Mrs. Rich. Nicol	.75
.15		Thro rug	Mrs. Grimm	.85
.15		9X12 rug	Ernest Schneider	10.05
.80		Grass rug.	Dora Uenick	1.10
.20		12. X 14 rug	Wm. Rausch	13.50
1.20		Blanket	Mrs. Grimm	.80
.80		Robe	Mrs. Grimm	5.00

THE COL. B. B. MFG. CO 73503

13099	Rain apron	Lewis Grenbaum		.05
	Barrels	Otto Rausch	1	.30
	"	John Kleiber	1	.20
	"	Ed Grenbaum	1	.15
	"	John Kleiber	1	.10
	"	John Kleiber	4	.25
	Jars & stool	Carl Ray		.01
	Covered box	Wm. Rausch		1.30
	Cupboard	Mrs. Miller		.75
	Cupboard	Nannie Burns		.90
	Wire	Mary Morse		.15
	Glass	Mrs Hill		3.00
	Coops	Lewis Grenbaum	9	4.50
	Plow	Mr. Anthony		1.75
	Lawn mower	Nannie Bunger		4.00
	Tedder	Bill Newland		.20
	Brooder house	Otto Rausch		20.00
	Hog house	Elmer Boerger		.50
	Box Harness	Mr. Disbennett		.45
	Hog troughs,	Homer Yutzy		1.60
	Grass seeder	Mr. Anthony		.20
	Spring seat & Boiler	Raymond Yutzy		.15
	Spade & hoe	Mr. Disbennett		.10
	Shovel & earthhook	Alfred Schneider		.15
	Shovel	Bill Golden		.55
	Coal scoop	Grant Wycoff		.15
	Scoop shovel	Mrs. Griffith		.20
	Spray pump	Mrs. Plank		.10
	Corn grader	Bill Golden		.15
	Drum	W. J. Wycoff		.05
	Buck saw	Disbennetts		.30
	Wringer	Mary Golden		.15
	Buckets	Mose Schneider		.20
	Table	W. J. Wycoff		.30
	Garden plow	Elmer Boerger		.90
	Box & buckets	Alfred Schneider		.10
	Oil can & milk can	Bill Newland		.20
	Barrel	Edward Grenbaum		.10
	Barrel & Box	Alfred Schneider		.35
	Stool & Boxes	Mrs. Golden		.30
	Sprinkling can	Ernest Schneider		.55
	Plow share	Disbennett		.60
	Junk	Bontrager		.85
	Grindstone	Carl George		.10
	Wheel barrow	Elmer Boerger		.40
	Step ladder	Alfred Schneider		.25
	Barrel	Alfred Schneider		.05
	Sleigh	Bill Rausch		.25
	Carriage	Noah Miller		1.00

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Filed
Mar. 9- 1936.
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.05	13099	Buggy	Bontriger	.40
.30		Corn Sheller	Bill Golden	1.10
.20		Bee hives	Bill Golden	.15
.15		Wagon tongue	Alfred Scheidner	.70
.10		Stone	Bill Newland	.50
.25		Bed & cupboard	Jacob Grunbaum	.50
.01		Sweet clover sack	Jack Grunbaum	.75
1.30		Harness	Diebenwett	.50
.75		Saddle	Alfred Scheidner	3.00
.90		Windows frames	Noah Miller	.15
.15		Red roan cow	Otto Rausch	55.00
3.00				
4.50	Filed	In the Probate Court, Union County, Ohio.		
1.75	Mar. 9-1936.	In the Matter of the Estate of	No. 13099.	
4.00	Entry.	Katherine Scheidner, Deceased.	Entry.	
.20		This day this cause came on to be heard upon the		
20.00		repot of Jacob Grunbaum, as Ejecutor of the Estate		
.50		of Katherine Scheidner, deceased, of his proceedings		
.45		under the former order of this Court for the public		
1.60		sale of personal property.		
.20		The Court, having carefully examined said repot,		
.15		and being satisfied that said sale was in all		
.10		respects regular and legal, it is ordered that the		
.15		same be, and it hereby is, approved and confirmed.		
.55		L. W. Hazen - Probate Judge.		
.15				
.20				
.10	13116	In the Matter of the Estate of Victor E. Taylor, Deceased.		
.15	Filed	In the Probate Court, Union County, Ohio.		
.05	Mar. 2-1936.	In the Matter of the Estate of	No. 13116	
.30		Victor E. Taylor, Deceased.	Application to Sell Personal Property.	
.15		Minnie P. Taylor respectfully represents that she		
.20		is the duly appointed, qualified and acting admin-		
.30		istratrix of the estate of Victor E. Taylor, deceased, late		
.90		of Union County, Ohio; that among the assets of said		
.10		estate are certain farming implements and live stock,		
.20		and that it is necessary to sell said farming implements		
.10		and live stock immediately in order that the assets		
.35		of said estate may be preserved.		
.30		Wherefore, your applicant asks authority to sell		
.55		the personal property of said decedent, consisting of		
.00		said live stock and said farming machinery, at		
.85		public sale, on the 9th. day of March, 1936, and		
.10		that she be empowered to employ an auctioneer		
.40		and clerk for the purpose of carrying on said sale.		
.25		Minnie P. Taylor.		
.05				
.25				
1.00				

THE COL. U. D. MFG. CO 73503

13116

State of Ohio, Union County, ss:

Minnie P. Taylor, being first duly sworn, says that she is the administratrix herein, and that the facts stated and allegations made in the foregoing application are true as she verily believes.

Minnie P. Taylor.

Sworn to before me and subscribed in my presence this 2nd. day of March, 1936.

{Seal} Guyon Sanders - Notary Public.

Filed Mar. 2-1936. Entry.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of Victor E. Taylor, Deceased. | No. 13116. | Entry.

This day this cause came on to be heard upon the application of Minnie P. Taylor for authority to sell personal property of the decedent, consisting of live stock and farming machinery.

The Court, being fully advised in the premises, finds that it is necessary to sell said property in order to preserve the assets of said estate.

It is therefore ordered, adjudged and decreed that Minnie P. Taylor, Administratrix, be, and she hereby is, authorized and empowered to sell said personal property, at public auction, on the 9th. day of March, 1936, and to employ the service of an auctioneer and clerk for the purpose of making sale.

It is further ordered, adjudged and decreed that said Minnie P. Taylor, as Administratrix aforesaid, make due return of said sale to this Court within thirty days after the same has been consummated.

L. W. Hazen - Probate Judge.

Filed Mar. 13-1936. Report of Public Sale.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of Victor E. Taylor, Deceased. | No. 13116. | Repot of Public Sale.

Now comes Minnie P. Taylor, Administratrix of the Estate of Victor E. Taylor, deceased, and says that in obedience to the order of this Court heretofore entered herein, she sold said personal property on the 9th. day of March, 1936, at public auction; that she received for said personal property the sum of $809.15; that a copy of the Clerk's record of said sale, showing each item sold and the amount received therefor, is hereto attached, marked "Ephibit A", and made a part hereof; that the sum of $10.00 was paid to Gus Detwiller for acting as auctioneer of said sale, and the sum of $2.00 was paid to Peter Fisher for acting as Clerk of said sale, leaving the net amount received from said sale the sum of $797.15.

Dated this 10th. day of March, 1936.

Hooper & Sanders - Attorneys for Administratrix.

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13116 State of Ohio, Union County, ss:

Minnie P. Taylor, being first duly sworn, says that she is the administratrix of the Estate of Victor E. Taylor, deceased; that the facts stated and allegations made in the foregoing report of public sale are true as she verily believes.

Minnie P. Taylor.

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

{Seal} C. A. Hooper - Notary Public.

"Exhibit A."

Article	Who purchased		Price.
Single trees - pair	Henry Baker	Pd.	.25
" " "	Geo. Kelly	Pd.	.25
Garden Plow	Adrian Potts	Pd.	.40
Box bolts	Mr. Mc Clung		.10
Oil - 2 can	Wm. Kasper	Pd.	.25
Cup grease	Chas. Borchet		.30
Belt	John Dyer	Pd.	.50
Clevises	Geo. Kelly	Pd.	.45
Box iron	Geo. Kelly	Pd.	.85
Shares - box iron	Mc Clung		.65
Hammer & table	C. C. Taylor	Pd.	.30
Rasp & iron	Geo. Kelly	Pd.	.10
Fork	Loper	Pd.	.60
Shovel	Henry Baker	Pd.	.25
Boring chain	Dorf Gamble	Pd.	.25
Belt & shovel	M. Marquette	Pd.	.20
Block and tackle	John Dyer	Pd.	1.80
Apron	H. Myers	Pd.	.35
Corn cutter	Marquette	Pd.	.35
Scythe	J. J. Mayberry	Pd.	.25
Box iron	Dwight Weaver	Pd.	.10
Dies	Walter Hickok	Pd.	7.50
Dies - adjustable	" "	Pd.	6.50
Bench tools	C. C. Taylor	Pd.	2.75
Wrenches	Bert Frederick	Pd.	.35
"	John Hodge	Pd.	.55
"	Clarence Long	Pd.	.55
Small tools	Lloyd Kelly	Pd.	.85
Squeezer	C. Taylor	Pd.	.25
Tools	John Hodge	Pd.	.15
Share & seat	Chas. Walls	Pd.	.20
Fodder tier	R. C. Gibbs	Pd.	.25
Pipe	A. Potts	Pd.	.10
Clevice & iron	Henry Baker	Pd.	.05
Motor & blower	Lloyd Kelly	Pd.	6.00
Iron	Wood	Pd.	.10

THE COL. B. B. MFG. CO 73503

13116	Fan + iron	Weaver	Pd.	.10
	Vise	John Hodge	Pd.	4.75
	Punches + punch	Mr. Heller	Pd.	.40
	Chisels + cold	Harold Weaver	Pd.	.10
	Wrenches + chisels	Martin Volhath	Pd.	.20
	Box Tools	Dwight Weaver	Pd.	.25
	Double Trees	Clarence Baker	Pd.	.60
	" "	Ray King	Pd.	.85
	Iron	Dwight Weaver	Pd.	.05
	Hose shoes	" "	Pd.	.05
	Saw, trowel	John Dodge	Pd.	.15
	Box iron	J. Mc Coun	Pd.	.10
	Iron	Henry Baker	Pd.	.25
	Chain, square, etc.	Mapquette	Pd.	.30
	Iron	J. Mc Coun	Pd.	.20
	"	Clarence Baker	Pd.	.15
	Rivets	J. Dyer	Pd.	.40
	Box iron	J. Mc Coun	Pd.	.15
	Iron	D. Weaver	Pd.	.10
	Vise	Mc Coun - Baker got it		.10
	Hose	J. Harpel	Pd.	.25
	Gas solder Heater	Clarence Baker	Pd.	.35
	Rod	Geo. Kelly	Pd.	.35
	Rod - iron	C. Lowery		.10
	Rod - iron	" "		.20
	Rod - "	Geo. Kelly	Pd.	.40
	Rod - "	" "	Pd.	.30
	Rods (2)	Kelly	Pd.	.35
	Rod	Geo. Kelley	Pd.	.10
	Flat long iron	" "	Pd.	.40
	Rods (3)	" "	Pd.	.40
	Iron strips	" "	Pd.	.25
	Small rods	John Dyer	Pd.	.10
	Hack saws	" "	Pd.	.40
	Cow Bell	Mr. Jordan	Pd.	.85
	Vise	Clarence Baker	Pd.	.15
	Monkey wrench	Dwight Weaver	Pd.	.15
	Box of Tools	Geo. Hindmer	Pd.	.10
	Rasps	Clarence Baker	Pd.	.80
	Hand saw	Taylor		.30
	Single tree	John Hodge	Pd.	.20
	Punch, rasp, etc.	Heller	Pd.	.15
	File + cold chisel	Bert Frederick	Pd.	.10
	Harpoon fork	Johnny Weaver	Pd.	.70
	Mallet + hammer	Roy King	Pd.	.30
	Tools	Wm. Yoder	Pd.	.10
	Hammers	Mc Coun	Pd.	.25
	Punches	Johnny Weaver	Pd.	.35
	Nail puller	Bert Frederick	Pd.	.35

13116	Punch
	"
	Large
	Pair
	"
	"
	"
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	Large
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	Pipe
	Bolt
	1 Bun
	1 Bun
	1 "
	Barrel
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	Punch
	Punch
	Box
	Weldi
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	Weld
	Rode
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	Gas
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	Gene
	Break
	Corn
	Harr

.10	13116	Pinchers	Chas. Laughorn	Pd.	.10
4.75		"	John Dyer	Pd.	.30
.40		Large pinchers	Chas. Laughorn	Pd.	.55
.10		Pair "	" "	Pd.	.25
.20		" "	Mc Cown	Pd.	.10
.25		" "	Everett Weaver	Pd.	.10
.60		" "	Chas. Lowry		.05
.85		" "	Mc Cown	Pd.	.10
.05		Large Hammer	Kelly	Pd.	.45
.05		" pipe wrench	Glen Mrs Burney	Pd.	1.25
.15		Pipe cutter	Adrian Potts	Pd.	.75
.10		Bolt "	L. G. Huber	Pd.	1.20
.25		1 Bunch sacks	R. C. Gibbs	Pd.	.25
.30		1 Bunch "	Adrian Potts	Pd.	.15
.20		1 " "	John Wise	Pd.	.20
.15		Barrel of trinkets	Everett Weaver	Pd.	.05
.40		Hot Shot	C. Lowry		.05
.15		Hammers	Clarence Baker	Pd.	.85
.10		"	Chas. Pouchet		.20
.10		"	Weaver	Pd.	.15
.25		"	Mc Cown	Pd.	.10
.35		Pinchers	"	Pd.	.10
.85		Pinchers	Clarence Long	Pd.	.40
.10		Box iron	Chas. Poucheff		.10
.20		Welding Bench	Adrian Potts	Pd.	.75
.45		Oysting shells	" "	Pd.	.15
.30		Vise	Clarence Baker	Pd.	.50
.35		Awrib	Russel Welch	Pd.	5.00
.10		Emery	C. Taylor		3.00
.40		Corn sheller	John Dyer	Pd.	6.75
.40		Drill press	C. Taylor		6.50
.25		Drills	Mc Cown	Pd.	3.50
.10		Large drills	Lloyd Kelly	Pd.	6.50
.40		8 Prapp	Geo. Poston		1.00
.85		Welder	Chas. Armentrout	Pd.	.80
.15		Step ladder	Henry Baker	Pd.	.75
.15		Motor	Clarence Long	Pd.	1.25
.10		Welding outfit	J. Mc Cowne	Pd.	10.00
.80		Welding metal	" "	Pd.	.60
.30		Rods 1 bunch	Kelly	Pd.	1.20
.20		" 1 "	J. Mc Cowne	Pd.	.60
.15		" 1 "	" "	Pd.	.25
.10		Gas heater	J. F. Gugel	Pd.	2.60
.70		Sled	Lewis Hilpert	Pd.	.10
.30		Double shovel plow	Mayberry	Pd.	.15
.10		Generator	J. Mc Cowne	Pd.	2.00
.25		Breaking plow	Johny Weaver	Pd.	2.50
.35		Corn sled	C. Lowry		1.00
.35		Harrow	C. W. Buchtel	Pd.	.30

THE COL. B. B. MFG. CO. 73503

13116	Harness	Harpell	Pd.	31.00	13116	
	Collar	John Dyer	Pd.	1.70	Filed	In th
	Collar	Ballard	Pd.	1.40	Mar. 13-1936.	Victo
	"	Dolhath	Pd.	1.60	Entry.	
	Pads	Porschet	Pd.	.20		report
	Drum	Clarence Baker	Pd.	.05		Estate
	Corn plow	E. R. Sherman	Pd.	1.75		under
	Disk	Dwight Weaver	Pd.	7.25		sale
	Drill	P. Miller	Pd.	6.50		T
	Planter	John Wise	Pd.	.75		and
	Mower	P. Miller	Pd.	16.50		respec
	Tractor	John Weaver	Pd.	34.00		same
	Tractor corn plow	" "	Pd.	14.00		
	" plow	" "	Pd.	3.50		
	Wagon	N. B. Holtsberry	Pd.	19.00		
	Gas Engine	Dolrath	Pd.	4.25	13093	In
	Pump jack	Wise	Pd.	.06	Filed	
	Cord	C. Sowers		6.80	Mar. 3-1936.	In
	Chains	E. R. Sherman	Pd.	.25		Adam
	Springs	John Poston	Pd.	.10		C
	Creasy S.	E. R. Sherman	Pd.	10.25		the
	Lamp	C. Armentrout	Pd.	.25		last
	Stove	Mrs. Eisaman	Pd.	1.80		late
	Range Stove	R. W. Rader		4.00		the
	Cart	George Poston		.25		and
	Drum	" "		.10		
	Stove B.	Taylor	Pd.	2.00		perso
	Cooker	P. Miller	Pd.	.50		for
	Sow & pigs	Ballard	Pd.	68.00		and
	Gilt	Gerhard	Pd.	46.00		
	Hog water	S. W. McKitrick	Pd.	2.00		
	Yellow corr	W. Jordan		67.00		follow
	Black "	" "		70.00		proper
	Heifer	W. Casper	Pd.	19.00		make
	Corr & calf	J. S. Rebolt	Pd.	36.00		admi
	Mud boat	John Dyer	Pd.	.60		
	9 Sheep	G. S. Baker	Pd.	6.15		State
	9 Sheep	R. C. Gibbs	Pd.	5.90		C
	9 Sheep	Baker	Pd.	5.75		says
	Hay T.	G. Poston	Pd.	3.00		ape
	Hay B.	J. H. Peine	Pd.	4.50		
	Corn	Porschet 70 Bu.		.45¢		S
	Oats	J. Gugle	Pd.	.29¢		third
	29 shock corn	J. "		.26¢		
	Fodder	E. Porschet	Pd.	2.10	Filed	
	Black Horse	B. F. Anthony	Pd.	120.00	Mar. 3-1936.	In
	Bay "	J. H. Weaver	Pd.	64.00	Entry.	Adam
	Lumber	C. Porschet		1.00		9
				$809.15		appli

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13116
Filed
Mar. 13-1936.
Entry.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of Victor E. Taylor, Deceased. | No. 13116. / Entry.

This day this cause came on to be heard upon the report of Wilpuie P. Taylor, as Adjuinistratrix of the Estate of Victor E. Taylor, deceased, of her proceedings under the former order of this court for the public sale of personal property.

The court, having carefully examined said report, and being satisfied that said sale was in all respects regular and legal, it is ordered that the same be, and it hereby is, approved and confirmed.

L. W. Hazen - Probate Judge.

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13093
Filed
Mar. 3-1936.

In the Matter of The Estate of Adam Streng, Deceased.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of Adam Streng, deceased. | No. 13093. / Application to Sell Personal Property.

Andrew Stierhoff, respectfully represents that he is the duly appointed, qualified, and acting Executor of the last Will and Testament of Adam Streng, deceased, late of the village of Marysville, in said county; that the assets of said estate have been duly appraised and an inventory filed in this Court.

Your applicant asks authority to sell the following personal property at public sale to the highest bidder, for cash, after giving notice thereof for the time and in the manner prescribed by law:

Household goods appraised at $50.00.

Application is made for said authority for the following reasons: It is necessary to sell the above property in order to convert the same into money to make distribution thereof according to the terms of decedent's will.

Andrew Stierhoff.

State of Ohio, Union County, ss.

Andrew Stierhoff, being duly sworn, depose and says that the facts stated in the foregoing application are true as he verily believes.

Andrew Stierhoff.

Sworn to before me and signed in my presence this third day of March, 1936.

{Seal}

Wm. R. Cameron - Notary Public.

Filed
Mar. 3-1936.
Entry.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Adam Streng, Deceased. | No. 13093 - March 3rd. 1936. / Entry.

This day this cause came on to be heard upon the application to sell personal property therein described,

THE COL. & B. MFG. CO. 73503

13093

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 such property ought to be sold as prayed for.

It is therefore ordered that Andrew Stierhoff, as Executor of the estate of said Adam Streng, proceed according to law to sell said personal property at public auction, for cash, to the highest bidder, after giving notice thereof for the time and in the manner prescribed by law.

It is further ordered that said Andrew Stierhoff, Executor, make return of his proceedings herein within thirty days after the sale.

L. W. Hazen - Probate Judge.

Filed Mar. 26- 1936. Order for Public Sale of Personal Propety and Report of Sale.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of Adam Streng, Deceased. | No. 13093 | Report of Sale.

The undersigned Executor of the Will of Adam Streng, deceased, says that in obedience to the order of said Court, hereto attached, he sold said personal property, commencing on the 21st. day of March, 1936, at 1:00 o'clock P. M. and closing on the said 21st day of March, 1936, for the sum of $ 263.38.

A copy of the notice of sale duly verified, together with a bill of said sale is herewith returned.

Dated this 25th. day of March, 1936.

Andrew Stierhoff - Executor.

State of Ohio, Union County, ss:

Andrew Stierhoff, being first duly sworn, says that the facts stated in the foregoing report are in all respects true and correct as he verily believes.

Andrew Stierhoff.

Sworn to before me and signed in my presence this 25th. day of March, 1936.

Seal

Wm. R. Cameron - Notary Public.

Probate Court of Union County, Ohio.

In the Matter of the Estate of Adam Streng, Deceased. | No. 13093 | Order of Public Sale.

To Andrew Stierhoff, Executor of the Will of Adam Streng, deceased:

In obedience to an order and decree of the Probate Court within and for said County made this day in the matter of said estate you are hereby authorized and required to proceed, according to law, to sell at public vendue, for cash, to the highest bidder after giving at least 15 days notice of the time and place of sale, in some newspaper in general circulation throughout the County, or by advertisement set up in at least 5 public places in the Township or municipality where such sale is to take place, the following personal property, to-wit:

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Household goods appraised at $ 00.00.

You will return this order within 30 days after the sale together with your report thereon endorsed.

Witness my hand and the seal of said Court this 3rd. day of March, 1936.

{Seal} L. W. Hazen - Probate Judge.

Executor's Sale.

The undersigned, executor of the estate of Adam Streng, deceased, will sell at public sale at the residence, 514 West Ninth Street, Marysville, Ohio, on Saturday, March 21, at 1 o'clock the following property:

American Beauty steel range, hot blast Florence heating stove, three-burner oil stove, two big glass door cupboards, flour chest, kitchen table, dining table, three kitchen chairs, two wardrobes, chest of drawers, small stand, six dining room chairs, six cane bottom chairs, two wash stands, linoleum, porch swing, carpet sweeper, dresser, sewing machine, electric iron, steel bed springs and mattress, two wooden beds, springs and mattress, four parlor chairs, large looking glass, hanging lamp, sofa, 9X12 rug, small rugs, stand, seven rocking chairs, 9X12 linoleum rug, carpets, Silvertone radio, single bed, bedding, set of porch chairs, dishes, kitchenette, silverware, glass cans, jars, clocks, 9X20 linoleum rug, and other articles. Miscellaneous: Top buggy, harrow, garden plow, double shovel plow, small tools of all kinds, and other articles too numerous to mention.

Terms of Sale: Cash.

Andrew Stierhoff, Executor of the Estate of Adam Streng.

Starr & Son, Auctioneers.

State of Ohio, Union County, ss:.

Andrew Stierhoff, Executor of the estate of Adam Streng, deceased, makes oath that notice of the sale of the personal property of said deceased, of which the above is a true copy, was given by posting the same not less than fifteen days next preceding such sale, in at least five public places in the municipality wherein such sale took place.

Andrew Stierhoff - Executor.

Sworn to before me and signed in my presence this 25th. day of March, 1936.

Wm. R. Cameron - Notary Public.

{Seal}

13093
Filed
Mar. 26-1936.
Sale of
Personal Property
Confirmed.

Probate Court, Union County, O.

Estate of Adam Streng, Deceased. | March 26th. 1936. Sale of Personal Property Confirmed.

The Executor of the estate of the above named decedent having filed his return of the order heretofore issued for public sale of the personal property of said decedent, and the Court having carefully examined the same, finds said proceedings in all respects regular and in accordance with law, and therefore approves and confirms the same.

L. W. Hazen - Probate Judge.

12689
Filed
Aug. 31-1934.

In the Matter of The Estate of Joseph Roff, Deceased.
Petition to Sell Personal Property at Private Sale.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Joseph Roff, Deceased. | No. 12689. Private Sale of Personal Property. Petition.

To the Judge of said Court:

The undersigned J. C. Brannon, Executor of the estate of Joseph Roff, deceased, late of said County, respectfully makes application for authority to sell at private sale and at the market price, 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:

Four Shares Ohio National Life Insurance Company Stock of Cincinnati, Ohio.

Dated August 31st. 1934.

J. C. Brannon - Executor.

The State of Ohio, Union County.

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

J. C. Brannon.

Sworn to before me and signed in my presence this 31st. day of August, 1934.

{Seal} William J. Porter - Notary Public.

Filed
Aug. 31-1934.
Journal
Entry

Journal Entry - Orders for Private Sale.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Joseph Roff, Deceased. | August 31st. 1934. Petition for Order to Sell Stock. Orders of Sale, Etc.

This day this cause came on to be heard upon the petition herein filed and the testimony and the Court

12689

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 Stock at private sale; it is therefore ordered that J. C. Brannon as Executor of the Estate of Joseph Roff, deceased, proceed to sell said Stock at private sale, for not less than the sum of Market Value Dollars.

It is further ordered that said sale be made for cash in hand at time of sale.

It is further ordered that said J. C. Brannon make return of his proceedings herein, within 30 days from this Date, and forthwith after such sale is made, and this cause is continued.

L. W. Hazen - Judge.

12957
Filed
June 1- 1935.
Porter & Porter
Attorneys.

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

Joseph H. Bryan, Administrator of the Estate of Della Shirk, Deceased,
Plaintiff,
-vs-
Edna J. Logan and Blain Shirk and Dual B. Reckley,
Defendants.

No. 12957.
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting Administrator of the estate of Della Shirk, deceased, late of this county; as near as can be ascertaind the amount of the valid debts against said deceased is Eight Hundred and Fifty Dollars.

There is no surviving spouse and no children.

And the costs of administering the estate will be about Fifty Dollars.

Petition

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at nothing, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts, allowance and costs aforesaid.

Said decedent did seized in fee simple of the following described real estate situated in the county of Union, State of Ohio, and further described as follows:

It being the undivided one-half of the following described property, to-wit:

It being a part of Survey No. 3470 in York Township,

THE COL. & E. MFG. CO 73503

12957

in said county and state, and beginning in the center of the crossing of the Marysville and Kenton and the Harmon Patrick Roads; thence South 77° 30' East 50 poles to a stone; thence South 12° W. 96 poles to an elm tree; thence North 57° 30' West 26.50 poles to a stake in the center of said Marysville and Kenton Road (a stone bears 57° 30' West 12 feet; thence with the center of said road North 40° 30' West 123 poles to the beginning, containing 20.90 acres more or less.

Said parcel of land is a part of certain premises conveyed by Charles Adams to Maverta Sanderson on the 5th. day of April, 1878, except a corner off the southwest corner of the above described premises, containing about 1.75 acres conveyed by W. S. Webb and T. G. Webb to Joseph Daniels, leaving the amount herein conveyed, containing 19 acres more or less.

Said Blain Shirk claims some interest in the remaining undivided one-half interest in said nineteen acres, more or less, and it is asked that he set up his said interest herein, or that he be forever barred.

Said real estate was included in the inventory of the estate, pursuant to the order of this court and appraised at $1,200.00 for the entire tract, and for the undivided half, $600.00.

Said real estate is encumbered as follows: by the following described mortgage.

2d being a note and mortgage held by Dua B. Buckley, calling for the sum of $345.00, dated September 15th. 1931, found in Vol. 101, Page 88, Union County Record of Mortgage.

The decedent died leaving no surviving spouse.

The defendant, Edna J. Logan, is the sole and only heir at law of said deceased, and is entitled to the next estate of inheritance from the decedent in such real estate, and having interest therein.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold free from all right of dower, there being no surviving spouse; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

Porter + Porter - Attorney for the Plaintiff.

The State of Ohio, Union County,

Joseph H. Bryan, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition

12957

Bath

Filed June 1- 1935 Journal Entry Filing Petition to Sell Real Estate.

Filed June 1-1935. Waiver of Summons & Consent to Sell.

12957

Oath

are true as he verily believes.

Joseph H. Bryan
Administrator as aforesaid.

Sworn to before me and signed in my presence by the said Joseph H. Bryan, at Marysville, Ohio, this 1st. day of June, 1935.

{Seal} Edward W. Porter - Notary Public.
Union County, Ohio.

Filed June 1- 1935 Journal Entry Filing Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio.

Joseph H. Bryan, Administrator of the Estate of Della Shirk, Deceased,

Plaintiff,

-vs-

Edna J. Logan, Blain Shirk and Quad B. Rickley,

Defendants.

Case No. 12957.
Journal Entry.
Filing Petition to Sell Real Estate.

This day came the plaintiff Joseph H. Bryan, as Administrator of the Estate of Della Shirk, deceased, and presented to this Court his petition, duly verified, praying an order for the sale of real estate of the said Della Shirk, 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.

L. W. Hazen - Probate Judge.

Filed June 1-1935. Waiver of Summons & Consent to Sell.

Waiver of Summons, or Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

Joseph H. Bryan, Administrator of the Estate of Della Shirk, Deceased,

Plaintiff,

-vs-

Edna J. Logan, Blain Shirk, and Quad B. Rickley,

Defendants.

No. 12957.
Proceeding to Sell Real Estate.
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.

June 1st. A. D. 1935.

Edna J. Logan.

THE COL. B. B. MFG. CO. 73503

12957
Filed
June 1- 1935.
Answer and
Cross Petition
of Dua B. Keckley.

In the Probate Court, Union County, Ohio.

Joseph H. Bryan, Administrator
of the Estate of Della Shirk,
Deceased,
Plaintiff,
against
Edna J. Logan, Blain Shirk
and Dua B. Keckley,
Defendants.

No. 12957.
Answer and Cross Petition
of Dua B. Keckley.

Now comes Dua B. Keckley, one of the defendants in the above entitled cause and voluntarily enters her appearance herein and waives all questions as to time + notice and for answer to the petition in this case filed, says:

That Elmer E. Shirk and Della Shirk, his wife, did, on the 15" day of September, 1931, convey the premises in the petition described to this defendant, Dua B. Keckley, by mortgage, to secure the payment of three hundred and forty-five dollars ($345.00), with interest, at the rate of six per cent per annum, interest payable semi-annually from said 15th. day of September, 1931. And further, that in default of payment of any installment of interest after a lapse of sixty days, all interest together with the principal, shall become due and payable at the option of the holder, which deed of mortgage was on the 15th. day of September, 1931, left for record with the recorder of said county of Union, and became, and still is a valid and subsisting and first lien on said premises, and that no payments have been made thereon, and there is still due and owing from the estates of each of said Elmer E. Shirk and Della Shirk, his wife, both deceased, said sum of $345.00 with interest, as aforesaid.

Wherefor, said Dua B. Keckley joins in the prayer of the plaintiff herein, and prays that said property may be sold and her said claim be first satisfied out of the procedes thereof, and she asks for such other and further relief to which she may be entitled.

Dua B. Keckley.

Sworn to by said Dua B. Keckley before me, and signed by her in my presence, this 1st. day of June, 1935.

Edward O. Porter- Notary Public.
Union County, Ohio.

Filed
June 1, 1935.
Answer and
Cross Petition
of Blain Shirk.

In the Probate Court, Union County, Ohio.

Joseph H. Bryan, Administrator
of the Estate of Della Shirk,
Deceased,
Plaintiff,
against
Edna J. Logan, Blain Shirk
and Dua B. Keckley,
Defendants.

No. 12957.
Answer and Cross Petition
of Blain Shirk.

12957
Filed
June 1- 1935.
Answer and
Cross Petition
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Now comes Blain Shirk, one of the defendants in the above entitled case, and voluntarily enters his appearance herein and waives all questions as to time, and notice, and says:

1- That he admits that said Joseph H. Bryan, is the duly appointed, qualified and acting Administrator of the Estate of Della Shirk, deceased.

2- That the personal property of said estate is insufficient to pay the debts, as alleged in said petition.

3- That this defendant is the owner of an undivided one-half interest in the real estate described in plaintiff's petition, subject however, to a mortgage covering the whole tract, including the undivided half of deceased, and also the undivided half owned by this defendant.

4- That said defendant, Ina B. Hockley, is the owner and legal holder of said mortgage, as found in Vol. 101, Page 88, of the Union County Record of Mortgages.

Cross Petition - By way of cross petition this defendant says that he freely consents to the sale of said real estate described in plaintiff's petition, including his own undivided one-half interest therein, and he joins in the prayer of the plaintiff herein, and asks that the whole be sold according to law, and that his part, if any, shall be paid to him in money, after all liens, costs and expenses are paid, as required by law.

Blaine Shirk.

The State of Ohio, Union County, ss.

Sworn to by said Blain Shirk before me, and signed by him in my presence, this 1st. day of June, A.D. 1935.

C. C. Jamison - Notary Public,
Union County, Ohio.

Filed June 1- 1985. Answer and Cross Petition of Joseph H. Bryan.

Probate Court, Union County, Ohio.

Joseph H. Bryan, Administrator of the Estate of Della Shirk, Deceased,

Plaintiff,

-vs-

Edna J. Logan, Blain Shirk, Ina B. Hockley and Joseph H. Bryan, Admin. De Bonis Non of the Estate of Elmer E. Shirk, Deceased,

Defendants.

No. 12907.

Answer and Cross-Petition of Joseph H. Bryan, Administrator de bonis non Estate of Elmer E. Shirk, Deceased.

Now comes Joseph H. Bryan, Administrator de bonis non of the estate of Elmer E. Shirk, deceased, one of the defendants herein, and answering the petition herein says:-

That he admits that said Joseph H. Bryan, is the duly appointed, qualified and acting administrator of the estate

THE COL. B. B. MFG. CO. 73503

12957

of Della Shike, deceased.
That the personal property of said estate is insufficient to pay all of the debts of said estate as alleged in said petition.

And further he admits that said Dua B. Keckley, is the owner and legal holder of said mortgage, as found in Vol. 101, page 88, of the Union County Records of Mortgages.

Cross Petition.

Defendant for his cross petition herein says that he freely consents to the sale of said real estate described in plaintiff's petition, including the undivided one-half interest in the estate of Elmer E. Shike, deceased, and he joins in the prayer of the plaintiff herein, and asks that the whole be sold according to law, and that the part if any, belonging to the estate of Elmer E. Shike, deceased, be paid to him as administrator de bonis non with the will annexed, for distribution as required by law.

Porter & Porter.

State of Ohio, County of Union, ss:-

Joseph H. Bryan, being first duly sworn deposes and says that he is the duly qualified, acting administrator de bonis non with the will annexed of the estate of Elmer E. Shike, deceased, and that as such he is one of the defendants herein, and that the facts stated and the allegations contained are true as he verily believes.

Joseph H. Bryan.

Sworn to before me and signed in my presence by said Joseph H. Bryan this 1st. day of June, 1935.

William J. Porter - Notary Public.
Union County, Ohio.

{Seal}

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

Filed June 1- 1935. Application to Sell at Private Sale.

Joseph H. Bryan, Administrator of Estate of Della Shike, Deceased, Plaintiff,

-vs-

Edna J. Logan, et al.., Defendants.

No. 12957.
Application.

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:

1- Because a purchaser has already been secured who will pay the appraised value thereof, at once, and in cash.

2- Because if sold at private sale the full appraised value will be paid, whereas, if sold at public sale,

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Affidavit of Disinterested Person.

Filed June 1- 1935. Dispensing with a new appraisement and Ordering Bond.

12957

it might go for two-thirds the appraisement, only.
3- Because it will save the expense of advertising for a public sale.
And he therefore asks for an order authorizing him to sell said real estate at private sale.

Joseph H. Bryan - Administrator of the Estate of Della Shirk, Deceased.

The State of Ohio, Union County.

Joseph H. Bryan, being duly sworn, says that the various matters set forth in the forgoing application are true as he verily believes.

Joseph H. Bryan.

Sworn to before me and signed in my presence this 1st. day of June, A. D. 1935.

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

(Seal)

Affidavit of Disinterested Person.

The State of Ohio, Union County.

Abren Yeardsley, Dolph Moore and Court T. Poulton, 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, and for the reasons given in the application herein as we verily believe.

Abren Yeardsley.
Dolph Moore.
Court T. Poulton.

Sworn to before me and signed in my presence this 1st. day of June, 1935.

C. C. Jamie - Notary Public, Union County, Ohio.

(Seal)

Filed June 1 - 1935.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Dispensing with a New appraisement and Ordering Bond.

Joseph H. Bryan, as Administrator of the Estate of Della Shirk, Deceased, Plaintiff,

-vs-

Edna J. Logan, et al., Defendants.

Dispensing with a New appraisement and Ordering Bond.

This matter came on to be heard upon the petition of the plaintiff for authority to sell real estate of the above decedent to pay debts of said estate, and the answer and cross-petition of the defendant, Dua B. Yeckley, mortgagee, the other defendants being in default of answer, although served with summons according

THE COL. B. B. MFG. CO 73503

12957

to law and such service of summons is hereby approved. The Court finds from the evidence that all necessary parties are before the Court and that the prayer of the petition should be granted; that the real estate described in the petition was appraised by the appraisers of the estate at Twelve Hundred Dollars, and that a further appraisement is dispensed with.

The Court further finds that the bond heretofore given by the plaintiff as Administrator of the estate of Della Shirk, Deceased, in the amount of One Hundred Dollars is insufficient and is ordered that he file an additional bond with sufficient sureties to be approved by this Court in the sum of Two Thousand Dollars, and this cause is continued.

L. W. Hazen - Probate judge.

Filed June 1 - 1935. Bond of Administrator.

Bond of Administrator.

Know all men by these presents, that we, Joseph H. Bryan, Bina Bryan and Dwight Jackson, are held and firmly bound to the State of Ohio in the penal sum of Two Thousand Dollars, to the payment of which sum well and truly to be made we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

Signed by us and dated at Marysville, Ohio, this 25th. day of May, 1935.

The condition of the above obligation is such, that if the above bound Joseph H. Bryan, Administrator of the Estate of Della Shirk, deceased, late of York Township, in the County of Union and State aforesaid:

1. Make and return to the Court, on oath, within the time required by law, a true inventory of all moneys, goods, chattels, rights and credits of the deceased, which are by law to be administered, which come to his possession or knowledge, and an inventory of the real estate of the decedent;

2. Administer according to law all the moneys, goods, chattels, rights and credits of the deceased, the proceeds of any action for wrongful death, or of any settlement, with or without suit, of a wrongful death claim, and the proceeds of all her real estate sold, which come to the possession of the Administrator or to the possession of any person for him;

3. Render, upon oath, a just and true account of his administration, at the time or times when required by the Court or the law. Failing so to do for thirty days after he has been notified by the Probate Judge of the expiration of the time, he may forthwith be removed by the Court and he shall receive no allowance for services, unless the Court enters upon its journal that such delay was necessary and reasonable;

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Filed June 1 - 1935. Approving Additional Bond and Ordering Private Sale.

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Filed June 1 - 1935. Order of Private Sale.

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4. Pay any balance remaining in his hands, upon the settlement of his accounts, to such persons as the Court or the Law directs;

5. To deliver the Letters of Administration into Court in case a Will of the deceased be thereafter duly proved and allowed;

Faithfully and honestly discharge the duties devolving upon him, as such Administrator; then this obligation to be void; otherwise to remain in full force and virtue in law.

Joseph H. Bryan.
Blia Bryan.
Dwight Jackson.

This Bond approved in open Court, this 1st. day of June, 1935.

[Seal] L. W. Hazen - Judge.

Filed June 1- 1935. Approving Additional Bond and Ordering Private Sale.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Joseph H. Bryan, as Administrator of the estate of Della Shirk, Deceased, Plaintiff,
-vs-
Edna J. Logan, et al., Defendants.

Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Two thousand and no/100 Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said estate to sell the real estate described in the petition at private sale, it is now ordered that Joseph H. Bryan as such Administrator, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed June 1- 1935. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Joseph H. Bryan, Administrator of the estate of Della Shirk, Deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as administrator of the estate of Della Shirk, deceased, are Plaintiff and Edna J. Logan et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale,

THE COL. B. B. MFG. CO. 73503

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for not less than Twelve hundred dollars, the appraised value thereof, the following described premises, to-wit:

Situated in the Township of York, County of Union and State of Ohio, part of Survey No. 3470. Beginning in the center of the crossing of the Marysville and Fenton and Harman Patrick Roads; thence south 77 deg. 30' E. 50 poles to a stone; thence S. 12 deg. 96 poles to an elm tree; thence N. 67 deg. 30' W. 26.50 poles to a stake in the center of said Marysville and Fenton Road (a stone bears 67 deg. 30' W. 12 feet); thence with the center of said road N. 40 deg. 30' W. 123 poles to the beginning, containing 20.90 acres more or less. Said parcel of land is a part of certain premises conveyed by Charles Adams to Minerva Sandmont on the 5th. day of April, 1878, except a corner off the southwest corner of the above described premises, containing about 1.75 acres conveyed by W. G. Webb and T. G. Webb to Joseph Daniels, leaving the amount herein conveyed, containing 19 acres more or less.

Said sale to be upon the following terms: Cash.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 1st. day of June, 1935.

{Seal} L. W. Hazen - 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.

Return

Dated the 1st. day of June, 1935.

Joseph H. Bryan.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the — day of June, 1935, offer said property, at private sale, and Nettie Trout having offered therefor the sum of Twelve hundred Dollars ($1200.00) and the same being not less than the appraised value of said property, I sold the same to said Nettie Trout for that sum.

Report of Private Sale.

Joseph H. Bryan.

Affidavit to Report of Private Sale.

The State of Ohio, Union County, ss.

Joseph H. Bryan, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Affidavit to Report of Private Sale.

Joseph H. Bryan.

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Filed June 1- 1935 Journal Entry- Confirming Sale, Ordering Deed and Distribution

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Subscribed in my presence and sworn to before me, this 1 day of June, 1935.

{Seal} L. W. Hazen - Probate Judge.

Filed June 1- 1935 Journal Entry - Confirming Sale, Ordering Deed and Distribution

Journal Entry - Proceeding to Sell Real Estate.

Probate Court, Union County, Ohio.

June 1st. 1935.

Confirming Sale, Ordering Deed and Distributions.

Joseph H. Bryan, as Administrator of both of the Estates of Elmer E. Shirk & of Della Shirk, Deceased,

Plaintiff,

-vs-

Edna J. Logan, et al.,

Defendants.

This day this cause came on to be heard on the report of Joseph H. Bryan as administrator of the estate of Della Shirk of this 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; 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 Della Shirk and Elmer E. Shirk, both deceased, in said real estate, to the purchaser, Nettie Trout. 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 Twelve Hundred and no/100 Dollars. The Court finds that there is due to the said Ina B. Keckley upon the note set forth in her answer and cross-petition, from the estates of said Della Shirk and of said Elmer E. Shirk, each deceased, the sum of Four Hundred and Thirty-two Dollars (each 1/2 paying $215.86 Dollars), with interest thereon at six per centum from the date of this entry; that the said Ina B. Keckley has cancelled said mortgage on the record:

It is further ordered that said Joseph H. Bryan as Administrator, aforesaid, out of the money in his hands, pay: First, the costs and expenses of the sale, including an Attorney fee of $ 50.00 to Potter & Porter for services performed for the fiduciary in connection with the sale and the sum of $ Sixty-eight Dollars, to the fiduciary for his services in connection with the sale, which costs, expenses, fee and compensation shall be paid prior to any liens upon the real estate sold and notwithstanding the purchase of such real

THE COL. B. B. MFG. CO 73503

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estate by a lien holder.
Second, to the payment of taxes, penalties, and assessments then due, against such real estate and to the payment of mortgages and judgments against the estate.
Third, the remaining proceeds of sale to be applied as follows:
(b) To discharge the claims and debts of the estate, in the order provided by law;
(c) Whether such executor or administrator was appointed in this state or elsewhere, the surplus of the proceeds of sale must be considered as real estate and be disposed of accordingly.
Fourth. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $—, out of the proceeds of said sale, within ten days.

L. W. Hagen - Probate Judge.

12822
Filed
Sept 15-1924
Potter & Potter,
Attorneys.

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

J. C. Brannon, Executor of the Estate of Joseph Roff, Deceased, Plaintiff,

-vs-

John C. Brannon, Emma Rockwell, Ralph Tuckey, Monnett Amos, Defendants.

No. 12822.
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting Executor of the estate of Joseph Roff, deceased, late of this county; as near as can be ascertained the amount of the valid debts against said deceased is Twenty-five Hundred Dollars.

And the costs of administering the estate will be about Three Hundred Dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at Four hundred and twenty two and no/100 Dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts and costs aforesaid.

Said decedent died seized in fee simple of the following described real estate situated in the county of Union, State of Ohio, and further described as follows:

Tract No. 1 - Situated in the County of Union, in the State of Ohio, and in the Village of Milton ville, and in U. M. Survey No. 8864, and bounded and described as follows, to-wit:

12822

Petition.

12822

Beginning at a stake north east corner to a lot of land, containing 5.8 poles conveyed by Levi Longbrake to William Smith, on the 2nd. day of April, 1875; thence with the east line of said lot and with the west line of Susan Shadrack's lot S. 4° W. 14-48/100 poles to a stake, center to said Susan Shadrack's lot in the center of the Marysville and Bellefontaine Road; thence with the center of said road N. 71¼° W. 3.28 poles to a stake; thence N. 7° E. 14.28 poles to a stake in the line of Levi Longbrake's land; thence with said line S. 71-1/4° E. 2.52 poles to the beginning, containing one-quarter (¼) of an acre.

Also one other tract of land situated in said Village, County, and State, and bounded and described, as follows, to-wit:

Petition. Part of Out Lot No. 5, being Sub-Division No. 6, of the Samuel R. Cherry lands, as per plat and description in case of John M. Brodrick, Executor, against Madeline Cherry and others, No. 4978, in the Probate Court of Union County, Ohio, and Beginning at a stake, in the south west corner of Elsie B. Stuart's lot; thence with the south line of said Elsie B. Stuart's lot, 85° E. 30 feet to a stake in the west line of Joseph and Sarah J. Roff's lot; thence with two consecutive lines of said lot S. 5° W. 37 feet to a stake, and S. 85° E. 51 feet to a stake in the west line of A. J. Whitney's land; thence with the west line of said land S. 5° W. 5 feet to a stake in the northeast corner of Sub-Division No. 2; thence with the north line of said Sub-Division N. 85° W. 81 feet to a stake; thence N. 5° E. 42 feet to the beginning.

Also one other tract, situated in said Village, County, and State, and described as follows, to-wit: Being part of Lot No. 126, Beginning at the southeast corner of Lot No. 123; thence south with Water Street, 35 feet to a stake; thence west parallel with the south line of Lot No. 123 to an alley; thence north 35 feet with said alley to southwest corner of Lot No. 123; thence east with the south line of Lot No. 123, to the beginning.

Also one other tract in said Village, County, and State, and known as two and one half feet in width off the entire length of the south half of In Lot No. 123, in said Village of Marysville, Ohio. For a more particular description of said In-Lot, reference is hereby made to the recorded plat of said Village in the office of the Recorder of said Union County, Ohio.

Said real estate was included in the inventory of the estate, pursuant to the order of this court and appraised at $60.00 for tract #1; Tract #2, $60.00;

THE COL. P. B. MFG. CO. 73503

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Tracts 3 and 4, Together, ($315.00).

The decedent died leaving no spouse.

The defendants, John C. Brannon, Emma Rockwell, Ralph Trickey and Mormett Amos, are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having intrest therein. J. A. Brannon, predeceased the testator, Joseph Roff and left no children surviving him and no heirs at law except the defendants abore named.

There are no other persons who have any intrest in said real estate.

Wherefore, plaintiff prays that said real estate be sold free from dower; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

Porter & Porter - attorney for the Plaintiff.

The State of Ohio, Union County.

J. C. Brannon, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he fully believes.

J. C. Brannon - Executor as aforesaid.

Sworn to before me and signed in my presence by the said J. C. Brannon, at Marysville, Ohio, this 10th day of October, 1934.

Seal

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

Filed Sept. 15-1934. Waiver of Summons and Consent to Sell.

Waiver of Summons, on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

J. C. Brannon, Executor of the Estate of Joseph Roff, Deceased, Plaintiff,

-vs-

Emma Rockwell, et. al. Defendants.

No. 12822.
Proceeding to Sell Real Estate
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.

September 10th. A. D. 1934.

Ralph Trickey.
Emma Rockwell.
J. C. Brannon.

12822 Filed Nov. 2-1934. Waiver of Summons and Consent to Sell.

J. C. Estate

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Filed Nov. 8-1934. Application to Sell at Private Sale.

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Filed
Nov. 2-1934.
Waiver of Summons and Consent to Sell.

Waiver of Summons, on Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

J. C. Brannon, Executor of the Estate of Joseph Roff, Deceased, Plaintiff,
-vs-
Emma Rockwell, et al. Defendants.

No. 12822.
Proceeding to Sell Real Estate.
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.

September 10th. A. D. 1934.

(Mrs.) Monette B. Amos.

Filed
Nov. 8-1934.
Application to Sell at Private Sale.

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

J. C. Brannon, Executor of the Estate of Joseph Roff, Deceased, Plaintiff,
-vs-
Emma Rockwell, et al., Defendants.

No. 12822.
Application.

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 said Executor has received a buyer for said properties and lots who will pay the appraised value for same.

That said Executor says that it would be for the best interest of the estate to sell same at the appraised value and at private sale, and thus save the costs.

That said properties will not bring more than the appraised value.

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

J. C. Brannan - Executor of the estate of Joseph Roff.

The State of Ohio, Union County.

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

J. C. Brannon.

Sworn to before me and signed in my presence this 7th. day of November, A. D. 1934.

(Seal)

William J. Porter - Notary Public.

THE COL. B. B. MFG. CO. 73503

12822

affidavit of Disinterested Person.

The State of Ohio, Union County.

W. T. Porter, Alice E. Banke and Geo. E. Whitney, being duly sworn say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate to sell said real estate at private sale than at public sale for the reasons herein stated, as they verily believe.

W. T. Porter.
Alice E. Banke.
Geo. E. Whitney.

Sworn to before me and signed in my presence this 7th. day of November, 1934.

{Seal} William J. Porter - Notary Public.

affidavit of Disinterested Person.

Filed Nov. 8 - 1934.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

November 8th. 1934.

J. C. Brannon, as Executor of the Estate of Joseph Roff, Deceased,
Plaintiff,
-vs-
Emma Rockwell, et al.,
Defendants.

Dispensing with a New Appraisement and Ordering Bond.

This matter came on to be heard upon the petition of the plaintiff for authority to sell real estate of the above decedent to pay debts of said estate, and it appearing that J. C. Brannon predeceased the testator, Joseph Roff, leaving no children surviving him and no heirs at law, except the defendants in this action; the other defendants being in default of answer, although served with summons according to law, and such service of summons is hereby approved. The Court finds from the evidence that all necessary parties are before the Court and that the prayer of the petition should be granted; that the real estate described in the petition was appraised by the appraisers of the estate at Fifty Dollars, and that a further appraisement is dispensed with.

The Court further orders that the plaintiff as Executor of the estate of Joseph Roff, deceased, file an additional bond with sufficient sureties to be approved by this Court in the sum of Six Hundred Dollars, and this cause is continued.

L. W. Hazen - Probate Judge.

Filed Nov. 8 - 1934. Journal Entry Dispensing with a new appraisement and Ordering Bond.

12822

Filed Nov. 8 - 1934. Executor's Bond.

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Filed Nov. 8 - 1934. Journal Entry. Approving Additional Bond and Ordering Private Sale.

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Nov. 8- 1934.
Executor's
Bond.

Executor's Bond.
In proceedings to Sell Real Estate.

Know all Men by these Presents: that we, J. C. Brannan, E. W. Porter and William J. Porter are held and firmly bound unto the State of Ohio, in the sum of 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 8th. day of November, 1934.

The condition of the above obligation is such, That whereas, the above bound J. C. Brannan was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Executor of the estate of Joseph Roff, deceased.

And whereas, the said J. C. Brannan 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 8th. day of November 1934, made an order requiring said Executor to execute a bond according to the statute in such cases made and provided.

Now, if the said J. C. Brannan, 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.

William J. Porter.
J. C. Brannan.
E. W. Porter.

This Bond approved in open Court, this 8 day of November, 1934.

{Seal} L. W. Hazen - Probate Judge.

Filed
Nov. 8- 1934.
Journal Entry.
Approving
Additional
Bond and
Ordering
Private Sale.

Journal Entry - Proceeding to Sell Real Estate.

Probate Court, Union County, Ohio.

J. C. Brannan, as Executor of the Estate of Joseph Roff, Plaintiff,
-vs-
Emma Rockwell, et al., Defendants.

November 8- 1934.
Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Six Hundred and no/100 Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

THE COL. O. B. MFG. CO 73503

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And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said estate to sell the real estate described in the petition at private sale, it is now ordered that J. C. Brannan as such Executor, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed Nov. 8-1934. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To J. C. Brannon, Executor of the Estate of Joseph Roff, Deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Executor of the Estate of Joseph Roff, Deceased, are Plaintiff and J. C. Brannon, Emma Rockwell, Ralph Tuckey and Monette Amos, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than the appraised value thereof, the following described premises, to-wit:

Situated in the Township of Paris, Village of Marysville, County of Union, and State of Ohio, and in U. M. Survey No. 13364, and bounded and described as follows, to-wit:

Beginning at a stake northeast corner to a lot of land containing 5.8 poles conveyed by Levi Longbrake to William Smith on the 2nd. day of April, 1875; thence with the east line of said lot and with the west line of Susan Shadrack's lot in the center of the Marysville and Bellefontaine Road; thence with the center of said road N. 71¼° W. 3.28 poles to a stake; thence N. 7° E. 14.28 poles to a stake in the line of Levi Longbrake's land; thence with said line S. 71¼° E. 2.52 poles to the beginning, containing one-fourth of an Acre.

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

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 8th. day of November, 1934.

{Seal}

L. W. Hazen - 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.

Return

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Report of Private Sale.

Affidavit to Report of Private Sale.

Filed Nov. 8-1935. Journal Entry Confirming Sale, Ordering Deed and Distribution.

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Repart of Private Sale.

Dated the 8th. day of November, 1934.

J. C. Brannon— Executor as aforesaid.

Repart of Private Sale.

In obedience to the command of the within order of sale, I did on the 8th. day of November, 1934, offer said property, at private sale, and Lynn L. Barker having offered therefor the sum of Fifty Dollars ($50.00) and the same being not less than the appraised value of said property, I sold the same to said Lynn L. Barker for that sum.

J. C. Brannon.

Affidavit to Repart of Private Sale.

Affidavit to Repart of Private Sale.

The State of Ohio, Union County, ss.

J. C. Brannon, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

J. C. Brannon.

Subscribed in my presence and sworn to before me, this 8th. day of November, 1934.

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

{Seal}

Filed Nov. 8-1935. Journal Entry Confirming Sale, Ordering Deed and Distribution.

Journal Entry- Proceeding to Sell Real Estate.

Probate Court, Union County, Ohio.

J. C. Brannon as Executor of the Estate of Joseph Roff, Deceased, Plaintiff,

-vs-

J. C. Brannon, et al., Defendants.

November 8th. 1934. Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the report of J. C. Brannon, Executor of the Estate of Joseph Roff, deceased, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made, it is ordered that the same be and hereby is approved and confirmed. It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Joseph Roff, deceased, in said real estate, to the purchaser, Lynn L. Barker. 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 Fifty ($50.00) Dollars.

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It is further ordered that said J. C. Brannon, Executor as aforesaid, out of the money in his hands, pay: First, to the Treasurer of this county the sum of $2.71, 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 $25.00 to L. W. Hazen, Probate Judge of Union County, Ohio; the percentum of said J. C. Brannon, Executor, herein, amounting to the sum of $3.00. It is further ordered that the balance of said proceeds, be accounted for by said J. C. Brannon, Executor, herein, according to law. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $ —, out of the proceeds of said sale, within ten days.

L. W. Hazen - Probate Judge.

(See Page 536 for Correction.)

12667
Filed
Feb. 8 - 1934.
F. A. McAllister,
Attorney.

Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio.

C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased,

Plaintiff,

-vs-

C. J. Hanson,

Defendant.

Case No. 12667.
Petition to Sell Real Estate.

Petition

The plaintiff is the duly appointed, qualified and acting Administrator of the estate of Fred E. Hanson, deceased, late of Union County, Ohio. As near as can be ascertained the amount of the valid debts against said estate are $2500.00, and the costs of administering said estate will be about $250.00.

The total value of the personal property of said decedent was fixed by the appraisers of said estate at $1975.00, and said appraisement was not excepted to, but plaintiff says that said personal property consisted of the following: Personal chattels, $175.00; Certificate of Deposit in The Union County Savings & Loan Company, $1000.00; and Certificate of Deposit in The Peoples Buildings & Loan Company of Delaware, Ohio, $800.00; and that the plaintiff has been unable to collect the moneys on deposit and that the present value of the said Certificates of Deposit will probably not exceed in all more than $1000.00; and that said personal property is wholly insufficient to pay the debts and costs aforesaid.

Said decedent died seized in fee simple of the following described real estate:

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

Being all of Lots Numbers One Hundred Twenty Eight.

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(128), Thirty, lot 130 to the duly by Eliz Page estate at $ a per decedent There real and in further State tiff forth are

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Filed
Feb. 8 - 1934.
Waiver of Summons and Consent to Sell.

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(128), One Hundred Twenty Nine (129) and One Hundred Thirty, (130) excepting ten feet off of the east end of said lot 130, said lots lying in H. C. Hoskins' Second Addition to the Village of Magnetic Springs, a Plat of which is duly recorded in the Recorder's Office of Union County, Ohio.

Being the same premises conveyed to said Fred E. Hanson by Elizabeth Green, et al., by deed of record in Volume 132, Page 149, Deed Records of Union County, Ohio.

Said real estate was included in the inventory of the estate pursuant to the order of this Court, and appraised at $1000.00. The defendant, C. J. Hanson, is the only heir a person entitled to the next estate of inheritance from the deckent in such real estate and having an intrest therein There are no other persons who have any intrest in said real estate.

Wherefore, plaintiff prays that your petitioner be authorized and ordred to sell said real estate according to the Statute in such cases made and provided and for such other and further relief as he may be entitled in the premises.

T. A. Mc Allister - Attorney for Plaintiff.

State of Ohio, Delaware County, ss:

C. J. Hanson, being duly sworn, says that he is plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

C. J. Hanson.

Sworn to before me and signed in my presence by the said C. J. Hanson at Delaware, Ohio, this 31st. day of January, 1934.

{Seal}

Cyrus A. Bargdill - Notary Public. for Delaware Co. O.

Filed Feb. 8 - 1934. Waiver of Summons and Consent to Sell.

Waiver of Summons, on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

No. 12667.

Proceeding to Sell Real Estate.

Waiver of Summons and Consent to Sell.

C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased,

Plaintiff,

-vs-

C. J. Hanson, 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.

January 26, A. D. 1934.

C. J. Hanson.

THE COL. P. S. MFG. CO 73503

12667
Filed
Feb. 8 - 1934.
Journal Entry.

In the Probate Court, Union County, Ohio.

C. J. Hauson, Administrator
of the Estate of Fred E. Hauson,
Deceased,
Plaintiff,

-vs-

C. J. Hauson,
Defendant.

No. 12667.
Journal Entry.

This day C. J. Hauson, Administrator of the estate of Fred E. Hauson, deceased, filed in this Court, his petition praying for the sale of the real estate therein described, to pay the debts of said estate and at the same time filed herein, a waiver by the defendant, C. J. Hauson, wherein said defendant waived the issuing and service of summon and voluntarily entered his appearance as such defendant and consented to the sale of the real estate described in the petition, according to the prayer; and thereupon this matter came on to be heard upon the said petition of the plaintiff for authority to sell the real estate of the above named decedent to pay the debts of his estate, and upon the waiver of summons aforesaid and the evidence, the Court finds from the evidence that all necessary parties are before the Court and that the prayer of the petition should be granted; that the real estate described in the petition was appraised by the appraisers of the estate at One Thousand Dollars ($1000.00), and order that a further appraisement be dispensed with.

It is further ordered that the said C. J. Hauson, Administrator, execute within 30 days to the State of Ohio, a bond with sureties, approved by the Court, in the sum of $2000.00 conditioned according to law, and this cause is continued.

L. W. Hazen - Judge.

Filed
Mar. 23-1934.
Administrator's Bond.

Administrator's Bond.

In Proceedings to Sell Real Estate.

Know all Men by these Presents: That we C. J. Hauson and The Fidelity and Deposit Company of Maryland, are held and firmly bound unto the State of Ohio, in the sum of Two Thousand Dollars, for the payment of which we bebely jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Richwood, Ohio, this 13th. day of March, 1934.

The condition of the above obligation is such, that whereas, the above bound C. J. Hauson was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Administrator of the estate of Fred E. Hauson, deceased.

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Mar. 23-1934.
Application to Sell Real Estate at Private Sale.

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And whereas, the said C. J. Hanson as such Administrator has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said decedent described in said petition;

And whereas said Court, on the — day of February, 1934 made an order requiring said C. J. Hanson to execute a bond according to the statute in such cases made and provided.

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

Executed in presence of:
Katherine Haas.

{Seal}

C. J. Hanson
Fidelity and Deposit Company of Maryland.
By W. E. Haas. Attorney-in-fact.

This Bond approved in open Court, this 13th. day of March 1934.

{Seal}

L. W. Hazen - Probate Judge.

Filed Mar. 23 - 1934. Application to Sell Real Estate at Private Sale.

In the Probate Court, Union County, Ohio.

C. J. Hanson, Administrator of the estate of Fred E. Hanson, Deceased,

Plaintiff,

-vs-

C. J. Hanson,

Defendant.

No. 12667
Application to Sell at Private Sale.

Now comes C. J. Hanson, Administrator of the estate of Fred E. Hanson, deceased, and says that he believes that it would be to the interest of the said estate to sell the real estate described in the petition at private sale for the reason that due to the large number of foreclosures now being carried on, real estate at public sale is selling only for a small proportion of its value and that the real estate described in the petition would, in the opinion of this applicant, sell better at private sale.

Wherefore, said Administrator makes application for an order to sell real estate aforesaid at private sale.

T. A. McAllister
Attorney for Administrator.

State of Ohio, Union County, ss.

C. J. Hanson, being first duly sworn, says that the facts stated in his foregoing application are true as he verily believes.

C. J. Hanson.

THE COL. & B. MFG. CO. 73503

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Filed March 23- 1934. Journal Entry. Order approving Bond for Private Sale.

Sworn to before me and subscribed in my presence, this 28 day of February, 1934. {Seal} W. E. Haas - Notary Public.

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

C. J. Hanson, Administrator of Estate of Fred E. Hanson, Deceased, Plaintiff,

-vs-

C. J. Hanson, et al. Defendants.

March 23rd. 1934.
Petition to Sell Real Estate.
Order of Sale, etc.

This day this cause came on further to be heard, and it appearing to the Court, that the said C. J. Hanson, Administrator of the Estate of Fred E. Hanson, the plaintiff above named, has given bond as heretofore ordered, in the sum of Two Thousand Dollars, with The Fidelity and Deposit Company 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 further ordered that said C. J. Hanson as such Administrator proceed to sell said real estate, free of all dower at private sale, for not less than $1000.00 the appraised value thereof, on the following terms, to-wit; one-third cash in hand on day of sale, one-third in one year and one-third in two years from day of sale; deferred payments to be secured by mortgage on the premises sold and to bear interest from the day of sale, payable annually. And said petitioner is ordered to make return to this Court immediately after such sale is made, and this cause is continued.

L. W. Hazen - Judge of Union County, Ohio.

Filed Aug. 11-1934. Motion for Re-appraisement and Journal Entry.

Filed Aug. 11- 1934. Order and Report of Private Sale.

In the Probate Court
C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased. Plaintiff,

-vs-

C. J. Hanson, Defendant.

No. 12667.
Order of Private Sale.

To- C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased, Greeting:

Whereas, at a January Term of the Probate Court, held in Marysville, in and for said County, commencing on the — day of —, 1934, in a certain action therein pending wherein C. J. Hanson, Administrator of the Estate of Fred E. Hanson, deceased, is plaintiff, and C. J. Hanson is

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Filed Aug. 11-1934. Motion for Re-appraisement and Journal Entry.

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defendant, it was ordered, adjudged and decreed that you proceed to sell the real estate mentioned in the petition, at private sale, for a price not less than the appraised value thereof, agreable to the statute regulating the sale of real estate by Administrators, and that you make return of your proceedings in the premises to the said Probate Court, and bring this order with you. The said real estate is described in the petition as follows:

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

Being all of Lots Numbers One Hundred Twenty Eight (128), One Hundred Twenty Nine (129), and One Hundred Thirty (130), excepting ten feet off of the east end of said lot 130, said lots lying in H. C. Hoskins second addition to the Village of Magnetic Springs, a Plat of which is duly recorded in the Recorder's Office of Union County, Ohio.

Being the same premises conveyed to said Fred E. Hanson by Elizabeth Green, et al., by deed of record in Volume 132, Page 149, Deed Records of Union County, Ohio.

Witness my hand and the seal of said Court, at Marysville, Ohio, this 22nd. day of March, 1934.

{Seal} L. W. Hazlett - Probate Judge.

Filed Aug. 11-1934. Motion for Re-appraisement and Journal Entry.

In the Probate Court of Union County, Ohio.

C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased,

Plaintiff,

-vs-

C. J. Hanson,

Defendant.

No. 12667.

Motion for Re-appraisement.

Now comes the plaintiff, C. J. Hanson, Administrator of the estate of Fred E. Hanson, deceased, and says that an order of private sale herein was issued out of this Court, wherein plaintiff was directed to sell the real estate described in the petition, at not less than the appraised value thereof, and said Administrator says that though he has made diligent endeavor to sell said property, he has been unable to sell the same at the appraised value; that more than thirty days have elapsed since the date of said order of sale, and said Administrator therefor is returning said order to this Court.

Your petitioner says that he believes that it will be to the intrest of said estate that the Court order a re-appraisement of said property and a sale thereof at private sale, and he therefore moves the Court to order a re-appraisement of said real estate and sale at private sale.

C. J. Hanson.

THE COL. B. B. MFG. CO 73503

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State of Ohio, Union County, ss.

C. J. Hanson, being duly sworn, says that the facts stated in his foregoing Motion are true as he verily believes.

C. J. Hanson.

Sworn to before me and signed in my presence this 15th. day of August, 1934.

{Seal} W. E. Haas - Notary Public.

In the Probate Court of Union County, Ohio.

C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased,

Plaintiff,

-vs-

C. J. Hanson,

Defendant.

No. 12667.
Journal Entry.

This day this cause came on to be heard upon the report of the Administrator that he had been unable to sell said real estate in said action at said appraised value, and upon the Motion of said Administrator for re-appraisement of said real estate and a new order of private sale thereof, and upon consideration thereof, the Court being fully advised in the premises, finds that it would be to the interest of said estate to re-appraise and sell said property at private sale.

It is ordered, that the former appraisement be vacated and set aside and that D. E. Ogan, Charles Parrott, and Wilson Bailey, three judicious, disinterested men of the vicinity, not next of kin of the petitioner, be and they are hereby appointed to appraise said real estate at its true value in money. It is further ordered that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view at its fair cash value, and discharge the duties required by them according to law, and to make return of their proceedings in writing to this Court on or before the 20 th. day of August, 1934.

L. W. Hazen - Probate Judge.
of Union County, Ohio.

Filed Aug. 17- 1934. Order, Oath and Report of Appraisers.

In the Probate Court of Union County, Ohio.

C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased,

Plaintiff,

-vs-

C. J. Hanson,

Defendant.

No. 12667.
Order.

To D. E. Ogan, Charles Parrott and Sam Davis; The Court reposing confidence in your judgment on the — day of August, 1934, in a certain action to sell real estate

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Oath of Appraisers.

Report of Appraisers

12667 Oath of Appraisers.

now pending in said Court wherein C. J. Hanson, Administrator, is plaintiff, and C. J. Hanson, is defendant, appointed you appraisers of the following described real estate:-

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

Being all of Lots numbers One Hundred Twenty Eight (128), One Hundred Twenty Nine (129), and One Hundred Thirty (130) excepting ten feet off of the east end of said lot 130, said lots lying in H. C. Hoskins second addition to the Village of Magnetic Springs, a plat of which is duly recorded in the Recorder's Office of Union County, Ohio.

Being the same premises conveyed to said Fred E. Hanson by Elizabeth Green, et al., by deed of record in Volume 132 Page 149, Deed Records of Union County, Ohio.

You are therefore ordered by said court that without unnecessary delay and on oath to proceed and appraise said real estate upon actual view at its fair cash value and to make report of your proceedings to this court and bring this order with you.

Witness my hand and official seal at Marysville, Ohio, this 11th day of August, 1934.

{Seal} L. W. Hazen - Probate Judge.

In the Probate Court of Union County, Ohio.

C. J. Hanson, Administrator of the estate of Fred E. Hanson, Deceased, Plaintiff. -vs- C. J. Hanson, Defendant.

No. 12667. Oath of Appraisers.

State of Ohio, Union County, ss:

On the 14 day of August, 1934, before me, personally appeared, D. E. Oyard, Charles Parrott and Sam David the within named and made oath that they would upon actual view truly and impartially appraise at its fair cash value the within described real estate in pursuance of the within order of the Probate Court of said County.

{Seal} H. A. McAllister - Notary Public.

In the Probate Court of Union County, Ohio.

C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased, Plaintiff. -vs- C. J. Hanson, Defendant.

No. 12667. Report of Appraisers.

Report of Appraisers

We do appraise the within described real estate, on our oath aforesaid, after having actually viewed the same, at

THE COL. B. B. MFG. CO. 73503

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Seven Hundred Fifty Dollars.
Witness our Hands this 14 day of August, 1934.
Charles Pabott.
Sam Dane.
D. E. Ogan.
Union County, Ohio.

Filed Aug. 17-1934. Journal Entry.

In the Probate Court of
C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased,
Plaintiff,
-vs-
C. J. Hanson,
Defendant.

No. 12667.
Journal Entry.

This day this cause came on to be heard and it appearing to the Court that the new appraisement heretofore ordered to be made, has been reported to the Court, and is in all respects according to law; the same is hereby approved and confirmed.

And it being further made to appear to the Court upon satisfactory evidence that it would be to the interest of said estate to sell the real estate described in the petition at private sale, it is therefore ordered that C. J. Hanson, as such Administrator proceed to sell said real estate at private sale for not less than the appraised value, upon the following terms, to-wit:- Not less than one-third cash in hand at time of sale, one-third in one year and one-third in two years. Defered payments to be secured by mortgage on the premises from the day of sale, with interest, payable annually, and said Administrator is ordered to make return of said sale to this Court immediately thereafter.

L. W. Hazen - Probate Judge.

Filed Jan. 19-1935. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.
To C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you are Administrator of the Estate of Fred E. Hanson, deceased, are Plaintiff and C. J. Hanson, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than the appraised value thereof the following described premises to-wit:

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

Being all of Lots numbers One Hundred Twenty Eight (128), One Hundred Twenty Nine (129), and One Hundred Thirty (130), excepting ten feet off of the east end of said

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Filed Jan. 19-1935. Motion for Re-Appraisement and Journal Entry.

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lot 130, said lots lying in H. C. Hoskins second addition to the Village of Magnetic Springs, a plat of which is duly recorded in the Recorder's Office of Union County, Ohio.

Being the same premises conveyed to said Fred E. Hanson by Elizabeth Green, et al., by deed of record in Volume 132, Page 149, Deed Records of Union County, Ohio.

Said sale to be upon the following terms: Not less than one-third cash in hand at time of sale, one third in one year, and one third in two years, deferred payments to be secured by mortgage on the premises, with 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 17th. day of August, A. D. 1934.

(Seal) L. W. Hazen - Probate Judge.

Filed Jan. 19-1935. Motion for Re-appraisement and Journal Entry.

In the Probate Court of Union County, Ohio.

C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased,

Plaintiff,

-vs-

C. J. Hanson,

Defendant.

No. 12667.

Motion for Re-Appraisement.

Now comes the plaintiff, C. J. Hanson, Administrator of the estate of Fred E. Hanson, deceased, and says that an order of private sale herein was issued out of this court, wherein plaintiff was directed to sell the real estate described in the petition at not less than the appraised value thereof, and said Administrator says that though he has made diligent endeavor to sell said property, he has been unable to sell the same at the appraised value; that more than thirty days have elapsed since the date of said order of sale, and said Administrator therefore is returning said order to this Court.

Your petitioner says that he believes that it will be to the interest of said estate that the Court order a re-appraisement of said property and a sale thereof at private sale, and he therefore moves the Court to order a re-appraisement of said real estate and sale at private sale.

C. J. Hanson.

State of Ohio, Delaware County, ss:

C. J. Hanson, being duly sworn, says that the facts stated in his foregoing motion are true as he verily believes.

C. J. Hanson.

THE COL. B. B. MFG. CO. 73503

12667

Sworn to before me and signed in my presence this 18 th. day of January, 1935.

{Seal} E. T. Humes- Notary Public. of Union County, Ohio.

In the Probate Court

C. J. Hanson, Administrator of the Estate of Fred E. Hanson, Deceased,

Plaintiff,

-vs-

C. J. Hanson,

Defendant.

No. 12667.

Journal Entry.

This day this cause came on to be heard upon the report of the Administrator that he has been unable to sell said real estate in said action at the appraised value, and upon the Motion of said Administrator for re-appraisement of said real estate and a new order of private sale thereof, and upon consideration thereof, the Court being fully advised in the premises, finds that it would be to the interest of said estate to re-appraise and sell said property at private sale.

It is ordered, that Sturgis Cheney, C. E. Force and B. M. Bell, three judicious, disinterested men of the vicinity, not next of kin of the petitioner, be and they are hereby appointed to appraise said real estate at its true value in money. It is further ordered that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view at its fair cash value, and discharge the duties required by them according to law, and to make return of their proceedings in writing to this Court on or before the 31 day of January, 1935.

L. W. Hazen - Judge.

Filed Feb. 14-1935. Order of Appraisement.

Order of Appraisement.

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

To C. J. Hayson, Administrator of the Estate of Fred E. Hanson, Deceased:-

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Administrator of the estate of Fred E. Hanson, deceased, are Plaintiff and C. J. Hanson is Defendant, you are commanded that by the oaths of Sturgis H. Cheney, B. M. Bell and C. E. Force, judicious disinterested persons of the vicinity, not of kin to the petitioner, 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 County of Union, in the State of Ohio, and in the Village of Magnetic Springs, and bounded and described as follows:-

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Appraisers' Return.

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Being all of Lots numbers One Hundred Twenty Eight (128), One Hundred Twenty Nine (129) and One Hundred Thirty (130) excepting ten feet off of the east end of said lot 130, said lots lying in H. C. Hoskins' second addition to the Village of Magnetic Springs, a plat of which is duly recorded in the Recorder's Office of Union County, Ohio.

Being the same premises conveyed to said Fred E. Hanson by Elizabeth Green, et al., by deed of record in Volume 182, Page 149, Deed Records of Union County, Ohio.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 19th. day of January, A.D. 1935.

{Seal} L. W. Hazen - Probate judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 6th. day of February, 1935.

C. J. Hanson - Administrator of Fred E. Hanson estate.

Oath of Appraisers.

The State of Ohio, } Union County.

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

Sturgis H. Cheney.
C. E. Force. } appraisers.
W. N. Bell.

Sworn to before me and signed in my presence, this 6th. day of February, 1935.

{Seal} T. A. McAllister - Notary Public.

Appraisers' Return.

In obedience to the foregoing order, after being first
Appraisers' Return. duly sworn, and upon actual view of the premises therein described, we the undersigned Appraisers, estimate the value in money of said real estate at Six Hundred Dollars.

Given under our hands, this 6th. day of February, 1935.

Sturgis H. Cheney.
C. E. Force. } appraisers.
W. N. Bell.

THE COL. B. B. MFG. CO. 73503

12667
Filed
Feb. 14-1935
Journal Entry
Ordering Sale.

In the Probate Court, Union County, Ohio.

C. J. Hanson, Administrator of
the Estate of Fred E. Hanson,
Deceased,
Plaintiff,

-vs-

C. J. Hanson,
Defendant.

No. 12667.
Journal Entry.

This day this cause came on to be heard and it appearing to the Court that the new appraisement heretofore ordered to be made, has been reported to the Court; and is in all respects according to law, the same is hereby approved and confirmed.

And it being further made to appear to the Court upon satisfactory evidence that it would be to the interest of said estate, to sell the real estate described in the petition at private sale, it is therefore ordered that C. J. Hanson, as such Administrator proceed to sell said real estate at private sale for not less than the appraised value, upon the following terms, to-wit:- Not less than one-third cash in hand at time of sale, one-third in one year and one-third in two years. Deferred payments to be secured by mortgage on the premises from the day of sale, with interest, payable annually, and said Administrator, is ordered to make return of said sale to this Court immediately thereafter.

L. W. Hazen - Probate judge.

Order of Private Sale.

Filed
Feb. 26-1935.
Order of
Private Sale.

The State of Ohio, Union County. Probate Court.
To C. J. Hanson, Administrator of the estate of Fred E. Hanson, deceased:- Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Administrator of the estate of Fred E. Hanson, deceased, are Plaintiff and C. J. Hanson is Defendant, you are commanded to proceed according to law, to sell at Private Sale, for not less than the appraised value thereof the following described premises to-wit:

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

Being all of Lots numbers One Hundred Twenty Eight (128), One Hundred Twenty Nine (129) and One Hundred Thirty (130) excepting ten feet off of the east end of said lot 130, said lots lying in H. C. Hoskins second addition to the Village of Magnetic Springs, a plat of which is duly recorded in the Recorder's Office of Union County, Ohio.

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Report of Private Sale.

Affidavit to Report of Private Sale.

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Being the same premises conveyed to said Fred E. Hanson by Elizabeth Green, et al., by Deed of record in Volume 132, Page 149, Deed Records of Union County, Ohio.

Said sale to be upon the following terms: Not less than one-third cash in hand at time of sale, one-third in one year, and one-third in two years, deferred payments to be secured by mortgage on the premises, with 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 14 day of February, A. D. 1935.

{Seal} L. W. Hazen - Probate Judge.
By - Carrie W. Hombeck - Deputy.

Return.

To the Probate Court of Union County, Ohio.

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

Return. Dated the 26th. day of February, 1935.

C. J. Hanson - Administrator of the Estate of Fred E. Hanson, deceased.

Repot of Private Sale.

In obedience to the command of the within order of sale, I did on the 22nd. day of February, 1935, offer said property, at private sale, and Daniel Milligan and Cora M. Milligan having offered therefor the sum of Six Hundred Twenty Dollars ($620.00) and the same being not less than the appraised value of said property, I sold the same to said Daniel Milligan and Cora M. Milligan for that sum.

Report of Private Sale. C. J. Hanson - administrator.

Affidavit to Report of Private Sale.

State of Ohio, Delaware County, ss.

C. J. Hanson, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Affidavit to Report of Private Sale. C. J. Hanson.

Subscribed in my presence and sworn to before me this 26th. day of February, 1935.

{Seal} T. A. McAllister - Notary Public.

THE COL. B. B. MFG. CO. 73503

12667
Filed
Feb. 26-1935.
Journal Entry
Confirming
Sale.

In the Probate Court, Union County, Ohio.
In the Matter of the Estate of Fred E. Hauson, Deceased. | No. 12667 | Journal Entry Confirming Sale.

This day this cause came on to be heard on the report of C. J. Hauson, Administrator of the estate of Fred E. Hauson, deceased, of his proceedings under the former order of this Court and upon the motion of said petitioner to confirm the sale made in obedience to said order, 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 Fred E. Hauson, deceased in said real estate to the purchasers, Daniel Milligan and Cora V. Milligan upon the said purchasers paying the said purchase price of $620.00; and this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale amounting to the sum of $620.00, it is ordered that said Administrator out of the money in his hands pay First: To the Treasurer, the sum of $46.16, being the taxes, penalty and interest thereon against said property. Second:- It is further ordered that the balance of the said proceeds amounting to $573.84 be accounted for by said Administrator, according to law, and it is further ordered that this proceeding be recorded, and that this petitioner pay the costs herein taxed at $—— out of the proceeds of said sale, within ten days.

L. W. Hazen- Judge.

13029
Filed
Oct. 21- 1935.
Robert F. Allen
Attorney.

Petition to Sell Real Estate.
In the Probate Court of Union County, Ohio.

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased,
Plaintiff,

-vs-

John W. Bell, Chagrin Falls, Ohio;
Laura Learell, Baltimore, Maryland;
M. A. Bell, Richwood, Ohio;
Margaret George, 200 N. 32nd. St., Lenbrook, Harrisburg, Pennsylvania;
Fred S. Callahan, Abington, Maryland;
Lila Bell Bates, 322 S. Jefferson Av., Amboy, Ill;
Frank E. Bell, Clinton, Ill;
Wm. H. Bell, " ";

Case No. 13029.
Petition to Sell Real Estate to Pay Debts.

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James E. Bell, Clinton, Ill;
Blanche H. Bell, " ";
Edna M. Bell, " ";
Joseph A. Bell, " ";
Charles L. Bell, 111 N. Grand St, Clinton, Ill.
Earl Bell, (address unknown);
Lloyd R. Bell, Clinton, Ill.
Defendants.

Petition

Now comes the Plaintiff, M. A. Bell and says that he is the duly appointed, qualified and acting Administrator of the Estate of Elnora Butler, deceased, late of this County; as near as can be ascertained, the amount of valid debts against said decedent, is the sum of Four Hundred Dollars ($400.00), including court costs and administrator's fees herein.

M. A. Bell further says that the personal property of the said decedent has been sold at public auction, the net proceeds of which was the sum of One Hundred Fifty Six and 25/100 Dollars ($156.25), was applied toward the payment of the debts against said estate and after such payment, the balance of said debts remain as above set forth.

M. A. Bell, the Plaintiff herein, further says that said decedent died seized in fee simple of the following described real estate, situated in the County of Union and State of Ohio, and, further described as follows, to-wit:

Situated in the Township of Claibourne, County of Union and State of Ohio, and being Lot No. 243 in H. T. Marriott's Addition to the Town of Richwood, Union County, Ohio, and deeded by the Sheriff of Union County, Ohio, to Abraham B. Butler, at the suit of George W. Testal. For a more complete discription, reference is hereby made to the Plat of addition, duly recorded in the records of Union County, Ohio.

Said real estate was included in the inventory of the estate pursuant to the Order of this Court and appraised at — Dollars ($—).

The Plaintiff further says said inventory and appraisement was made on the — day of —, 19—, and ever since said date, he has diligently sought to sell said real estate at private sale, but has been unable to find a purchaser willing to give the sum of Seven Hundred Dollars ($700) for the same. That he believes it would be beneficial to the interest of all persons concerned if the same should be offered at public auction and that he further believes it to the best intrest of all persons concerned to have a new appraisement issued so that it will be possible for him to obtain a possible purchaser at private sale before offering the same

THE COL. B. B. MFG. CO. 73503

13029

at public auction. That the market value of the real estate is less now than it was at the time of the making of the inventory and appraisement heretofore filed herein, and that it is impossible to sell said real estate for the sum for which it has been appraised.

M. A. Bell further says that John W. Bell, Laura Learell and M. A. Bell are the brothers and sister of the said Elnora Butler, deceased; that Flora Callahan, deceased, was a sister of Elnora Butler, deceased, and Margaret George and Fred S. Callahan are the only children of Flora Callahan, deceased, and that they are the niece and nephew, respectively, of the said Elnora Butler, deceased; that Lila Bell Bates is the only child of Frank L. Bell, deceased, she being a niece of Elnora Butler, deceased; that William A Bell was the brother of Elnora Butler, deceased, and that Frank E. Bell, William H. Bell, James E. Bell, Blanche H. Bell, Edna M. Bell, Joseph A. Bell, Lloyd R. Bell, and Earl Bell are the only children of William A. Bell, deceased, they being the nieces and nephews, respectively, of Elnora Butler, deceased; and that the said Defendants are the only heirs or persons entitled to the next estate of inheritance from the decedent in such real estate, and having an interest therein; that there are no other persons who have any interest in said real estate.

Wherefore, Plaintiff prays that a new appraisement be issued herein; that said real estate may be sold; that the rights, interests and liens of all persons may be fully determined, evidenced and protected; and that your Petitioner 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 to which he may be entitled.

Robert R. Allen - Attorney for Plaintiff.

State of Ohio, County of Union, ss:

M. A. Bell, being first duly sworn according to law, deposes and says that he is the Administrator of the Estate of Elnora Butler, Deceased, the Plaintiff herein; that as such, he is duly authorized and empowered to make this oath; and that the facts stated and the allegations contained in this his Petition to Sell Real Estate to Pay Debts are true as he verily believes.

M. A. Bell.

Sworn to before me and subscribed in my presence this 17th. day of October, A. D. 1935.

(Seal) Martha E. Taylor - Notary Public.

In the Probate Court of Union County, Ohio.

Filed Oct. 21 - 1935. Entry Ordering Service By Publication.

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,

-vs-

John W. Bell, et al., Defendants.

Case No. 13029

October —, 1935.

Entry Ordering Service By Publication.

13029

Filed Oct. 21 - 1935. Affidavit for Service by Publication

Filed Dec. 30 - 1935. Legal Notice

13029

This day came the Plaintiff and filed herein, an affidavit according to law, for the purpose of procuring service by publication, and it appearing to the Court that the Defendants, Laura Pearell, Margaret George, Frank S. Callahan, Lila Bell Bates, Frank E. Bell, Wm. H. Bell, James E. Bell, Blanche H. Bell, Edna M. Bell, Joseph A. Bell, and Charles L. Bell are not residents of the State of Ohio, and that the address of Carl Bell is unknown and that service of summons cannot be made upon any of said Defendants within the State of Ohio, and that the case is one of those mentioned in General Code 11292.

It is ordered that publication be made for six consecutive weeks in a newspaper printed in this County, that it contain a 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.

L. W. Hazen - Probate Judge.

Filed Oct. 21-1935. affidavit for Service by Publication

In the Probate Court of Union County, Ohio.

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,

-vs-

John W. Bell, et al., Defendants.

Case No. 13029.
affidavit for Service by Publication.

State of Ohio, County of Union, ss:

M. A. Bell, being first duly sworn, says he is the Plaintiff in the above entitled case, that the Defendant, Laura Pearell resides at Baltimore, Maryland; Margaret George, at 200 North 32 nd. St. Lenbrook; Harrisburg, Pa.; Fred S. Callahan at Abingdon, Maryland; Lila Bell Bates at 322 South Jefferson Avenue, Amboy, Ill; and Frank E. Bell, Wm. H. Bell, James E. Bell, Blanche H. Bell, Edna M. Bell, Joseph A. Bell, and Charles L. Bell, reside at Clinton, Ill., respectively, and that the address of Carl Bell is unknown and cannot with reasonable diligence be ascertained and that service of summons cannot be made upon any of the above mentioned parties within this State; and that the case is one of those mentioned in General Code 11292.

M. A. Bell.

Sworn to before me and subscribed in my presence this 21 st. day of Oct. A. D. 1935.

{Seal} Martha E. Taylor - Notary Public.

Filed Dec. 30-1935. Legal Notice

Legal Notice By Publication.

Laura Pearell, who resides at Baltimore, Maryland; Margaret George, who resides at 200 N. 32 nd. Street, Lenbrook, Harrisburg, Pennsylvania; Fred S. Callahan, who resides at Abingdon, Maryland; Lila Bell Bates, who resides at 322 S. Jefferson Avenue, Amboy, Ill., and Frank E. Bell, William H. Bell, James E. Bell, Blanche H. Bell, Edna M. Bell, Joseph A.

THE COL. B. B. MFG. CO. 73503

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Bell. and Charles A. Bell, who reside at Clinton, Ill., respectively, and Earl Bell, whose address is unknown, will take notice that M. A. Bell, Administrator of the Estate of Elnora Butler, deceased, on the 22nd. day of October, A. D. 1935, filed his petition in the Probate Court within and for the County of Union and State of Ohio, alleging that the personal estate of said decedent is insufficient to pay her debts and charges of the Administration of her estate; that she died seized in fee simple of the following described real estate situated in said County, to-wit:

Situated in the Township of Claibourne, County of Union and State of Ohio, being In-lot No. 243, in H. T. Upshott's Addition to the Town of Richwood, Union County, Ohio, and deeded by the Sheriff of Union County, Ohio, to Abraham B. Butler, at the suit of George W. Vestal. For a more complete description, reference is hereby made to the Plat of Addition duly recorded in the records of Union County, Ohio.

The prayer of said petition is for the sale of said premises, for the payment of debts and charges aforesaid.

The persons first above mentioned will further take notice that they have been made parties defendant to said petition and that they are required to answer to the same on or before December 21, 1935.

M. A. Bell - Administrator of the Estate of Elnora Butler, Deceased.

Robert T. Allen, Attorney for Adm.

State of Ohio, Union County.

Personally appeared before me B. A. Kigley and made oath that the notice, a copy of which is hereto attached, was published for 6 consecutive weeks on and after Oct. 24, 1935 in the Richwood Gazette, a newspaper of genral circulation in the county aforesaid.

B. A. Kigley.

Sworn to before me and signed in my presence this 31st. day of October, A. D. 1935.

{Seal} Louis B. Snyder - Notary Public.

Printer's Fees $15.42

Filed Dec. 31 - 1935. Entry Ordering appraisement.

In the Probate Court of Union County, Ohio.

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,

-vs-

John W. Bell, et al., Defendants.

Case No. 13029.
Entry Ordering Appraisement.
December 31, A. D. 1935.

This matter coming on to be heard upon the Petition and the evidence, the Court finds all the Defendants have been duly and legally served with process or have voluntarily entered their appearance and consented to the sale prayed for and are properly before the Court; that there is no widow; and that it is necessary to sell the real

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Filed Jan. 4 - 1936. Order to and Report of Appraisers.

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estate to pay debts of said estate and the prayer of the Petition should be granted.

And it appearing to the Court that a new appraisement should be made of the real estate, it is ordred that William Taylor, D. E. Ogan and John Livingston, three judicious and disinterested persons of the vicinity not next of kin of Petitioner, be and they hereby are appointed to appraise said real estate at it's true value in money; it is further ordred that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view at it's fair cash value and discharge the duties required by them according to law, and to make return of their proceedings in writing to this Court, on or before the 10th. day of Jan. A.D. 1936.

L. W. Hazen - Probate judge.

Filed Jan. 4 - 1936. Order to and Repot of Appraisers.

In the Probate Court of Union County, Ohio.

U. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,

-vs-

John W. Bell, et al., Defendants.

Case No. 13029.
Order to and Repot of Appraisers.

The Probate Court of this County:

To William Taylor, D. E. Ogan and John Livingston, the Court reposing confidence in your judgment on the 31st. day of December, A. D. 1935, it is ordain to sell real estate now pending in said Court wherein U. A. Bell Administrator is of Plaintiff and John W. Bell, et al, are Defendants, appointed you appraisers of the following described real estate:

Situated in the Township of Claibourne, County of Union, and State of Ohio, and being Out Lot No. 243 in H. T. Marriott's Addition to the Town of Richwood, Union County, Ohio, and deded by the Sheriff of Union County, Ohio to Abraham B. Butler at the Suit of Geo. W. Kestal.

For a more complete description, reference is hereby made to the platt of addition duly recorded in the records of Union County, Ohio.

You are therefore ordered by said Court that without unnecessary delay and on oath to proceed to appraise the real estate upon actual view at it's actual cash value and to make repot of your proceedings to this Court and bring this Order with you.

Witness my hand and official seal at Marysville, Ohio, this 31st. day of December, A. D. 1935.

L. W. Hazen - Probate judge.

THE COL. B. B. MFG. CO 73503

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Oath of Appraisers.

Oath of Appraisers.

State of Ohio, County of Union, ss:

On this 31st. day of Dec. A. D. 1935, before me personally appeared William Taylor, D. E. Ogan and John Livingston, within named and made oath that they did upon actual view truly and impartially appraise at its fair cash value, the within described real estate in pursuance of the within Order of the Probate Court of said County.

(Seal) Martha E. Taylor- Notary Public.

Repot of Appraisers.

Repot of Appraisers.

We do appraise the within described real estate on our oath aforesaid after having actually viewed the same at $500.00.

Witness our hands this 31 day of Dec. A. D. 1936.

W. H. Taylor.

John P. Livingston.

Filed Jan. 4-1936. Entry Confirming appraisement and Ordering additional Bond.

In the Probate Court of Union County, Ohio.

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,

-vs-

John W. Bell, et al., Defendants.

January 4, A. D. 1936.

Case No. 13029.

Entry Confirming Appraisement and Ordering Additional Bond.

This day this matter came on to be further heard on the Repot of the appraisers heretofore herein appointed; and it appearing upon examination that said Repot is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

It is further ordered that said M. A. Bell, Administrator, execute immediately to the State of Ohio, a Bond with sufficient sureties to be approved by the Court in the sum of Five Hundred Dollars ($500.), conditioned according to Law.

L. W. Hazen - Probate Judge.

Filed Jan. 4- 1936. Bond of Administrator.

Bond of Administrator.

In Proceeding to Sell Real Estate.

Know all Men by these Presents: That we M. A. Bell as principal and James Price and J. W. Peters are held and firmly bound unto the State of Ohio, in the penal sum of Five Hundred ($500) Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Richwood, Ohio, this 31st. day of December, A. D. 1935.

The condition of the above obligation is such, that whereas, the above bound M. A. Bell was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, M. A. Bell, Administrator of the estate of Elnora Butler, Deceased.

And whereas, the said M. A. Bell as such Administrator has filed a petition in said Probate Court, asking an

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Filed Jan. 4- 1936. Entry Approving Bond and Ordering Private Sale.

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Filed Jan. 7-1936. Affidavit of Service By Publication.

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order for the sale of certain Real Estate of said Elnora Butler, deceased, described in said petition;

And whereas said Court, on the 31st. day of December, A.D. 1935, made an order requiring said M. A. Bell to execute a bond according to the statute in such case made and provided.

Now, if the said M. A. Bell as Administrator aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

Executed in Presence of:
Robert F. Allen
Martha E. Taylor

M. A. Bell.
James Price.
J. W. Peters.

This Bond approved in open Court, this 6th. day of Jan. 1936.

{Seal}

L. W. Hazen - Probate judge.

Filed Jan. 4 - 1936. Entry approving Bond and Ordering Private Sale.

In the Probate Court of Union County, Ohio.

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,
-vs-
John W. Bell, et al., Defendants.

Case No. 13029.
Entry approving Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional Bond in the sum of Five Hundred Dollars ($500) with approved sureties conditioned according to law, the said Bond is hereby approved.

It is now ordered that M. A. Bell as such Administrator proceed to sell at private sale, the real estate in the Petition described as provided by law; and that he sell the same at not less than the appraised value thereof, cash to be paid by the purchaser upon delivery of a deed to him.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate judge.

Filed Jan. 7 - 1936. Affidavit of Service By Publication.

In the Probate Court of Union County, Ohio.

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,
-vs-
John W. Bell, et al., Defendants.

Case No. 13029.
Entry of appearance and Consent to Sell.

M. A. Bell, the undersigned party Defendant of the above entitled action, being a competent adult person, hereby waives the issuing and service of summons upon himself and voluntarily enters his appearance as such Defendant and consents to the sale of the real estate described in the Petition as therein prayed for.

M. A. Bell.

THE COL. B. B. MFG. CO. 73503

13029

Entry of appearance and Consent to Sell.

In the Probate Court of Union County, Ohio.

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,

-vs-

John W. Bell, et al., Defendants.

Case No. 13029.
Entry of appearance and Consent to Sell.

John W. Bell, the undersigned party Defendant of the above entitled action, being a competent adult person, hereby waives the issuing and service of summons upon himself and voluntarily enters his appearance as such Defendant and consents to the sale of the real estate described in the Petition as therein prayed for.

John W. Bell.

Affidavit of Service By Publication.

In the Probate Court of Union County, Ohio.

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,

-vs-

John W. Bell, et al., Defendants.

Case No. 13029.
Affidavit of Service by Publication.

State of Ohio, County of Union, ss:

Robert T. Allen being first duly sworn according to law, deposes and says that he is the attorney for M. A. Bell, the Plaintiff in the above entitled case, and that M. A. Bell and John W. Bell have executed an Entry of Appearance and Consent to Sell which has been filed in this case.

Affiant further says service by publication has been made on the following persons, they being non-residents of the State of Ohio, and in conformity to the Statutes of the State of Ohio, a copy of the Richwood Gazette in which service by publication was advertised, in conformity to the Editor's affidavit, was mailed to the following persons at their respective addresses, to-wit:

Laura Pearell - Baltimore, Maryland.
Margaret George - 200 N. 32nd. St., Lenbrook, Harrisburg, Pa.
Fred S. Callahan - Abington, Maryland.
Lila Bell Bates - 322 S. Jefferson Ave., Amboy, Ill.
Frank E. Bell - Clinton, Ill.
Wm. H. Bell - Clinton, Ill.
James E. Bell - Clinton, Ill.
Blanche H. Bell - Clinton, Ill.
Edna M. Bell - Clinton, Ill.
Joseph A. Bell - Clinton, Ill.
Charles L. Bell - 111 N. Grand St., Clinton, Ill.
Lloyd R. Bell - Clinton, Ill.

and further, affiant saith naught.

Robert T. Allen.

13029

Filed Jan. 7- 1936. Order of Private Sale.

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Report of Private Sale.

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Sworn to before me and subscribed in my presence this 11th. day of January, a. D. 1936.

{Seal} Martha E. Taylor - Notary Public.

Filed Jan. 7- 1936. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To M. A. Bell, Administrator of the estate of Elnora Butler, deceased: Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Administrator of the Estate of Elnora Butler, Deceased, are Plaintiff and John W. Bell, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than Five Hundred Dollars the appraised value thereof, the following described premises, to-wit:

Situated in the Township of Claibourne, County of Union and State of Ohio, and being In Lot No. 243 in H. T. Marriotts Addition to the Town of Richwood, Union County, Ohio, and deeded by the Sheriff of Union County, Ohio, to Abraham B. Butler, at the suit of George W. Vestal. For a more complete description reference is hereby made to the Platt of addition, duly recorded in the records of Union County, Ohio.

Said sale to be upon the following terms: Cash upon delivery of deed to the purchaser.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 7th. day of January, a. D. 1936.

{Seal} L. W. Hagan - 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.

Return

Dated the 7th. day of January, a. D. 1936.

M. A. Bell.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 7th. day of January, a. D. 1936, offer said property, at private sale, and Myrtle E. Burgoon having offered therefor the sum of Five Hundred Twelve and 50/100 Dollars ($512.50) and the same being not less than the appraised value of said property, I sold the same to said Myrtle E. Burgoon for that sum.

Report of Private Sale.

M. A. Bell.

THE COL. & B. MFG. CO 73503

13029

Affidavit to Repot of Private Sale.

Affidavit to Repot of Private Sale.

The State of Ohio, Union County, ss:

M. A. Bell, being duly sworn, says that the private sale of property made under the within order, and repoted above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

M. A. Bell.

Subscribed in my presence and sworn to before me, this 7th. day of January, A. D. 1936.

{Seal} Martha E. Taylor - Notary Public.

In the Probate Court of Union County, Ohio.

Filed Jan. 7- 1936. Entry Confirming Sale and Ordering Deed and Distribution

M. A. Bell, Administrator of the Estate of Elnora Butler, Deceased, Plaintiff,

-vs-

John W. Bell, et al., Defendants.

Case No. 13029.

Entry Confirming Sale and Ordering Deed and Distribution.

This day this cause came on to be heard upon the Repot of M. A. Bell, Administrator of the Estate of Elnora Butler, deceased, of his proceedings under the former Order of this Court and upon Motion of said Petitioner to confirm the sale made in obedience to said Order; the Court having carefully examined said Repot 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 Elnora Butler, deceased, in said real estate to the purchaser, Myrtle E. Burgoon, upon her payment of the purchase price in cash.

And now this cause coming on further to be heard upon the pleadings herein and upon the Motion to distribute the proceeds of sale amounting to the sum of Five Hundred Twelve and 50/100 Dollars ($512.50).

It is ordred that said M. A. Bell, Administrator of the Estate of Elnora Butler, deceased, out of the money in his hands pay:

First: To the Treasurer of this County, the sum of $0.00 being the taxes, penalties and interest thereon against said property.

Second: Costs and expenses incurred in the sale of said property including the probate court costs herein in the amount of $54.42, an attorney fee of $35. to Robert F. Allen and the per centum of said Administrator herein amounting to the sum of $30.72; to Wm. C. Jacobs, Real Estate Cpm. $26.

Third: It is further ordred that the balance of said proceeds amounting to the sum of $367.36 be accounted for by the said M. A. Bell, administrator, according to law. L. W. Hazen - Probate Judge.

13187

Filed Apr. 7- 1936. Grace Tew Heck attorney.

State Charles ... & Alice ... Thompson

Petition

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Filed
Apr. 7- 1936.
Grace Tenn Heck
attorney.

Petition to Sell Real Estate.

State of Ohio, Union County, ss.
Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson, minors,
Plaintiffs,
-vs-
Alice Thompson, Lois Thompson and Charles Sager,
Defendants.

In the Probate Court of Union County, Ohio.

Petition for Guardian to Sell Real Estate.

Petition

Plaintiff is the duly appointed, qualified and acting guardian of Alice Thompson, a minor aged sixteen years and Lois Thompson, a minor aged twenty years.

Said wards are each seized of an undivided one fifteenth interest in the following described real estate situate in Madriver Township, Champaign County, Ohio:

Situate in Section 12, Town 4, Range 10 M. R. S., beginning at a stone in the east line of said Section 12, the southeast corner of a 100 acre tract formerly owned by Samuel Rector; thence south 100 poles to a stone; thence west 160 poles to a stone in the middle of said section; thence N. 87° 00' W. 30 poles and 10 links to a stone; thence N. 12° E. 45 poles and 10 links to a stone; formerly a corner to the lands of James Jones and William Weaver; thence east 21 poles to a stone, the northwest corner of the southwest quarter of said Section 12; thence north with the half section line 9 poles and 8 links; thence west 44 poles; thence north 14.80 poles; thence west 64 poles; thence north 103.70 poles; thence east 64 poles; thence south 67.82 poles, formerly William Sutton's southwest corner; thence east 42 poles to the half section line; formerly a corner to the lands of William Sutton, Samuel Rector and Conway Rector; thence east 160 poles to the beginning, containing 157 3/4 acres of land more or less and being the farm known as the Seitz farm as described in Deed Book 92 page 582 of the deed records of Champaign County, Ohio.

The value of said real estate as near as can be ascertained is $7887.00, and the value of the share of each minor is $525.83.

The defendant Charles Sager is seized of an undivided thirteen-fifteenths of said real estate.

Until recently the entire property was covered by two first mortgages, for $4000.00 and $2000.00 to the Federal Land Banks of Louisville and the Land Bank Commissioner, respectively. The defendant, Charles Sager, has paid these mortgages, including the defendant minors' share thereof, and is subrogated to the right of the original mortgagee as against the defendant minors' share of said property.

THE COL. B. B. MFG. CO 73503

13134

The equity of said minors in said real estate is, as near as can be ascertained $125.83 each.

Plaintiff further avers that it will be for the benefit of said wards to sell their interests in said real estate, as a better investment of its value can be made and it will be to the best interest of said minors to sell said real estate at private sale.

Wherefore, plaintiff prays the Court to set this petition for hearing, to issue summons to the Sheriff of this County for the defendants, returnable according to law, and for an order authorizing plaintiff to sell said real estate at private sale; and for such other and further relief as plaintiff may be entitled to.

Grace Fern Heck- Attorney for Plaintiff.

Charles L. Thompson, Guardian, first being duly sworn says that he is the plaintiff in this action, and that the facts stated and the allegations contained in the foregoing petition are true as he verily believes.

Charles L. Thompson.

Oath.

Sworn to before me and subscribed in my presence this 23rd. day of March, 1936.

{Seal} L. A. Michel- Notary Public.

Filed Apr. 7- 1936. Entry of Appearance and Consent to Sale.

In the Probate Court of Union County, Ohio.

Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson, minors, Plaintiffs, -vs- Alice Thompson, Lois Thompson and Charles Sager, Defendants.

No. 13134.

Entry of Appearance and Consent to Sale.

Charles Sager, the undersigned party defendant in the above entitled action being a competent adult person hereby waives the issuing and service of summons upon him and voluntarily enters his appearance as such defendant and consents to the sale of the real estate described in the petition as therein prayed for.

Charles Sager.

Filed Apr. 10- 1936. Applications of Minors for Appointment of Guardian Ad Litem.

In the Probate Court of Union County, Ohio.

Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson, minors, Plaintiffs -vs- Alice Thompson, Lois Thompson and Charles Sager, Defendants.

No. 13134.

Application of Minors for Appointment of Guardian Ad Litem.

Now come Alice Thompson and Lois Thompson, minors, both over the age of fourteen years and having been served

13134

Filed Apr. 10- 1936. Entry Appointing Guardian ad Litem.

Filed Apr. 10- 1936. Answer of Guardian ad Litem.

13134 with summons according to law and respectfully apply to the Court for the appointment of Clifton L. Caryl as Guardian ad Litem.

Alice Thompson.
Lois Thompson.
Union County, Ohio.

Filed Apr. 10-1936. Entry Appointing Guardian ad Litem.

In the Probate Court of Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson, minors, Plaintiffs, -vs- Alice Thompson, Lois Thompson and Charles Sager, Defendants.

No. 13134.
Entry appointing Guardian ad Litem.

Upon application of Alice Thompson and Lois Thompson, minors over the age of fourteen, it appearing that said Alice Thompson and Lois Thompson, two of the defendants herein, were duly served with summons, and are minors of the ages of sixteen and twenty years respectively, it is ordered that Clifton L. Caryl be and he is hereby appointed guardian ad litem of said Alice Thompson and Lois Thompson.

L. W. Hazen - Judge.
of Union County, Ohio.

Filed Apr. 10-1936. Answer of Guardian ad Litem.

In the Probate Court of Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson, minors, Plaintiffs, -vs- Alice Thompson, Lois Thompson and Charles Sager, Defendants.

No. 13134.
Answer of Guardian ad Litem.

And now comes Clifton L. Caryl duly appointed by the Court as Guardian ad Litem for Alice Thompson and Lois Thompson, the minor defendants and for answer to the petition of said plaintiff says that he has not by reason of the tender age of said defendants become informed as to the truth of the matters set forth in said petition; and, therefore, on behalf of said minor defendants, denies the same, and submits the interest of said defendants to the care and protection of the Court, to order in the premises as justice and the interest of said defendants shall require.

Clifton L. Caryl - Guardian ad Litem.

13134
Filed
Apr. 10 - 1936.
Entry Ordering
Appraisal
and Sale.

In the Probate Court of Union County, Ohio.

Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson, minors,
Plaintiffs,

-vs-

Alice Thompson, Lois Thompson and Charles Sager,
Defendants.

No. 13134.
Entry Ordering Appraisal and Sale.

This matter coming on to be heard on the petition of the plaintiff to sell real estate and the answer of the Guardian ad Litem of Alice Thompson and Lois Thompson, minors; and the waiver of service and appearance and consent to sale of the defendant, Charles Sager, the Court finds that the defendants Alice Thompson and Lois Thompson, minors over the age of fourteen years, and their father, Charles L. Thompson, were duly served with summons according to law, and that the defendant, Charles Sager, has waived service of summons, and entered his appearance herein, and that all parties are properly before the Court.

The Court further finds that the defendant, Charles Sager, has paid and discharged the mortgages against said premises described in the petition, and is subrogated to the rights of the mortgagees, The Federal Land Bank of Louisville, and the Land Bank Commissioner as against the minor defendants herein and there is due him the sum of $400.00 as principal and $3.47 interest from each minor defendant.

The Court further finds that it will be for the benefit of said minor defendants to sell their interest in said real estate, and for the best interest of said minors to sell said property at private sale.

It is therefore ordered and adjudged that plaintiff, as guardian of said minors be and he hereby is authorized to sell the interest of said minors in the real estate described in the petition at private sale for a sum not less than the appraised value thereof and to pay to the defendant, Charles Sager, the amount herein found due him.

It is further ordered that Ed Loudenback, Pearl Hanna, and C. R. Dodge, three judicious and disinterested persons of the vicinity, not next of kin of the petitioner, be and they hereby are appointed to appraise said real estate at its true value in money; it is further ordered that said appraisers be sworn as required by them according to law, and to make return of their proceedings in writing to this Court on or before the 20th. day of April, 1936.

L. W. Hazen - Judge.

13134
Filed
Apr. 13 - 1936.
Order of
Appraisement.

Return.

13134
Filed
Apr. 13-1936.
Order of
Appraisement.

Order of Appraisement.

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

To Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson:

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 Gfardian of Alice Thompson and Lois Thompson are Plaintiff and Alice Thompson, et al., are Defendants, you are commanded that by the oaths of Ed C. Loudenback, Pearl S. Hanna and C.R. Dodge judicious disinterested persons of the vicinity, not of kin to the petitioner, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises to-wit:

Being in Madrid Township, Champaign County, Ohio, situate in Section 12, Town 4, Range 10 M.R.S., beginning at a stone in the east line of said Section 12, the south-east corner of a 100 acre tract formerly owned by Samuel Rector; thence south 100 poles to a stone; thence west 160 poles to a stone in the middle of said section; thence N. 87° 00' W. 30 poles and 10 links to a stone; thence N. 12° E. 46 poles and 10 links to a stone; formerly a corner to the lands of James Jones and William Weaver; thence east 21 poles to a stone, the nathwest corner of the south-west quarter of said Section 12; thence north with the half section line 69 poles and 8 links; thence west 44 poles; thence north 14.80 poles; thence west 64 poles; thence north 103.70 poles; thence east 64 poles; thence south 67.82 poles, formerly William Sutton's southwest corner; thence east 42 poles to the half section line; formerly a corner to the lands of William Sutton, Samuel Rector and Conway Rector; thence east 160 poles to the beginning, containing 157 3/4 acres of land more or less and being the farm known as the Seitz farm as described in Deed Book 92, page 582 of the deed records of Champaign County, Ohio.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 10th. day of April, A.D. 1936.

{Seal} L. W. Hazen - Probate Judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 11th. day of April, 1936.

Charles L. Thompson.

THE COL. B. B. MFG. CO. 73503

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Oath of appraisers.

Oath of appraisers.

The State of Ohio, Champaign County.

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

Ed. C. Loudenback
Pearl S. Hanna } appraisers.
C. R. Dodge

Sworn to before me and signed in my presence, this 11th. day of April, 1936.

Eva Eleyet Voke.

Seal Eva Eleyet Voke, nee Eva D. Eleyet.
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 in money of said real estate at Sixty Dollars an acre.

Given under our hands, this 11th. day of April, 1936.

Ed. C. Loudenback.
Pearl S. Hanna. } appraisers.
C. R. Dodge.

Filed Apr. 13- 1936. Summons.

Summons on Petition to Sell Real Estate.
Sheriff - Minors.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are commanded to notify Charles L. Thompson - Gdn. and Alice Thompson and Lois Thompson, Minors.

"Petition for Guardian to Sell Real Estate", To reinvest the proceeds therefrom, to better advantage to the ones interested; and the following named who are minors, to-wit:

Alice Thompson and Lois Thompson - two Minors over fourteen years of age, making service of this summons upon such minors as are over fourteen years of age, and also upon the guardian, father, mother or custodian of said minors, in the odr named; that on the 7th. day of April, A. D. 1936, Charles L. Thompson, Guardian and Father of the above Minors of their property etc. by Atty. Grace Fern Heck 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, and in said petition described, for the purpose of making a better investment of the proceeds from the sale of said Real Estate situated in Champaign County as described in "Petition" on file in this Union County Probate Office, and that unless they answer by the 19th.

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Sheriff's Return.

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Filed Apr. 15- 1936. Journal Entry Confirming Appraisement and Ordering Additional Bond.

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Filed Apr. 15- 1936. Guardians Bond.

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day of May, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons on the 20th. day of April, 1936.

Witness my hand and the seal of said Court, this 7th. day of April, 1936.

{Seal}

L. W. Hazen - Judge and ex officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, County.

Sheriff Fees	
Service & Return, first name	$.75
2 Additional names, at 25¢	.50
28 miles traveled at 8¢	2.24
Total	$3.49

Received this writ April 7th. 1936, at 11 o'clock A. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: April 9th. 1936, on Alice Thompson, minor and Lois Thompson, minor, by personally handing to each of them a true and certified copy of this writ. And on April 13th. 1936, on Charles L. Thompson the father of the said Alice Thompson, minor and Lois Thompson, minor, by personally handing to him a true and certified copy of this writ.

Sheriff's Return.

William Rausch - Sheriff.
By - A. Grigsby - Deputy.

Filed Apr. 15- 1936. Journal Entry confirming appraisement and Ordering Additional Bond.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Charles L. Thompson as Guardian of Alice Thompson and Lois Thompson, minors, Plaintiff,
-vs-
Alice Thompson, et al., Defendants.

April 15, 1936.
Confirming Appraisement and Ordering Additional Bond.

This day this matter came on to be further heard on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

It is further ordered that said Charles L. Thompson, execute within five days to the State of Ohio a bond with sufficient sureties to be approved by the Court in the sum of Twenty Five Hundred, ($2500.00), Dollars, conditioned according to law.

L. W. Hazen - Probate Judge.

Filed Apr. 15- 1936. Guardians Bond.

Guardians Bond.

In Proceedings to Sell Real Estate.

Know All Men by these Presents, That we, Charles L. Thompson, principal and Fidelity and Deposit Company of Maryland, surety, are held and firmly bound unto

THE COL. R. B. MFG. CO 73503

13134

the State of Ohio, in the sum of Twenty-Five Hundred ($2500.00) Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 15th. day of April, 1936.

The condition of the above obligation is such, that whereas, the above bound Charles L. Thompson was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, guardian of Alice Thompson and Lois Thompson, minors.

And whereas, the said Charles L. Thompson as such Guardian, has filed a petition in said 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 Twelve Hundred Sixty Two, ($1262.00), Dollars.

And whereas said Court, on the 15th. day of April, 1936, made an order requiring said Guardian to execute a bond according to the Statutes in such cases made and provided.

Now, if the said Charles L. Thompson 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.

Executed in presence of:
Era D. Yoke.
Grace Fern Heck.

Charles L. Thompson
Fidelity and Deposit Company of Maryland.
By- James R. Hearn- atty-in-fact.

This Bond approved in open Court, this 15th. day of April, 1936.

{Seal}
L. W. Hazen - Probate judge.

Filed Apr. 15-1936. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson, minors, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson, minors, are Plaintiff and Alice Thompson, et al., are Defendants, you are commanded to proceed according to Law to sell at Private Sale, for not less than Twelve Hundred Sixty Two Dollars, ($1262.00), the appraised value thereof, the undivided two-fifteenths following described premises, to-wit:

Being in Madriver Township, Champaign County, Ohio.

Situate in Section 12, Town 4, Range 10 M. R. S., beginning at a stone in the east line of said Section 12, the southeast corner of a 100 acre tract formerly owned by Samuel Proctor; thence south 100 poles to a stone;

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Report of Private Sale.

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Affidavit to Report of Private Sale.

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thence west 160 poles to a stone in the middle of said section; thence N. 87° 50' W. 30 poles and 10 links to a stone; thence N. 12° E. 45 poles and 10 links to a stone; formerly a corner to the lands of James Jones and William Weaver; thence east 81 poles to a stone, the northwest corner of the southwest quarter of said Section 12; thence north with the half section line 9 poles and 8 links; thence west 44 poles; thence north 14.80 poles; thence west 54 poles; thence north 103.70 poles; thence east 54 poles; thence south 67.82 poles, formerly William Sutton's southwest corner; thence east 42 poles to the half section line; formerly a corner to the lands of William Sutton, Samuel Rector and Conway Rector; thence east 160 poles to the beginning, containing 157 3/4 acres of land more or less and being the farm known as the Seitz farm as described in Deed Book 92, page 582 of the deed records of Champaign County, Ohio.

Said sale to be upon the following terms: Cash.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 15th. day of April, 1936.

(Seal) L. W. Hazen- Probate Judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 15th. day of April, 1936.

Charles L. Thompson.

Report of Private Sale.

Report of Private Sale. In obedience to the command of the within order of sale, I did on the 15th. day of April, 1936, offer said property, at private sale, and Charles Sager having offered therefor the sum of One Thousand Four Hundred One and Twenty Hundredths Dollars ($1401.20) and the same being not less than the appraised value of said property, I sold the same to said Charles Sager for that sum.

Charles L. Thompson.

Affidavit to Report of Private Sale.

The State of Ohio, Union County, ss:

Affidavit to Report of Private Sale. Charles L. Thompson, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Charles L. Thompson.

THE COL. B. B. MFG. CO. 73503

13134

Subscribed in my presence and sworn to before me, this 15th. day of April, 1936.

{Seal} Era D. Yoke - Notary Public.

My Commission Expires April 13, 1939.

Filed Apr. 15- 1936. Journal Entry. Approving Additional

Journal Entry - Proceeding to Sell Real Estate.

Probate Court, Union County, Ohio.

April 15- 1936.

Charles L. Thompson as Guardian of Alice Thompson and Lois Thompson, minors,

Plaintiff,

-vs-

Alice Thompson, et al.,

Defendants.

Journal Entry - Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Twenty Five Hundred, ($2500.00), Dollars, with approved sureties, conditioned according to law, the said bond is duly approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the intrest of said Alice Thompson and Lois Thompson to sell the real estate described in the petition at private sale, it is now ordered that Charles L. Thompson as such Guardian, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed Apr. 15-1936. Journal Entry. Confirming Sale, Ordering Deed and Distribution

Journal Entry - Proceeding to Sell Real Estate.

Probate Court, Union County, Ohio.

April 15, 1936.

Charles L. Thompson as Guardian of Alice Thompson and Lois Thompson, minors,

Plaintiff,

-vs-

Alice Thompson, et al.,

Defendants.

Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the report of Charles L. Thompson, Guardian of Alice Thompson and Lois Thompson, minors, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Alice Thompson

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and Lois Thompson in said real estate, to the purchaser, Charles Sager. 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 Fourteen Hundred One and Twenty Hundredths Dollars, and the said Charles L. Thompson surviving spouse having herein asked that the value of his dower in said premises be allowed and paid him out of the proceeds of the said sale; the Court finds the just and reasonable value of his dower interest in said real estate to be the sum of $192.87 Dollars. The Court finds that there is due to the said Charles Sager upon the notes set forth in the petition, from the estates of said wards the sum ($806.94) of Eight Hundred Six and Ninety Four Hundredths Dollars, with interest thereon at six per centum from the date of this entry; that the said Alice Thompson and Lois Thompson, and said Charles L. Thompson spouse, to secure the payment of said promissory notes, gave a mortgage upon the premises in the petition described, which was a valid and subsisting lien upon said premises, and now upon the funds in the hands of said Guardian arising from the sale of said premises. It is ordered that an entry of release and satisfaction of said mortgage lien be entered on record in the office of the Recorder of Champaign County, Ohio, according to law.

It is further ordered that said Guardian out of the money in his hands, pay:

First, the costs and expenses of the sale, including an attorney fee of $76.00 to Grace Finn Heck for services performed for the fiduciary in connection with the sale and the sum of $0.00 to the fiduciary for his services in connection with the sale, which costs, expenses, fees and compensation shall be paid prior to any liens upon the real estate sold and not withstanding the purchase of such real estate by a lien holder.

Second, to the payment of taxes, penalties, and assessments then due, against such real estate and to the payment of mortgages and judgments against the ward or deceased person, according to their respective priorities of lien, so far as they operated as a lien on the real estate of the deceased at the time of the sale or on the estate of the ward at the time of the sale; which shall be apportioned and determined by the Court, or on reference to a master or otherwise.

Third, the remaining proceeds of sale to be applied as follows:

(a) If the action be to sell real estate to pay legacies, to the payment of legacies with which the real estate of the deceased was charged;

THE COL. B. B. MFG. CO. 73503

13134

(d) To discharge the claims and debts of the estate, in the order provided by law;

(e) Whether such executor or administrator was appointed in this state or elsewhere, the surplus of the proceeds of sale must be considered as real estate and be disposed of accordingly.

Fourth, in case of a guardian, in the manner and upon the terms approved by the Court where he was appointed. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $28.40, out of the proceeds of said sale, within ten days.

L. W. Hazen - Probate Judge.

13118
Filed
Mar. 4- 1936.
Cameron & Cameron
Attorneys.

Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio.

Andrew Stinhoff, Executor of the Last Will of Adam Streng, Deceased,

Plaintiff,

-vs-

William Streng and Elizabeth Streng, his wife; John Streng and Lena Streng, his wife; Rosa Blumenschein; Dora Rausch; Clara Blumenschein; Margarethe Dann; Ed Streng; Gerhard Streng and Lena Streng, his wife; Flora Blumenschein; Henry Streng and Elsie Streng, his wife; Lawrence Streng and Donna Streng, his wife; Clarence Nicol; Frida Kleiber, Rachel Rausch, Arnold M. Nicol, Homer Nicol, and Ralph Nicol,

Defendants.

No. 13118.
Petition to Sell Real Estate.

The plaintiff is the duly appointed, qualified and acting Executor of the Last Will of Adam Streng, deceased.

Said Last Will was duly probated by this Court on the third day of February, 1936. Said Will is in full as follows:-

"I, Adam Streng, of Marysville, Union County, Ohio, being of sound and disposing mind and memory, but mindful of the uncertainty of life, and desirous of making such disposition of my estate, as seems best to me, do make, publish and and declare this my last Will & Testament, hereby revoking all former Wills and Codicils by me made.

13118

Petition.

13118

Item 1. It is my Will that all my just debts (if any) and funeral expenses be paid. I also direct the erection of a monument for my wife + me, (if I do not attend to it) at a cost of from $300 to $400.

Item 2. I give and bequeath unto my Grand-children, (children of my daughter Lena Nicol deceased) as follows: To Clarence Nicol, $5.00, To Frida Kleiber, $50.00, To Rachel Ransch, $25.00, To Annie Nicol, $25.00, To Homer Nicol, $25.00 and to Ralph Nicol, $25.00.

Item 3. I give and bequeath unto Elizabeth Streng (wife of William Streng) To Lena Streng, (wife of John Streng) To Lena Streng, (wife of Gerhard Streng), To Elsie Streng (wife of Henry Streng), & to Donna Streng, (wife of Lawrence Streng) To Dora Rausch, (wife of Mike Rausch), and to Flora Blumenschein, (wife of Martin Blumenschein), to each one of these seven, the sum of $100.00 each.

Item 4. I give and bequeath to Rosa Blumenschein $25.00, To Maggie Dawn, $25.00, and to Clara Blumenschein, $25.00.

Real Estate. Petition. Item 5. I give and bequeath all the rest and residue of my estate, unto my 8 children as named in this Item 5, to-wit: William Streng, John Streng, Gerhard Streng, Henry Streng, Lawrence Streng, Dora Rausch (wife of Mike Rausch) Flora Blumenschein, (wife of Martin Blumenschein) and to Ted Streng, to each of these eight equally, share and share alike, to them, their heirs and assigns, forever.

Item 6. I give to my Executor, authority and power, and direction, to sell and convey, according to his best judgment, any part or all of my estate, and to make proper conveyance thereof to carry out this Will.

Item 7. I hereby nominate as my Executor, my friend, Andrew Sturhoff, but to receive as his full compensation the sum of $50.00.

Done at Marysville, Ohio, this 11th. day of July, 1932.

(Signed) Adam S Streng.

The foregoing instrument was signed, declared and acknowledged by said Adam Streng as and for his last Will and Testament, in our presence, and signed by us as witnesses, in his presence, and in the presence of each other, at his request at Marysville, Ohio, this 11th. day of July, 1932.

(Signed) R. C. Kinkade.
(Signed) John H. Kinkade.

The said provisions of Item 2, Item 3, Item 4, and Item 5, together with Item 6, are a charge on the following real estate of which said decedent died seized: Situated in the County of Union, in the State of Ohio, and in the Village of Marysville, and bounded and described as follows:

THE COL. B. B. MFG. CO. 73503

13118

Being Lots Nos. 472, 473, 474 and 475 of Sunny Side Park Addition to the Village of Marysville, which includes the William Robinson Addition to said Village. For a more definite description of said lots reference is hereby made to the recorded plat of said Addition as found in the Recorder's Office of said Union County, Ohio.

The following defendants herein, are all of the next of kin, heirs at law, legatees and devisees of the said Adam Streng, deceased:

Williams Streng and Elizabeth Streng, his wife,
John Streng and Lena Streng, his wife,
Rosa Blumenschein, Dora Rausch, Clara Blumenschein,
Margarethe Dawn, Ted Streng, Gerhard Streng and
Lena Streng, his wife, Flora Blumenschein,
Henry Streng and Elsie Streng, his wife,
Lawrence Streng and Donna Streng, his wife,
Clarence Nicol, Frieda Kleiber, Rachel Rausch,
Arnold M. Nicol and Homer Nicol and Ralph Nicol.

That the said Adam Streng left no surviving spouse; that the defendant, Margarethe Dawn, is one and the same person as Maggie Dawn named in said will, and the defendant, Arnold M. Nicol, is one and the same person as Ernie Nicol named in said will.

That it is necessary to sell said real estate in order to make distribution of the estate among the persons entitled thereto.

Wherefore, petitioner prays that the Court set this petition for hearing, issue summons to the Sheriff of the County for the following defendants: Rosa Blumenschein, Clara Blumenschein, returnable according to law; and for an order authorizing the plaintiff to sell said real estate in order to make distribution of said estate.

Cameron & Cameron - Attorneys for Plaintiff.

State of Ohio, Union County, ss.

Andrew Stierhoff, being first duly sworn, says that he is the duly appointed, qualified and acting Executor of the Last Will and Testament of Adam Streng, deceased, and that the facts stated and allegations made and contained in the foregoing petition are true as he verily believes.

Andrew Stierhoff.

Sworn to before me and signed in my presence this 4th. day of March, 1936.

{Seal} Wm. R. Cameron - Notary Public.

Oath.

13118
Filed
Mar. 4- 1936.
Waiver of Summons and Consent to Sell.

Filed
Mar. 4- 1936.
Waiver of Summons and Consent to Sell.

13118
Filed
Mar. 4- 1936.
Waiver of Summons and Consent to Sell.

Waiver of Summons, on Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

Andrew Stinhoff, Executor of the Will of Adam Streng, Deceased,
Plaintiff,
-vs-
William Streng, et al.,
Defendants.

No. 13118.
Proceeding to Sell Real Estate.
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.
March 4th. A. D. 1936.

Gerhard Streng.
Lena Streng (wife of Gerhard Streng).
Donna Streng.

Filed
Mar. 4- 1936.
Waiver of Summons and Consent to Sell.

Waiver of Summons on Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

Andrew Stinhoff, Executor of the Will of Adam Streng, Deceased,
Plaintiff,
-vs-
William Streng, et al.,
Defendants.

No. 13118.
Proceeding to Sell Real Estate.
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.
March 4th. A. D. 1936.

Teda Streng.
Henry Streng.
Elsie Streng.
Margarethe Dann.
Flora Blumenschein.
Lawrence Streng.
Dora Rausch.
Lena Streng (wife of John Streng).
John Streng.
Clarence Nicol.
Arnold M. Nicol.
Homer Nicol.
Frieda Kleiber.
Wm. Streng.
Elizabeth Streng.
Rachel Rausch.

THE COL. B. B. MFG. CO. 73503

13118
Filed
Mar. 24- 1936.
Waiver of Summons and Consent to Sell.

Waiver of Summons, on Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

Andrew Stienhoff, Executor of the Will of Adam Streng, Deceased,
Plaintiff,
-vs-
William Streng, et al.,
Defendants.

No. 13118
Proceeding to Sell Real Estate.
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.

March 24th. A. D. 1936.

Ralph J. C. Nicol.

Filed
Mar. 9- 1936.
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 Rosa Blumenschein (R. R. D. #2, Marysville, Ohio) and Clara Blumenschein (322 W. 4th. St., Marysville, Ohio) that on the 4th. day of March A. D. 1936, Andrew Stienhoff, Executor of the Last Will of Adam Streng 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 legacies and to make distribution of said estate, and that unless they answer by the 4th. day of April 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 16th. day of March 1936.

Witness my hand and the seal of said Court, this 5th. day of March, 1936.

L. W. Hazen- Judge and ex-officio Clerk of the Probate Court of said County.

{Seal}

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees.	
Service + Return, first name	$ .75
1 Additional name, at 25¢	.25
miles traveled at 8¢	1.00
Total	$ 2.00

Sheriff's Return.

Recived this writ March 6th. 1936, at 10 o'clock a. m., and on the 6th. day of March, 1936 I served the same by delivering a copy thereof personally to the within named Rosa Blumenschein. And on the same day I served the same by leaving a copy thereof at the usual place of residence of the within named Clara Blumenschein

William Rausch - Sheriff.
By- A. Snipes - Deputy.

13118
Filed
Apr. 6- 1936.
Entry Dispensing with a New appraisement and Ordering additional Bond.

Andrew Stienhoff, Executor of the Will of Adam Streng, Deceased,
Plaintiff,
-vs-
William Streng, et al.,
Defendants.

Petition to Sell Real Estate.

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 24th. A. D. 1936.

Ralph J. C. Nicol.

Filed
Apr. 6- 1936.
Bond of Executor.

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13118
Filed
Apr. 6- 1936.
Entry
Dispensing
with a New
appraisement
and Ordering
additional
Bond.

In the Probate Court, Union County, Ohio.

Andrew Stienhoff, Executor of
the Last Will of Adam Streng,
Deceased,
Plaintiff,
-vs-
William Streng, et al.,
Defendants.

No. 13118.
Entry Dispensing with a New Appraisement and Ordering Bond.

This day this cause came on to be heard upon the petition, and evidence, and the Court being fully advised in the premises finds: That all the defendants herein have been duly and legally served with process or have voluntarily entered their appearance herein, and are now properly before the Court. That the statements and allegations in said petition are true. That the said Adam Streng, 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, said real estate described in the petition herein, having been appraised by the appraisers of the estate at One Thousand Five Hundred Dollars ($1500.00). It is ordered that another appraisement be and the same is hereby dispensed with.

The Court further finds that the bond heretofore given by the plaintiff as Executor of the estate of Adam Streng, deceased, in the amount of Sixteen Thousand Dollars is insufficient, and it is ordered that he file an additional bond with sufficient sureties to be approved by this Court in the sum of Two Thousand Dollars; and this cause is continued.

Dated April 6th. 1936.

L. W. Hazen- Probate Judge.

Filed
Apr. 6-1936.
Bond of
Executor.

Bond of Executor.
In Proceeding to Sell Real Estate.

Know all Men by these Presents: That we Andrew Stienhoff, and The Ohio Casualty Insurance Company, are held and firmly bound unto the State of Ohio, in the penal sum of Two Thousand Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 6th. day of April A. D. 1936.

The condition of the above obligation is such, That whereas, the above bound Andrew Stienhoff was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, as Executor of the estate of Adam Streng, Deceased.

And whereas, the said Andrew Stienhoff as such Executor has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of

THE COL. B. B. MFG. CO. 73503

13118

said Adam Streng, deceased, described in said petition;

And whereas, said Court, on the 6th. day of April 1936, made an order requiring said Executor to Execute a bond according to the statute in such cases made and provided.

Now, if the said Andrew Stinhoff as Executor aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

Executed in Presence of:
Wm. R. Cameron.
R. L. Cameron.

Andrew Stinhoff.
The Ohio Casualty Ins. Co.
By- Charlotte Henderson-atty-in-fact.

This Bond approved in open Court, this 6th. day of April, 1936.

{Seal}

L. W. Hazen - Probate Judge.

Journal Entry- Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Filed Apr. 6- 1936. Journal Entry- Approving Additional Bond and Ordering Private Sale

Andrew Stinhoff as Executor of the Last Will of Adam Streng, Deceased, Plaintiff,
-vs-
William Streng, et al., Defendants.

April 6th. 1936. Approving additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Two Thousand Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said estate to sell the real estate described in the petition at private sale, it is now ordered that Andrew Stinhoff as such Executor, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash in hand.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed Apr. 8- 1936. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Andrew Stinhoff, Executor of the Last Will of Adam Streng, Deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Executor of the Last Will of Adam Streng, deceased, are Plaintiff and William Streng, et al., are Defendants, you are commanded to proceed according

Return.

Report of Private Sale.

Affidavit to Report of Private Sale.

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to law, to sell at Private Sale, for not less than One Thousand Five Hundred Dollars 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 Marysville, and bounded and described as follows:

Being Lots Nos. 472, 473, 474, and 475 of Sunny Side Park Addition to the Village of Marysville, which includes the William Robinson Addition to said Village. For a more definite description of said lots reference is hereby made to the recorded plat of said Addition as found in the Recorder's Office of said Union County, Ohio.

Said sale to be upon the following terms: Cash.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 6th. day of April 1936.

{Seal} L. W. Hayden - Probate Judge.

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 8th. day of April, 1936.

Andrew Stienhoff - Executor.

Repot of Private Sale.

Repot of Private Sale. In obedience to the command of the within order of sale, I did on the 8th. day of April, 1936, offer said property, at private sale, and Henry Streng and Elsie Streng, his wife, having offered therefor the sum of Sixteen Hundred and Sixty Dollars ($1660.00) and the same being not less than the appraised value of said property, I sold the same to said Henry Streng and Elsie Streng for that sum.

Andrew Stienhoff.

Affidavit to Repot of Private Sale.

The State of Ohio, Union County, ss.

Affidavit to Repot of Private Sale. Andrew Stienhoff, as Executor aforesaid, being duly sworn, says that the private sale of property made under the within order and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Andrew Stienhoff.

Sworn to before me and subscribed in my presence, this 8th. day of April, 1936.

{Seal}

Wm. R. Cameron - Notary Public.

THE COL. B. B. MFG. CO. 73503

13118
Filed
apr. 8- 1936.
Entry Confirming Sale, Ordering Deed and Distribution.

In the Probate Court, Union County, Ohio.

Andrew Stinhoff, Executor of the Last Will of Adam Streng, Deceased,
Plaintiff,
-vs-
William Streng, et al.,
Defendants.

No. 13118.
Entry Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the repot of Andrew Stinhoff, Executor of the estate of Adam Streng, deceased, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; the Court having carefully examined said repot, 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 Adam Streng, deceased, in said real estate, to the purchasers, Henry Streng and Elsie Streng, his wife.

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 $1660.00, it is further ordered that said Andrew Stinhoff, Executor, out of the money in his hands, pay: First, to the treasurer of this County the sum of $8.61, being the taxes assessed against said property. Second, the costs and expenses incurred in the sale of said property. Third, it is further ordered that the said Executor retain the balance of said proceeds in his hands, to be accounted for by him, according to law, in the administration of the said estate of Adam Streng, deceased. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $15.00, out of the proceeds of said sale, within ten days.

Dated this 8th. day of April, 1936.

L. W. Hazen - Probate Judge.

12906
Filed
Mar. 25-1936.
John W. Dailey, Attorney.

Petition

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12906
Filed
Mar. 25-1935.
John W. Daily
attorney.

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

Alfred D. Cope, Executor of the Estate of Claribel Harris, Deceased,

Plaintiff,

-vs-

Eugene Earnest, Mary Earnest Jones, The Kednal Land Bank, Louisville, Ky. Willard D. Hamilton, Brice Shaw, Ruth Shaw and Annetta Shaw Barnes,

Defendants.

No. 12906
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting Executor of the estate of Claribel Harris deceased, late of this county; as near as can be ascertained the amount of the valid debts against said deceased is Three Thousand Five Hundred Dollars.

And the costs of administering the estate will be about Two Hundred Dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at Two Hundred Forty Six Dollars, said appraisement not having been excepted to; and said pusonal property is wholly insufficient to pay the debts, allowance and costs aforesaid.

Petition

Said decedent did seized in fee simple of the following described real estate situated in the county of Union, State of Ohio, and further described as follows:

1st. Tract: Situated in the Township of Taylor and in Survey No. 4264.

Beginning at a stake in the center of the Marysville and Fulton Pike in the south line of Lot No. 131 of the sub-division of Survey No. 5264; thence with the said line South 82 degrees West 68.60 poles to a stone southeast corner to D. H. Pierce land; thence with the east line of said land North 8 degrees West 103.84 poles to a stone at the northeast corner of said land; thence with the north line of said Lot No. 13 North 82 degrees East 56.24 poles to a stone in the center of said Marysville and Fulton Road; thence South 15 degrees east 104.56 poles to the beginning. Containing 40.50 acres, more or less.

2nd. Tract: Situated in the County of Union, State of Ohio, and in the Township of Taylor and being a part of Survey No. 4264- Part of Lot No. 14 of said Survey.

Beginning at the northeast corner of said lot at three Beeches; thence south 80 degrees 25' West 154 poles

THE COL. B. B. MFG. CO. 73503

12906

to a stake; thence south 9 degree east 51- 7/8 poles to a stake; thence north 80 degree 25' east 154 poles to a stake; thence north 9 degree west 51- 7/8 poles to the beginning. Containing 50 acres, more or less and excepting 9 acres sold to Clark Low in the year of 1876 off of the west end of the above described tract; leaving 41 acres herein conveyed.

Said real estate was included in the inventory of the estate, pursuant to the order of this court and appraised at One Thousand Six Hundred Thirty Dollars.

Said real estate is encumbered as follows:

1st. tract: 1st. mortgage given by Claribel Harris to Orrin H. Shaw and Willard D. Hamilton, in the principal sum of $1875.00, payable in monthly installments of $40.00 per month, with interest at 6 per cent per annum, the amount now due and owing being unknown to the petitioner.

2nd. Tract: First mortgage given by Harvey W. Shaw and Annetta Shaw to The Federal Land Bank, Louisville, Ky. in the principal sum of $2100.00, dated Jan. 25, 1925, which said mortgage was assumed by the deceased. A second mortgage in the principal sum of $1875.00 to Orrin Shaw and Willard D. Hamilton, dated December 12, 1930, payable in monthly installments of $40.00 per month, the amount now due and owing being unknown to the petitioner.

The decedent died leaving no surviving spouse entitled to dower in said premises.

The defendants, Eugene Earnest, Waterford, Ohio, and Mary Earnest Jones, 417 N. Henry St., Crestline, Ohio, are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having interest therein.

The defendant Annetta Barnes is the former wife of Harvey Shaw, deceased, one of the mortgagors on the 2nd. tract.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold free from all the right of dower; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

John W. Daily - Attorney for the Plaintiff.

The State of Ohio, Union County.

Alfred D. Cope, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he sverily believes.

Oath.

Alfred D. Cope - Executor of the estate of Claribel Harris.

12906

Filed Mar. 25- 1935. Journal Entry. Order Fixing Time of Hearing and for Notice.

Filed Apr. 25- 1935. Waiver of Summons and Consent to Sell.

Filed Apr. 24- 1935. Summons.

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Sworn to before me and signed in my presence by the said Alfred D. Cope, at Marysville, Ohio, this 22 day of March, 1935.

{Seal} John W. Dailey - Notary Public.

Filed Mar. 25-1935. Journal Entry. Orders Fixing Time of Hearing and for Notice.

Journal Entry - Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

Alfred D. Cope as Executor of the Estate of Claribel Harris, Plaintiff, -vs- Eugene Earnest, et al., Defendants.

March 25, 1935.
Orders Fixing Time for Hearing and for Notice.

This day Alfred D. Cope, Executor of the estate of Claribel Harris deceased, filed in this Court his petition praying for an order to sell the real estate therein described, belonging to the estate of said decedent, to pay debts.

It is ordered that said petition be heard on the — day of — 1935, at 10 o'clock A. M., and that summons for defendants issue to the Sheriff of this County, returnable according to law.

L. W. Hazen - Probate Judge.

Filed Apr. 25-1935. Waiver of Summons and Consent to Sell.

Waiver of Summons, on Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

Alfred D. Cope, Executor of the Estate of Claibelle Harris, Plaintiff, -vs- Eugene Earnest, et al., Defendants.

No. 12906.
Proceeding to Sell Real Estate.
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.

April 25, 1935.

Arnie Shaw - By-Clifton L. Caryl, his Attorney.
Willard D. Hamilton - By- Clifton L. Caryl, his Attorney.
Annetta Shaw Barnes - By - Clifton L. Caryl, her Attorney.
Eugene Earnest - By - Clifton L. Caryl, his Attorney.
Mary Earnest Jones - By - Clifton L. Caryl, her Attorney.
Ruth Shaw - By - her Attorney.

Filed Apr. 24-1935. Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Washington County. Probate Court.

To the Sheriff of said County:

You are commanded to notify Eugene Earnest, Watsford, Ohio, Washington Co. Marietta; that on the 25 day of March A. D. 1935, Alfred D. Cope, administrator of the

THE COL. & E. REG. CO. 73503

12906

estate of Claibelle Harris deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying — and that unless they answer by the 18 day of May 1935, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 29 day of April, 1935.

Witness my hand and the seal of said Court, this 19 day of April 1935.

L. W. Hazen - judge and Ex-offcio Clerk of the Probate Court of said County.

(Seal)

Sheriff's Return.

The State of Ohio, Washington County.

Sheriff's Return.

Sheriff Fees	
Service & Return, first name	.75
— miles traveled at 8¢	3.60
Total	$4.35

Received this writ April 22, 1935, at 9 o'clock A. M., and on the 22nd. day of April 1935, I served the same by delivering a copy thereof personally to the within named Eugene Earnest.

Arthur D. Mackey - Sheriff.
By - W. B. Lindamood - Deputy.

Filed Apr. 26 - 1935. Summons.

Summons on Petition to Sell Real Estate.

Probate Court.

The State of Ohio, Crawford County.

To the Sheriff of said County:

You are commanded to notify May Earnest Jones, Carrothers, Ohio, Bucyrus, Crawford Co.; that on the 25 day of March, A. D. 1935 Alfred D. Cope, Administrator of the estate of Claibelle Harris deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying — and that unless they answer by the 18 day of May, 1935, said petition will be taken as true, and said order granted accordingly.

Said Sheriff will make due return of this writ on the 29 day of April 1935.

Witness my hand and the seal of said Court, this 19 day of April 1935.

L. W. Hazen - judge and Ex-offcio Clerk of the Probate Court of said County.

(Seal)

Sheriff's Return.

The State of Ohio, Crawford County.

Sheriff's Return.

Sheriff Fees.	
Service & Return, first name	.75
30 miles traveled at 8¢	2.40
Postage	.03
Total	3.18

Recived this writ April 22, 1935, at 8:00 o'clock A. M., and on the 22nd. day of April 1935 I served the same by delivering a copy thereof

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Filed Apr. 23 - 1935. Answer of The Federal Land Bank of Louisville.

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Filed
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Answer of
The Federal
Land Bank
of Louisville.

personally to the within named May Earnest Jones.
A. L. Stuckert - Sheriff.
By- W. E. Dun- Deputy.

State of Ohio, County of Union, ss:
Alfred D. Cope, Executor of the
Estate of Claibelle Harris,
Plaintiff,
-vs-
Eugene Earnest, et al.,
Defendants.

In the Probate Court.

Case No. 12906.
Answer of The Federal Land Bank
Louisville, Defendant.

The defendant, The Federal Land Bank of Louisville admits that it is a corporation organized under the Federal Farm Loan Act and amendments thereto; that its place of business is at Louisville, Kentucky;

That it has a claim against Harvey W. Shaw and Annetta Shaw, his wife, and an interest in the premises described as Tract #2 in the plaintiff's petition, the nature of which will appear herein; but for want of information denies all of the other allegations contained in the plaintiff's petition.

Upon or about June 25, 1926, Harvey W. Shaw and Annetta Shaw, his wife, executed and delivered to this answering defendant their first mortgage promissory note, dated June 25, 1926, in the original amount of $2,100.00 with interest at the rate of 5 per cent per annum, both principal and interest being payable on an amortization plan in semi-annual installments of $63.00. A true copy of said note with all credits endorsed thereon is attached hereto and incorporated herein by reference. According to the terms of said note all overdue amortization payments draw interest at the rate of 5 per cent per annum until paid.

All amortization payments have been made in accordance with the terms of said note, except the following: Principal portion of 10-1-34 installment and the 4-1-35 installment.

No credits or payments have been made upon said indebtedness, except as appear upon the copy of said note.

According to the terms of said note there is now due this answering defendant the sum of $1,880.92 with accrued interest at the rate of 5 per cent per annum from April 1, 1935, until paid, together with $15.21, the principal portion of the 10-1-34 installment, and $58.19, the 4-1-35 installment, plus interest at the rate of 5% per annum from due date until paid.

To order to secure the indebtedness evidenced by said note the said Harvey W. Shaw and Annetta Shaw, his wife, executed and delivered to this answering defendant their first mortgage deed, dated June 25, 1926, conveying conditionally to this answering defendant the premises described in said mortgage and described as Tract #2 in the plaintiff's petition.

Said mortgage was duly filed for record with the Recorder

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12906

of Deeds of Union County, Ohio, on July 10, 1926 at 9:10 o'clock A. M., and was by him recorded in Mortgage Volume 93 at page 303 of the records of said county, thereby becoming the first and best lien on the premises described therein and described as Tract #2 in the plaintiff's petition.

On or about December 12, 1930, Claibel Harris became the purchaser of the premises described in said mortgage and described as Tract #2 in plaintiff's petition, and as part of the consideration therefor assumed and agreed to pay the mortgage note herein described.

No. 36738 First Mortgage Note $2100.00

Marysville, Ohio. June 25th. 1926.

For value received we promise to pay to the order of The Federal Land Bank of Louisville at its office in the city of Louisville, Kentucky, the principal sum of Twenty One Hundred Dollars, with interest from date on the whole amount of said principal sum remaining from time to time unpaid, at the rate of five per centum per annum, payments to be made on the amortization plan and in accordance with amortization tables promulgated by the Federal Farm Loan Board, said payments to be made in manner and form as follows: A preliminary interest payment to be made on the first day of October, 1926, being 5 per cent interest from date of this note until said time of payment and thereafter in seventy-one semi-annual payments of Sixty Three & no/100 Dollars each, payable on the first day of April and October in each year, and a final payment of Ninety Seven & 68/100 Dollars payable on the first day of October, 1962, and we further promise and agree to pay reasonable attorney's fees in the event there is any default in the payment of this note as provided herein.

This instrument is negotiable and payable at The Federal Land Bank of Louisville at its office in the city of Louisville, Kentucky.

If any payment, or payments, herein provided for, are not paid when due, such defaulted payment, or payments, shall bear simple interest from the date of such default until paid at the highest rate of interest authorized by law, not exceeding eight per centum per annum.

The drawers and endorsers, and all parties to this instrument, severally waive presentment for payment, protest, notice of non-payment of this instrument, demand and all legal diligence in enforcing collection.

This note is secured by a mortgage of even date herewith, executed by Harry W. Shaw and Arletta Shaw, husband & wife to the said The Federal Land Bank of Louisville, Kentucky, on lands in Union County, Ohio, which is the first lien on the property therein described. If any default be made in any of the payments provided for in this note,

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or in case of failure to perform any or either of the terms or conditions of said mortgage, the whole indebtedness secured by this mortgage, together with all interest or same shall, at the option of said The Federal Land Bank of Louisville, its successors, or assigns become due and payable at once without demand or notice, notice of the exercise of such option being hereby expressly waived.

After five years from the date hereof, on any date when any regular installment becomes due hereunder, the maker or makers of this note shall have the option of making additional payments in the sum authorized by The Federal Farm Loan Act or any amendment thereof, for the reduction of the principal or the payment of the entire principal, and any payment in reduction of principal so made shall be endorsed on this note. Such additional payments shall not reduce the fixed semi-annual payments, provided for herein, but will pay off the loan at an earlier date. Whenever the whole principal hereof, together with all interest accrued thereon, shall have been fully paid then all provisions herein for installment payments maturing thereafter shall be null and void and this note shall then be fully paid off and satisfied.

Harvey W. Shaw.
Amelia Shaw.

Now therefore, this answering defendant prays: That its mortgage may be found to be and so declared the first and best lien on the premises described therein and described as Tract #2 in the plaintiff's petition;

That said premises may be sold subject to the lien of this answering defendant's mortgage in the amount of $1,880.92, with interest at the rate of 5 per cent per annum from April 1, 1935;

That out of the proceeds of said sale there be paid to this answering defendant, first after court costs and taxes the following: $15.21- Principal portion - 10-1-34 Installment,
$68.19 - 4-1-35 Installment.
plus interest on each of the above items at the rate of 5% per annum from due date until paid, and any and all amortization payments, insurance or tax advances which may become due and payable to this answering defendant according to the terms of said note and mortgage before the day of said sale; and for such other and further relief as may be equitable and proper and the court can grant.

Paul J. Hennessy
Richard L. Thrall
Attorneys for the defendant, The Federal Land Bank of Louisville.

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State of Kentucky, County of Jefferson, ss:

A. G. Brown, being duly sworn says that he is the Vice-President of the defendant, The Federal Land Bank of Louisville and that the facts contained and allegations made in the foregoing answer are true as he verily believes.

/A. G. Brown.

Sworn to before me a Notary Public in and for said county and state and subscribed in my presence this 19 day of April 1935.

{Seal} Martha M. Moir - Notary Public.

My commission expires

September 16, 1937.

Filed Apr. 25 - 1935. Journal Entry.

Probate Court of Union County, Ohio.

Alfred D. Cope, Executor of the estate of Claibelle Harris, Deceased,

Plaintiff,

-vs-

Journal Entry.

Eugene Earnest, Mary Earnest Jones, The Federal Land Bank of Louisville, Kentucky, Williard D. Hamilton, Orrin Shaw, Ruth Shaw and Annetta Shaw Barnes,

Defendants.

This day this matter came on for hearing upon the petition of the plaintiff to sell the real estate described therein of the decedent to pay debts of the estate, and the answer of The Federal Land Bank of Louisville, the defendants Eugene Earnest, Mary Earnest Jones, Williard D. Hamilton, Orrin Shaw, Ruth Shaw and Annetta Shaw Barnes, each having signed waivers of summons and each having given their consent in writing to sell said real estate in accordance with the prayer of the petition, the court finds that all of said parties defendants are in court and the service is approved and confirmed.

The court further finds from the evidence that all necessary parties are before the court and that the prayer of the petition should be granted.

The court further finds from the answer and cross of The Federal Land of Louisville, Kentucky, that on June 25, 1926, Harvey W. Shaw (now deceased) and Annetta Shaw (now Annetta Shaw Barnes) executed and delivered their first mortgage deed to the defendant, The Federal Land Bank of Louisville, Kentucky, conveying conditionally the premises described as tract No. 2 in the petition and that said mortgage was thereafter on July 10, 1926, at 9:10 A. M. duly filed with the recorder of Union County, Ohio, and was recorded in Vol. 93 page 303 of the records of mortgages

12906

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and thereby became the first and best lien on said tract and there is now due thereon the sum of $1880.92, with interest thereon at the rate of 6 per cent per annum from april 1, 1935, together with $15.21, the principal portion of the 10-1-1934 installment, and $58.19, the 4-1-1935 installment, plus interest at the rate of 6 per cent per annum from the due date until paid.

The defendant, The Federal Land Bank of Louisville, further asks that said real estate be sold subject to their lien heretofore found existing on said premises, upon the payment of the said sums of $15.21, the principal portion due on said mortgage on 10-1-1934, and $58.19, the 4-1-1935 installment due on said mortgage, together with interest at the rate of 6 per cent per annum from the respective due dates.

The court further finds from the evidence adduced that the decedent, Claribelle Harris, left no surviving spouse.

All other parties being in default for answer and having signed waiver and consent for sale in writing, the court finds from the petition and evidence adduced that the decedent executed and delivered her mortgage deed, dated Dec. 12, 1930, to the defendants Williard D. Hamilton and Orrin H. Shaw, in the principal sum of $1875.00, on each of the tracts of land described in the plaintiff's petition, being two separate and distinct mortgages which said mortgages are now of record in the office of the recorder of Union County, Ohio, in Mortgage Record Vol. 100, Page 228 and Vol. — Page — and no answer being filed it is ordered and adjudged that each of said mortgages be released and cancelled in the office of the Recorder of Union County, Ohio, and that each of the defendants, Williard D. Hamilton and Orrin H. Shaw, be, and each of them hereby are, forever barred from asserting any claim or lien on either tract of said real estate by reason of said mortgages.

The court further finds that the real estate described in the petition was appraised by the appraisers of the estate at $1630.00, and that a further appraisement is dispensed with.

The court further finds that the plaintiff has given no bond as executor of the estate, and it is therefore, ordered that he file a bond with sufficient sureties to be approved by this court in the sum of Two Hundred Dollars, and this cause is continued.

Approved:

L. W. Hazen- Probate Judge.

Richard C. Thrall- Attorney for Federal Land Bank of Louisville, Ky.

Clifton L. Lloyd- Attorney for Defendants:

Eugene Earnest.

Mary Earnest Jones.

Williard D. Hamilton.

Orrin Shaw.

Ruth Shaw.

Annetta Shaw Barnes.

THE COL. B. B. MFG. CO. 73503

12906
Filed
Apr. 25-1935.
Bond of
Executor.

Bond of Executor.
In Proceeding to Sell Real Estate.

Know all Men by these Presents: That we Alfred D. Cope, Osabel Yost, Jesse Yost are held and firmly bound unto the State of Ohio, in the penal sum of Two 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 25 day of april, a. D. 1935.

The condition of the above obligation is such, that whereas, the above bound Alfred D. Cope was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Executor of the estate of Claribelle Harris, Deceased.

And whereas, the said Alfred D. Cope as such Executor has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Claribelle Harris described in said petition;

And whereas said Court, on the 25 day of april, 1935, made an order requiring said Alfred D. Cope to execute a bond agreeing to the statute in such cases made and provided.

Now, if the said Alfred D. Cope as Executor aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

Alfred D. Cope.
Osabel Yost.
Jesse Yost.

This Bond approved in open Court, this 25 day of April, 1935.

Seal

L. W. Hazen - Probate Judge.

Filed
Apr. 25-1935.
Approving Bond
& Ordering
Private Sale.

Probate Court of Union County, Ohio.

Alfred D. Cope, Executor of the estate of Claribelle Harris, Deceased,
Plaintiff,
-vs-
Eugene Earnest, et al.,
Defendants.

April 25, 1935.
Approving Bond and Ordering Private Sale.

It appearing to the court that the plaintiff has given bond, in the sum of Two Hundred Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

It appearing to the Court, upon satisfactory evidence, that it would be prove to the interest of the estate to sell the real estate described in the petition at private sale, it is now ordered that Alfred D. Cope as such executor

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Filed
Apr. 25-1935.
Order of
Private Sale.

12706

sell the real estate as described in the petition as provided by law, at not less than the appraised value thereof, on the following terms, to-wit:

The First tract described in the petition free from liens and encumbrances with the exception of the taxes and assessments due and may hereinafter become due.

The Second tract described in the petition free from liens and encumbrances with the exception of the first mortgage thereon of the Federal Land Bank of Louisville, with a balance due thereon in the sum of $1880.92, with interest in accordance with the tenor of said note and mortgage, the taxes and assessments now due, and that may hereinafter become due, all of which the purchaser herein assumes and agrees to pay as a part of the consideration herein, together with the sum of $147.05 cash in hand on date of delivery of the deed.

Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Judge.

Filed
apr. 25-1935.
Order of
Private Sale.

Probate Court of Union County, Ohio.

State of Ohio, Union County, ss: Order of Private Sale.

To: Alfred D. Cope as Executor of the Estate of Claribelle Harris, Deceased, 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 Executor of the estate of Claribelle Harris are plaintiff and Eugene Earnest, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than One Thousand Six Hundred Thirty Dollars, the appraised value thereof, the following described real estate, to-wit:

1st. Tract: Situated in the County of Union, Township of Taylor and State of Ohio and in Survey No. 4264.

Beginning at a stake in the center of the Marysville and Fenton Pike in the south line of Lot No. 13 of the sub division of Survey No. 5264; thence with the said line south 82 degrees west 68.60 poles to a stone southeast corner to D. H. Pierce land; thence with the east line of said land north 8 degrees west 103.84 poles to a stone at the northeast corner of said land; thence with the north line of said Lot No. 13 north 82 degrees east 66.24 poles to a stone in the center of said Marysville and Fenton Road; thence South 15 degrees east 104.56 poles to the beginning. Containing 40.50 acres, more or less.

2nd. Tract: Situated in the County of Union, State of Ohio and in the Township of Taylor and being a part of Survey No. 4264- Part of Lot No. 14 of said Survey.

Beginning at the northeast corner of said lot at three beeches; thence south 80 degrees 25' west 154 poles to a stake; thence south 9 degrees east 51- 7/8 poles to a stake,

25 day of

Judge.

Ordering

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THE COL. B. B. MFG. CO 73503

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thence north 80 degrees 25' west 154 poles to a stake; thence north 9 degrees west 51-7/8 poles to the beginning. Containing 50 acres, more or less and excepting 9 acres sold to Clark Lowe in the year of 1876 off of the west end of the above described tract; leaving 41 acres herein conveyed.

Said sale to be upon the following terms: The first tract to be free from liens and encumbrances, with the exception of the taxes and assessments due and may hereinafter become due thereon. Also subject to the pre-entry of L. D. Aurine and A. D. Cope to harvest and thresh the growing wheat thereon. The second tract free from lien and encumbrances with the exception of the first mortgage thereon to The Federal Land Bank of Louisville, with a balance due thereon in the sum of $1880.92, with interest thereon in accordance with the tenor of the note and mortgage, the taxes and assessments now due, or may hereinafter became due, all of which the purchaser assumes and agrees to pay as a part of the consideration of the above described tracts.

You are therefore commanded to execute the foregoing order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this the 25 day of April, 1935.

L. W. Hagen- Probate judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 25 day of April, 1935.

Alfred D. Cope- Executor of the Estate of Claribelle Harris, Deceased.

In obedience to the command of the within order of sale, I did on the 25 day of April, 1935, offer said property at private sale, and Orrin H. Shaw having offered therefor the sum of $ —— and assumed and agreed to pay all taxes and assessments and the first mortgage lien of the Federal Land Bank of Louisville, Kentucky in the sum of $1880.92 with interest thereon from April 1st. 1935, in accordance with the tenor of the note, the same being more than the appraised value thereof I sold the same to the said Orrin H. Shaw, for said sum.

Alfred D. Cope- Executor of the Estate of Claribelle Harris, Deceased.

12906

Filed Apr. 25-1935. Journal Entry. Confirming Sale, Ordering Deed and Distribution.

12906

State of Ohio, Union County, ss:

Alfred D. Cope, being first duly sworn, says that the private sale of the property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Alfred D. Cope.

Sworn to before me and described in my presence this the 25 day of April, 1935.

{Seal} John W. Dailey- Notary Public. Union County, Ohio.

Filed Apr. 25-1935. Journal Entry. Confirming Sale, Ordering Deed and Distribution.

Probate Court of Union County, Ohio.

Alfred D. Cope as Executor of the Estate of Claribelle Harris, Deceased,

Plaintiff,

-vs-

Eugene Earnest, et al.,

Defendants.

Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the report of Alfred D. Cope, Executor of the estate of Claribelle Harris, deceased, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; the Court having carefully examined said report, and finding the proceedings of the 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 the petitioner execute a deed of all the right title interest of the said Claribelle Harris in said real estate to the purchaser, Orrin H. Shaw, upon said purchaser paying therefor the sum of $147.05 and assuming the taxes and assessments now due on each of the said tracts of land and the mortgage of The Federal Land Bank of Louisville, Kentucky, on the 2nd. tract, in the sum of $1880.92 in accordance with the tenor of the same.

And now said cause coming on to be heard upon motion and the pleadings heretofore filed herein to distribute the cash received in the sale of said real estate, in the sum of $147.05, the court finds there is due The Federal Land Bank of Louisville, Ky. the sum of $74.05, being the amount due as deferred payments on the note and mortgage of the said The Federal Land Bank of Louisville, Ky.

It is ordered that an entry of release and satisfaction of the said mortgage given by the said Claribelle Harris to Orrin H. Shaw and Williard D. Hamilton, recorded in Vol. 100, page 228 record of Mortgages of Union County, Ohio, be entered on the office of the recorder of said County as provided by law.

THE COL. A. B. MFG. CO. 73503

12906

It is ordered that said executor from the balance of the funds, pay the costs and expenses incurred in the sale of the real estate the sum of $ — including an attorney fee of $ 50.00 to John W. Dailey, for services rendered in this proceeding.

It is further ordered that this proceeding be recorded.

L. W. Hazen — Probate Judge.

13102
Filed
Feb. 15-1936.
Clifton L. Caryl
Attorney.

Petition to Sell Real Estate.

Petition for Sale of Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

H. E. Ackley, Administrator of the Estate of Charles W. LeVan, Deceased,

Plaintiff,

-vs-

Paul LeVan, Pearlie LeVan, Nellie Bayley, Blanche Ackley, Eva Collins and Victor LeVan,

Defendants.

No. 13102.
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting Administrator of the estate of Charles W. LeDan, deceased, late of this County; as near as can be ascertained the amount of the valid debts against said deceased is Thirteen Hundred Forty-three and 63/100 Dollars.

Said decedent died on or about October 10th. 1935, leaving no widow surviving him as Emma LeVan his wife had died on or about April 29th. 1935.

And the costs of administering the estate will be about Forty and no/100 Dollars.

Petition

The total value of the personal property of the said decedent was fixed by the Appraisers of said estate at Two Hundred One and 80/100 Dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts, allowance and costs aforesaid.

Plaintiff further says that all of defendants have requested a sale of the premises hereinafter described in order that distribution be made.

Said decedent died seized in fee simple of the following described real estate situated in the County of Union, Township of Liberty, State of Ohio, and further described as follows:

V. Mt. Survey No. 12283, and bounded and described as follows:

Beginning at a stone, north corner of the premises conveyed by Wm. M. Murdock to Warren S. Lockwood; thence north 88½ deg. west 33 poles to a stone; thence south 55 deg. west 82.35 poles to a stone; then south 88¼ deg. east 29.60 poles to a stone, corner to the Lockwood land; thence north 57 deg. east 82.70 poles to the place of beginning, containing

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16 acres, more or less, as surveyed april 27, 1881, by Fred J. Sager, Surveyor of Union County, Ohio.

Also the following described real estate situated in the County of Union, State of Ohio, and in the Township of Liberty, and being part of Survey No. 12288; beginning at a stone in the road; thence south 57 deg. west 84 poles to a stone in the road; thence north 33½ deg. west 96 poles to a stone; thence north 57 deg. east 82.70 poles to a stone; thence south 33½ deg. east 96 poles to the place of beginning, containing 50 acres, more or less.

Said real estate was included in the inventory of the estate, pursuant to the order of this Court and appraised at Twenty-six Hundred and no/100 Dollars.

Said real estate is encumbered as follows: No encumbrances.

The decedent died leaving no surviving spouse.

The defendants, Paul LeVan, Pearlie LeVan, Nellie Bayley, Blanche Ackley, Eva Collins and Victa LeVan, are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having interest therein.

Wherefore, plaintiff prays that said real estate be sold; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

Clifton L. Caryl- Attorney for the Plaintiff.

The State of Ohio, Union County.

H. E. Ackley, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

H. E. Ackley- Adms.

Oath

Sworn to before me and signed in my presence by the said H. E. Ackley, at Marysville, Ohio, this 15th. day of February, 1936.

Clifton L. Caryl- Notary Public.
Union County, Ohio.
My commission expires Nov. 3- 1937.

(Seal)

Filed
Feb. 15- 1936.
Waiver of
Summons
and Consent
to Sell.

Waiver of Summons, on Petition to Sell Real Estate.

Probate Court,
Union County, Ohio.

H. E. Ackley, Adm. of the Estate of Charles W. LeVan, Deceased,
Plaintiff,

-vs-

Paul LeVan, Victa LeVan, Pearlie LeVan, Nellie Bayley, Blanche Ackley and Eva Collins,
Defendants.

No. 13102.
Proceeding to Sell Real Estate.
Waiver of Summons and
Consent to Sell.

THE COL. S. B. MFG. CO. 73503

13102

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, for the sum of $2600.00.

February 15th. A. D. 1936.

Nellie Bayley.
Pearl LeDan.
Paul LeDan.
Era Collins.
Blanche Ackley.
Victor LeDan.

Filed
Feb. 15-1936.
Summons

Summons on Petition to Sell Real Estate.
Sheriff - Minors.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are Commanded to notify Victor LeDan and the following named who are minors, to-wit: making service of this summons upon such minor who is over fourteen years of age, and also upon the guardian, father, mother or custodian of said minor, in the order named; that on the 15th. day of February A. D. 1936, H. E. Ackley, Administrator of the Estate of Charles W. LeDan, 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, and in said petition described, for the purpose of paying debts and making distribution to heirs; and that unless they answer by the — day of — 19—, said petition will be taken as true, and the order granted accordingly.

Said Sheriff will make due return of this summons on the — day of — 19—.

Witness my hand and the seal of said Court, this 15th. day of February, 1936.

(Seal)

L. W. Hazen - Judge and ex officio Clerk of the Probate Court of said County.

Sheriff's Return.

Sheriff's Returns.

The State of Ohio, Union County.

Sheriff Fees.	
Service + Return, first name,	.75
Total	.75

Received this writ Feb. 15th. 1936, at 2 o'clock P. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz; February 15th, 1936, on Victor LeDan by personally handing to him a true and certified copy of said writ.

William Rausch - Sheriff
By - A. Grigsby - Deputy.

13102
Filed
Feb. 15-1936.
Application for appointment of Guardian Ad Litem.

Filed
Feb. 15-1936.
Entry Approving Guardian Ad Litem.

Filed
Feb. 15-1936.
Answer of Guardian Ad Litem.

13102
Filed
Feb. 15-1936.
Application for appointment of Guardian Ad Litem.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles W. LeVan, Deceased. | Case No. 13102 - Application for appointment of Guardian ad Litem.

To the Honorable L. W. Hazen, Judge of said Court:

The undersigned, Victor LeVan, makes application for the appointment of a guardian ad litem for himself as the defendant in the above entitled action. The defendant, Victor LeVan, is past the age of fourteen years and has been duly served with summons herein.

The undersigned suggests that William Cameron, who is a suitable person, be appointed as such guardian ad litem.

Respectfully - Victor LeVan.

Filed
Feb. 15-1936.
Entry Approving Guardian Ad Litem.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles W. LeVan, Deceased. | Case No. 13102. Entry Approving Guardian Ad Litem.

This day Victor LeVan appeared in Open Court, and made application for the appointment of a guardian ad litem for himself, a minor defendant in the case of H. E. Ackley, Administrator of the Estate of Charles W. LeVan, deceased, plaintiff, vs. Paul LeVan, et al, defendants, case number 13102.

And it appearing to the Court that the defendant, Victor LeVan, is more than fourteen years of age and has been duly served with summons, therefore it is ordered that William Cameron be and is hereby appointed guardian ad litem of said Victor LeVan.

L. W. Hazen - Probate Judge.

Filed
Feb. 15-1936.
Answer of Guardian Ad Litem.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles W. LeVan, Deceased, | Case No. 13102. Answer of Guardian Ad Litem.

And now comes the said Victor LeVan, minor defendant, by William Cameron, his duly appointed guardian for this suit, and for answer to the petition in this cause denies all the allegations therein contained in any way prejudicial to said minor defendant. And further says that he is of tender years and not acquainted with the law in such cases, and therefore asks the Court to protect his rights therein and for such relief as may be just.

Victor LeVan
By - William Cameron - Guardian ad Litem

Dated February 15, 1936.

State of Ohio, Union County, ss:

William Cameron, being first duly cautioned and sworn, says that he is the duly appointed and acting guardian ad litem of Victor LeVan, minor defendant, and the facts stated and allegations contained in the foregoing answer are true as he verily believes.

William Cameron.

THE COL. B. B. MFG. CO. 73503

13102

Filed Feb. 15-1936. Journal Entry on Filing Petition to Sell Real Estate.

Sworn to before me and subscribed in my presence this fifteenth day of February, 1936.

Clifton L. Caryl - Notary Public - Union County, O.

(Seal)

Probate Court, Union County, Ohio.

H. E. Ackley, Administrator of the Estate of Charles W. LeVan, Deceased, Plaintiff,

-vs-

Paul LeVan, Victor LeVan, Pearlie LeVan, Nellie Bayley, Blanche Ackley and Eva Collins, Defendants.

Lease No. 13102.
Journal Entry on Filing Petition to Sell Real Estate.

This day came the plaintiff and filed herein his petition praying for an order to sell the real estate of said Charles W. LeVan, deceased, therein described, to pay the debts and make distribution of said estate. All the defendants in the case waived the service of summons and consent to the sale of the real estate described in the petition.

Whereupon it is by this Court ordered that an order of sale be issued forthwith.

L. W. Hazen - Probate judge.

Filed Feb. 15-1936. Journal Entry Finding Sale Necessary and Ordering Appraisement.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles W. LeVan, Deceased.

Lease No. 13102 - Journal Entry Finding Sale Necessary and Ordering Appraisement.

This matter coming on to be heard upon the petition and evidence the Court finds all the defendants have voluntarily entered their appearance and consented to the sale prayed for, and are properly before the Court; that the said Charles W. LeVan, deceased, left no surviving spouse; therefore, no dower or homestead rights with respect to said petition.

And, it appearing to the Court that a new appraisement should be made of said real estate, it is ordered that J. D. Brahood, M. M. Firestone and F. D. Cutland, three judicious and disinterested persons of the vicinity not next of kin of the petitioner be and they hereby are appointed to appraise said real estate at its true value in money.

It is further ordered that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view of its fair cash value, and discharge the duties required by them by law and to make return of their proceedings in writing to this court on or before the fifteenth day of February, 1936.

L. W. Hazen - Probate judge.

Filed Feb. 15-1936. Oath of Appraisers.

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Order of
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of appraisers.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles W. LeVan, Deceased. | Case No. 13102 - Order of Appraisal and Repot of Appraisers.

The Probate Court of this County.

To J. D. Urahood, M. M. Finestone and F. D. Cutland, the Court reposing confidence in your judgment, on the fifteenth day of February, 1936, in certain proceedings to sell real estate now pending in said court, wherein H. E. Ackley, Administrator, is plaintiff, and Paul LeVan et al., are defendants, appointed you appraisers of the following described real estate:

"Situated in the County of Union in the State of Ohio, and in the Township of Liberty, U. M. Survey No. 12283, and bounded and described as follows:

Beginning at a stone, north corner of the premises conveyed by Wm. M. Murdock to Warren S. Lockwood; thence north 33½ deg. west 33 poles to a stone; thence south 65 deg. west 82.35 poles to a stone; thence south 33¼ deg. east 29.60 poles to a stone, corner to the Lockwood land; thence nath 57 deg. east 82.70 poles to the place of beginning; containing 16 acres more or less, as surveyed April 27, 1881, by Fred J. Sager, Surveyor of Union County, Ohio.

Also the following described real estate situated in the County of Union, State of Ohio, and in the Township of Liberty, and being part of survey No. 12283; beginning at a stone in the road; thence south 57 deg. west 84 poles to a stone in the road; thence north 33¼ deg. west 96 poles to a stone; thence nath 57 deg. east 82.70 poles to a stone; thence south 33½ deg. east 96 poles to the place of beginning, containing 50 acres more or less."

You are therefore ordered by said Court that without unnecessary delay and on oath to proceed and appraise said real estate upon actual view at its fair cash value and to make report of your proceedings to this court and bring this order with you.

Witness my hand and official seal at Marysville, Ohio, this fifteenth day of February, 1936.

{Seal} L. W. Hazen - Probate judge.

Filed
Feb. 15-1936.
Oath of
appraisers.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles W. LeVan, Deceased. | Case No. 13102. Oath of appraisers.

State of Ohio, Union County, ss:

On the fifteenth day of February, 1936, before me personally appeared J. D. Urahood, M. M. Finestone and F. D. Cutland, the within named and made oath that they would upon actual view truly and impartially appraise at its fair cash value the within described real estate in pursuance of the within order of the Probate Court of said county.

Clifton L. Caryl - Notary Public - Union County, O.

{Seal}

THE COL. B. B. MFG. CO 73503

13102
Filed
Feb. 15-1936.
Report of Appraisers.

Probate Court, Union County, Ohio.
In the Matter of the Estate of Charles W. LeDan, Deceased.
Case No. 13102.
Report of Appraisers.

We do appraise the within described real estate on our oath aforesaid, having actually viewed the same, at $2600.00.

Witness our hands this fifteenth day of February, 1936.

J. D. Braihood.
M. M. Firestone.
W. D. Outland.

Filed
Feb. 15-1936.
Journal Entry Confirming Appraisement.

Probate Court, Union County, Ohio.
In the Matter of the Estate of Charles W. LeDan, Deceased.
H. E. Ackley, admr. of the estate of Charles W. LeDan, deceased, Plaintiff,
-vs-
Paul LeDan, et al., Defts.
Case No. 13102.
Journal Entry Confirming Appraisement.

This day this matter came on to be further heard on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

L. W. Hazen - Probate Judge.

Filed
Feb. 15-1936.
Journal Entry Confirming Appraisement and Ordering Additional Bond.

Probate Court, Union County, Ohio.
In the Matter of the Estate of Charles W. LeDan, Deceased.
H. E. Ackley, Admr. of the estate of Chas. W. LeDan, Plaintiff,
-vs-
Paul LeDan, et al. Defendants.
Case No. 13102.
Journal Entry Confirming Appraisement and Ordering Additional Bond.

This day this matter came on to be further heard on the repath of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

It is further ordred that said administrator execute to the State of Ohio a bond with sufficient securities to be approved by the Court in the sum of $2000.00, conditioned according to law.

L. W. Hazen - Probate Judge.

Filed
Feb. 15-1936.
Application to Sell at Private Sale.

Application to Sell Real Estate at Private Sale.
Probate Court, Union County, Ohio.
H. E. Ackley, Administrator of the Estatt of Charles W. LeDan, Deceased, Plaintiff,
-vs-
Paul LeDan, Victor LeDan, Pearlie LeDan, Nellie Bayley, Blanche Ackley and Eva Golbin, Defendants.
No. 13102.
Application.

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Affidavit of Disinterested Person.

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

1st to pay debts and make distribution to the heirs, which consent is attached hereto, marked Exhibit "A" and made a part hereof. Said real estate is described as follows:

Situated in the county of Union in the State of Ohio, and in the township of Liberty, U. M. Survey No. 12283, and bounded and described as follows:

Beginning at a stone, north corner of the premises conveyed by Wm. M. Murdock to Warren S. Lockwood; thence north 33½ deg. west 33 poles to a stone; thence south 55 deg. west 82.35 poles to a stone; thence south 33¼ deg. east 29.60 poles to a stone, corner to the Lockwood land; thence north 57 deg. east 82.70 poles to the place of beginning, containing 16 acres more or less, as surveyed April 27, 1881, by Fred J. Sager, Surveyor of Union County, Ohio.

Also the following described real estate situated in the county of Union, State of Ohio, and in the township of Liberty, and being part of Survey No. 12283; beginning at a stone in the road; thence south 57 deg. west 84 poles to a stone in the road; thence north 33¼ deg. west 96 poles to a stone; thence north 57 deg. east 82.70 poles to a stone; thence south 33½ deg. east 96 poles to the place of beginning, containing 50 acres more or less.

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

H. E. Ackley- Administrator of the Estate of Charles W. LeVan, Deceased.

The State of Ohio, Union County.

H. E. Ackley, being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believe.

H. E. Ackley.

Sworn to before me and signed in my presence this 15th. day of February, A. D. 1936.

Clifton L. Caryl- Notary Public- Union Co., Ohio.

{Seal}

Affidavit of Disinterested Person.

The State of Ohio, Union County.

Willard E. Winter, Frank E. Smith and C. L. Handley, 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.

Affidavit of Disinterested Person.

13102

Willard E. Winter.
Frank E. Smith.
C. L. Handley.

Sworn to before me and signed in my presence this 15th. day of February, 1936.

{Seal}

Clifton L. Carpl- Notary Public-
Union County, O.

Filed Feb. 15- 1936. Decree of Sale of Real Property at Private Sale.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles W. LeVan, Deceased. H. E. Ackley, admr. of the estate of Charles W. LeVan, Deceased, Plff. -vs- Paul LeVan, et al., Defts.	Case No. 13102. Decree of Sale of Real Property at Private Sale.

On this 15th. day of February, 1936, this cause came on further to be heard and the plaintiff as administrator of the Estate of Charles W. LeVan, deceased, heretofore having tendered to the Court a bond as such administrator in the sum of $ 2000.00; it is ordered that said bond be and it is hereby approved.

Thereupon, on motion of the plaintiff and it appearing to the Court that it would be more to the interest of the Estate of Charles W. LeVan, deceased, to sell said real property in the petition described at private sale than at public sale;

It is, therefore, by the Court ordered, adjudged, and decreed that the plaintiff shall proceed to sell said real property at private sale for not less than the appraised value thereof, and on the following terms, to-wit: Cash in hand.

It is further ordered that the plaintiff shall make due return of his proceedings and sale to this Court for confirmation.

L. W. Hazen- Probate Judge.

Filed Feb. 15-1936. Journal Entry Ordering Sale Forthwith.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles LeVan, Deceased, H. E. Ackley, admr., of the estate of Charles W. LeVan, deceased, Plff. -vs- Paul LeVan, et al., Defts.	Case No. 13102. Journal Entry Ordering Sale Forthwith.

This day this cause came on to be heard upon the application of H. E. Ackley, as administrator. The Court finds that all persons interested in said estate having entered their appearance and consented in writing to the sale of same.

It is hereby ordered, adjudged, and decreed by this Court that an order of said sale may issue forthwith.

L. W. Hazen- Probate Judge.

13102 Filed Feb. 15- 1936. Order issued Representative for Private Sale and Return.

Filed Feb. 15-1936. Report on Private Sale.

13102
Filed
Feb. 15-1936.
Order issued
Representative
for Private
Sale and
Return.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles W. LeVan, Deceased. | Case No. 13102 - Order issued Representative for Private Sale and Return.

To H. E. Ackley, Administrator, Greeting:

Whereas, the Probate Court of Union County, Ohio, in a certain action therein pending wherein H. E. Ackley, Administrator, is a plaintiff, and Paul LeVan, et al are Defendants, it is ordered, adjudged, and decreed that you proceed to sell the real estate mentioned in the petition at private sale for a price not less than the appraised value thereof, and agreable to the statute regulating the sale of real estate by a fiduciary, and that you make return of your proceedings in the premises to the Probate Court and bring this order with you. The said real estate is described in the petition as follows, to-wit:

"Situated in the County of Union, in the State of Ohio, and in the Township of Liberty, U. M. Survey No. 12283, and bounded and described as follows:

Beginning at a stone, north corner of the premises conveyed by Wm. M. Murdock to Warren S. Lockwood; thence north 33½ deg. west 33 poles to a stone; thence south 66 deg. west 82.35 poles to a stone; thence south 33¼ deg. east 29.60 poles to a stones, corner to the Lockwood land; thence north 57 deg. east 82.70 poles to the place of beginning, containing 16 acres more or less, as surveyed April 27, 1881, by Fred J. Sager, Surveyor of Union County, O.

Also the following described real estated situated in the County of Union, State of Ohio, and in the Township of Liberty, and being part of Survey No. 12283; beginning at a stone in the road; thence south 57 deg. west 84 poles to a stone in the road; thence north 33¼ deg. west 96 poles to a stone; thence north 57 deg. east 82.70 poles to a stone; thence south 33½ deg. east 96 poles to the place of beginning, containing 50 acres, more or less."

Witness my hand and the seal of said Court, at Marysville, Ohio, this fifteenth day of February, 1936.

Seal

L. W. Hazen - Probate Judge.

Filed
Feb. 15-1936.
Report on
Private Sale.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Charles W. LeVan, Deceased. | Case No. 13102. Report on Private Sale.

In obedience to the command of the within order of sale, I did on the fifteenth day of February, 1936, offer said property, at private sale, and Thurman & Kidmore having offered therefor the sum of $2600.00, and the same being not less than the appraised value of said property, I sold the same to the said Thurman & Kidmore for that sum.

H. E. Ackley - Administrator.

THE COL. B. B. MFG. CO 73503

13102
Filed
Feb. 15-1936.
Affidavit to Report of Private Sale.

Probate Court, Union County, Ohio.
Case No. 13102.
Affidavit to Report of Private Sale.

In the Matter of the Estate of Charles W. LeDan, Deceased.

H. E. Ackley, Administrator of the Estate of Charles W. LeDan, deceased, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

H. E. Ackley- Administrator.

Subscribed in my presence and sworn to before me this fifteenth day of February, 1936.

Clifton L. Caryl - Notary Public, Union County, O.

Seal

Filed
Feb. 15-1936.
Journal Entry. Confirming Sale, Ordering Deed and Distribution

Journal Entry- Proceeding to Sell Real Estates.
Probate Court, Union County, Ohio.

February 15- 1936.
Confirming Sale, Ordering Deed and Diptribution.

H. E. Ackley, as Administrator of the Estate of Charles W. LeDan, deceased,
Plaintiff,
-vs-
Paul LeDan, et al.,
Defendants.

This day this cause came on to be heard on the report of H. E. Ackley, Administrator of the Estate of Charles W. LeDan, dec'd. of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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. LeDan, deceased, in said real estate, to the purchaser, Thurman Skidmore, upon the said purchaser paying to said H. E. Ackley, Adm., cash in the sum of Twenty-six Hundred and no/100 Dollars.

It is further ordered that said H. E. Ackley, Adm. out of the money in his hands, pay:

First, the costs and expenses of the sale, including an Attorney fee of $112.00 to Clifton L. Caryl for services performed for the fiduciary in connection with the sale and the sum of $116.00 to the fiduciary for his service in connection with the sale, which costs, expenses, fees and compensation shall be paid prior to any liens upon the real estate sold and notwithstanding the purchase of such real estate by a lien holder.

Second, to the payment of taxes, penalties, and assessments then due, against such real estate and to the payment of mortgages and judgments against the ward a decreed

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13102 person, according to their respective priorities of lien, so far as they operated as a lien on the real estate of the deceased at the time of the sale or on the estate of the ward at the time of the sale; which shall be apportioned and determined by the Court, or on reference to a master or otherwise.

Third; the remaining proceeds of sale to be applied as follows:

(a) If the action be to sell real estate to pay legacies, to the payment of legacies with which the real estate of the deceased was charged;

(b) To discharge the claims and debts of the estate, in the order provided by law;

(c) Whether such executor or administrator was appointed in this state or elsewhere, the surplus of the proceeds of sale must be considered as real estate and be disposed of accordingly.

Fourth, in case of a guardian, in the manner and upon the terms approved by the Court where he was appointed. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $——, out of the proceeds of said sale, within ten days.

L. W. Hazen- Probate Judge.

12651
Filed
Jan. 19-1934.
Cameron & Cameron
Attorneys.

Petition to Mortgage Real Estate.

Probate Court of Union County, Ohio.

May R. Burns, as guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns,
Plaintiff,

-vs-

Belle A. Burns, Charles A. Burns, Betty Ann Burns, her wards, and John B. Burns, Alta M. Burns, Katie N. Burns, as Executrix of the estate of John S. Burns, deceased, May R. Burns, Geraldine Carr and Bert Carr, her husband, Monica Burns and Lulu Burns, his wife, Helen Snider and Leroy Snider, her husband, and Henry Burns,
Defendants.

No. 12651.
Petition to Mortgage Real Estate of Wards.

Plaintiff, for her cause of action, says that she is the duly appointed and qualified guardian of Belle A. Burns, of the age of 19 years on the 28th. day of January, 1933, Charles A. Burns, of the age of 15 years on the 13th. day of October, 1933, and Betty Ann Burns of the age of 3 years on the 5th. day of March, 1933, all residing in Darby Township, Union County, Ohio, and whose Post

THE COL. U. B. MFG. CO 73503

12651

Office address are Plain City, Ohio, R. F. D. #1.

That none of said wards are married and the following who are all made parties defendant, are the names and residences of the next of kin of said wards residing in this state, to-wit:

John B. Burns, father, Plain City, Ohio, R. F. D. #1, Darby Twp., Union Co.,
Alta M. Burns, mother, " " " " " "
May R. Burns, sister, " " " " " "
Geraldine Carr, sister, 410 The Brooklands, Akron, Ohio.
Monica Burns, brother, 195 Brennan Ave., East Akron, Ohio.
Helen Snider, sister, Granville, Ohio.
Henry Burns, brother, Co. A., 11th. Inf. Fort Knox, Ky.

The defendant, Burt Carr, is the husband of Geraldine Carr, Lulu Burns is the wife of Monica Burns, and Perry Snider is the husband of Helen Snider.

That each of said wards is the owner of an estate in remainder after the death of said John B. Burns in the undivided one-eighth of the following described real estate situated in the County of Union, in the State of Ohio, and in the Township of Darby, and part of Survey No. 6602, and bounded and described as follows:

Petition.

Commencing at a stone in the center of the Scheidner Gravel Road and at the Northeast corner of Henry J. Schneider's land; Thence with the center of said Road N. 26° 15' E. 100 poles to a stake at the Southeast corner of John B. Burns land; Thence with the South line of said land N. 64° 30' W. 188.60 poles to a stone in the East line of Philip Volrath's land; Thence with said line S. 12° 45' W. 102.80 poles to a stone at the Northwest corner of John Bunsold's land; Thence with the North line of said land and the lands of said Schneider S. 64° 30' E. 163.50 poles to the beginning. Containing one hundred and ten (110) acres, more or less.

That on the 27th. day of March, 1920, John G. Burns and Katie N. Burns, his wife, executed and delivered to John B. Burns, their certain warranty deed whereby they conveyed the above described property to John B. Burns during his natural life, and after his death remainder to the heirs of his body, their heirs and assigns forever, which said deed was duly filed for record on the 27th. day of March, 1920, at 2:40 P. M., and was thereafter duly recorded on the 16th. day of April, 1920, in Volume 121, Page 109 of the Deeds Records of Union County, Ohio.

That on said date and coincident with the execution of said deed an article of agreement was executed by and between the said John G. Burns, and the said John B. Burns, whereby it was provided that the said John G. Burns should receive an annual rental for said lands in the sum of $400.00 per year, and this article of agreement was

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12651 thereafter, on the 10th. day of June, 1926, duly recorded in Miscellaneous Record #2, Page 187 in the office of the Recorder of Union County, which agreement was on the 24th. day of October, 1926, marked, "Cancelled and Terminated."

On the 9th. day of October, 1926, the said John B. Burns and Alta M. Burns, his wife, executed and delivered to the said John G. Burns their deed of quit claim for the above described real estate whereby they reconveyed to the said John G. Burns the life estate of said John B. Burns in said real estate.

The said John G. Burns died on or about the 23rd. day of October, 1930, and the defendant, Katie R. Burns, was duly appointed and qualified as executrix of his estate, and is still qualified and acting as such executrix.

That because of the conveyance of said life estate to John G. Burns by quit claim from John B. Burns, the said John B. Burns, at the death of said John G. Burns, lost the possession and control of said real estate and the same could not therefor be used as a residence and home for the said minor wards and the other children of the said John B. Burns.

Since the life estate in said lands has been in the possession of the estate of John G. Burns, deceased, the fences upon the same have become badly out of repair so that there is now very little fence upon said farm that will turn hogs and almost no fence that will confine cattle, and the line fences are so out of repair that the adjoining land owners are complaining of the same, and may bring action before the Township Trustees to compel the building of the same.

It therefor becomes necessary and for the best interest of said wards to repurchase said life estate from the estate of John G. Burns, deceased, and to make certain improvements upon said real estate in order that the same may be used as a home for said minor wards and the other children of said John B. Burns, and that the value thereof may be preserved during his lifetime, and it is the intention of John B. Burns and of Alta M. Burns, his wife, if said life estate is repurchased, to make their residence upon said lands and to use them for the care and support of said minor wards.

It will require the sum of $600.00 to repurchase said life estate and the further sum of $1900.00 to make the necessary repairs by way of new fencing and repairs to fences, repairs to buildings and additional drainage, and for sufficient tools, implements and stock to operate said farm, if the life estate in the same is reacquired, and to pay the costs and expenses of obtaining a mortgage loan upon the premises, and the costs and expenses of this action.

THE COL. B. B. MFG. CO 73503

12651 It is the intention to use the net amount received from said wards, which is estimated at about the sum of $225.00 each, to make repairs and build fences upon said land which shall be in nature of lasting improvements upon the same.

It is therefore the purpose of said John B. Burns and his adult children, together with this plaintiff as such guardian if the court shall so authorize, to make application for a loan in the sum of $2500.00 to The Federal Land Bank of Louisville, Ky., for the purpose of raising the necessary funds for the use above mentioned. This loan will be upon the usual amortization plan, bearing interest at 4½% for the first 5 years, and 5% thereafter, and calling for the amortization of said loan within a period of not more than 36 years. The semi-annual payments on this loan will be made by the said John B. Burns, during his lifetime.

That said wards have no other property or estate of any kind except their undivided interest in the above described real estate and that no income will be derived therefrom other than that acquired by living upon and the operation of said lands by the said John B. Burns, their father, and the members of his family.

That the said John B. Burns and Alta M. Burns, father and mother of said wards, and the said May R. Burns and Geraldine Carr, Monica Burns, Helen Snider and Henry Burns, brothers and sisters of said wards, join in and concur in the prayer of this petition and it is their desire that a joint mortgage for the sum of $2500.00 be executed by all of the adult owners of said real estate, and that the plaintiff be permitted to join therein as guardian for the said minor defendants.

The plaintiff therefore prays that said wards and the said May R. Burns, John B. Burns, Alta M. Burns and Geraldine Carr, Monica Burns, Helen Snider and Henry Burns, and Katie N. Burns, as executrix of the estate of John G. Burns, deceased, may be made parties defendant to this petition; that they may be notified of the pendency and prayer hereof in such way as the Court shall direct, and that she may be authorized to join in the borrowing of the sum of $2500.00 upon said real estate in behalf of her said wards and to mortgage such lands so as to secure this loan, and for such other and further relief as the Court may deem just and proper.

May R. Burns, Guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns.
By Cameron & Cameron –
her Attorneys.

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Oath

Filed Jan. 19-1934. Entry.

Filed Jan. 19-1934. Waiver of Notice, Entry of Appearance and Consent to mortgage.

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12651 State of Ohio, Union County, ss:

May R. Burns, being first duly sworn, says that she is the duly appointed and qualified guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns, and is plaintiff in the above entitled cause, and that the facts stated and allegations made and contained in the foregoing petition are true as she verily believes.

May R. Burns.

Bath Sworn to before me and signed in my presence this 16th. day of December, 1933.

(Seal) R. L. Cameron - Notary Public.

Probate Court, Union County, Ohio.

Filed Jan. 19-1934. Entry.

May R. Burns as Guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns, Plaintiff, -vs- Belle A. Burns, et al., Defendants.

No. 12651. Entry.

This day came May R. Burns as guardian of the person and estate of Belle A. Burns, Charles A. Burns and Betty Ann Burns, minors, and filed her petition for authority to borrow money to make repairs and improvements on the premises described in the petition. And it appearing to the Court that all necessary parties are joined as defendants it is ordered that they be notified by the said guardian of the pendency of said petition and that the same will be for hearing on the 20th. day of Feby. 1934, at 10 o'clock A. M., and it is further ordered that J. M. Schindler, Albert Rausch, George Hubmann, three disinterested persons, be and hereby are appointed to view said premises and to report to the Court on or before the 20 day of Feby. 1934 as to the advisability and necessity for said repairs and improvements and whether said mortgage would be for the best interest of said wards.

L. W. Hazen - Probate judge.

Probate Court of Union County, Ohio.

Filed Jan. 19-1934. Waiver of Notice, Entry of Appearance and Consent to Mortgage.

May R. Burns as Guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns, Plaintiff, -vs- Belle A. Burns, et al., Defendants.

No. 12651. Waiver of Notice, Entry of Appearance and Consent to Mortgage.

John B. Burns, father, Alta M. Burns, mother, May R. Burns, sister, Geraldine Carr, sister and Bert Carr, her husband, Monica Burns, brother, and Lula Burns, his wife, Helen Snider, sister, and Leroy Snider, her husband, and Henry Burns, brother of the minor defendants who are made

THE COL. B. B. MFG. CO. 73503

12651

of the plaintiff, and Katie M. Burns, as executrix of the estate of John G. Burns, deceased, the undersigned parties defendants in the above entitled action, being all competent adult persons, hereby waive the issuing and service of notice upon them and each of them of the pendency and prayer of the petition in the above entitled action and voluntarily enter their appearance as such defendants, and being fully advised of the application and prayer of the petition to mortgage the real estate therein described, do hereby consent to the prayer of said petition, and agree that an order permitting said guardian to mortgage said real estate would be for the best interest of her said wards.

John B. Burns; Alta M. Burns; Monica W. Burns; Lulu Burns; Geraldine Burns Carr; Burt C. Carr; Helen Burns Snider; Perry E. Snider; Henry H. Burns; May R. Burns.

Said Katie M. Burns, Executrix of estate of John G. Burns, deceased, waives issuing and service of notice herein but does not join in application and prayer of the petition, because not concerned therein. January, 15, 1934.

Katie M. Burns - Executrix of
Estate of John G. Burns, Dec'd.

Filed
Jan. 22-1934.
Praecipe.

Court of Common Pleas, Union County, Ohio.

May R. Burns, as guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns,
Plaintiff,

vs.

Belle A. Burns, et al.,
Defendants.

No. 12651.
Praecipe.

To the Clerk:

Issue summons in the above entitled cause to the Sheriff of Union County, Ohio, for the defendants, Belle A. Burns, a minor over the age of 19 years on the 28th. day of January, 1933, Charles A. Burns, a minor of the age of 15 years on the 13th. day of October, 1933, and Betty Ann Burns, a minor of the age of 13 years on the 6th. day of March, 1933, service of summons shall be made upon Belle A. Burns, and Charles A. Burns by making service both upon said minors and upon their father, John B. Burns, with whom they reside, and service of summons upon Betty Ann Burns shall be made by serving summons upon her father, John B. Burns, with whom she resides, and returnable according to law. Endorse summons, "Petition to mortgage real estate in which said minors each own a one-eighth interest in remainder in the total sum of $2500.00."

Cameron & Cameron,
Attorneys for Plaintiff.

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Filed
Jan. 23-1934.
Summons.

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Filed
Jan. 23–1934.
Summons.

Summons on Petition to Sell Real Estate.
Sheriff - Minors.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are commanded to notify Belle A. Burns, Charles A. Burns and Betty Ann Burns a Minor under or of the age of three years last March 1933, residing with their father, viz; John B. Burns; and the following named who are minors, to-wit: The first two mentioned above while Minors are over fourteen years of age; making service of this summons upon said minors, and also upon the guardian, or father, or if neither guardian or father can be found, then upon the mother, or the person having the care of said minors, or with whom they live; that on the 20 th. day of January A. D. 1934, Mary A. Burns, Guardian of the Estate (person and property of) Belle A. Burns, et al, 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 "Petition to Mortgage real estate in which said Minors each own a one-eighth interest in remainder in the total sum of $2500. 00."

Signed- Cameron and Cameron
Atty's. for Plaintiff.

and that unless they answer by the 19 th. day of February, 1934, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 23rd. day of January 1934.

Witness my hand and the seal of said Court, this 20th. day of January, 1934.

Seal L. W. Hagen - Probate Judge.

Sheriff's Return.

The State of Ohio, Union County.

Sheriff's Return.

Sheriff Fees.	
Service & Returns, first name	$ .75
2 Additional names, at 25¢	.00
24 miles traveled at 8¢	1.92
Total	$ 3.17

Received this writ January 22, 1934, at 10 o'clock a. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: January 22, 1934, on Belle A. Burns, and Charles A. Burns who are minors over fourteen years of age by personally handing to each of them a true and certified copy of this writ: And at the same time I served John B. Burns, as father of said minors, and also as father of the within named Betty Ann Burns, a minor of the age of three years and with whom said minors reside, by personally handing to him a true and certified copy of this writ.

William Rauch - Sheriff of Union County, Ohio.
By- A. Gribbly - Deputy.

THE COL. B. B. MFG. CO. 73503

12601
Filed
Feb. 20- 1934.
Order for viewers, their oath and report

Probate Court, Union County, Ohio.

May R. Burns, as guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns,
Plaintiff,
-vs-
Belle A. Burns, et al.,
Defendants.

No. 12601.
Order to three viewers and their report

12601
Opinion of Viewers.

To J. M. Schneider, Albert Rausch, and George Hubman, Greetings:

Whereas May R. Burns, as guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns, minors, has filed her petition in this court asking for authority to mortgage the real estate described therein, belonging to said wards, for the purpose, among other things to make repairs and improvements thereon; and

Whereas, the court, reposing confidence in your judgment and integrity, has appointed you to view the premises and report to the court your opinion as to whether the proposed mortgage described in the petition, a copy of which is hereto annexed for your information, will be for the best interest of said wards.

Whereas, you are required to view said premises and without unnecessary delay to report under oath to this court your opinion as to the necessity for and the advisability of making such repairs and improvements and the probable cost, and whether the proposed mortgage would be for the best interest of said wards. When reporting, you are to bring this order with you.

Witness my hand and official seal this 1st. day of February, 1934.

(Seal) L. W. Hazen- Probate Judge.

Oath of Viewers.

State of Ohio, Union County, ss:

We, the undersigned, three disinterested persons, make solemn oath that we have truly and impartially performed the duties required of us in the foregoing order, and that our opinion is as appears next below.

Oath of Viewers.

J. M. Schneider.
Albert Rausch.
George Hubmann.

Sworn to before me and signed in my presence by said J. M. Schneider, Albert Rausch and George Hubman this 3rd. day of February, 1934.

(Seal) R. L. Cameron- Notary Public.

12651

Opinion of Viewers.

Opinion of Viewers.

We find that the cost of the repairs and improvements mentioned in the petition of the plaintiff would be $750.00.

We find that it is necessary and advisable to make such repairs and improvements and that it would be for the best interest of said wards to mortgage the premises as prayed for in the petition.

J. M. Schiderer.
Albert Rausch.
George Hubmann.

Probate Court of Union County, Ohio.

May R. Burns, as guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns,
Plaintiff,

-vs-

Belle A. Burns, Charles A. Burns, Betty Ann Burns, her wards, and John B. Burns, Alta M. Burns, Katie M. Burns, as Executrix of the estate of John B. Burns, deceased, May R. Burns, Geraldine Carr and Burt Carr, her husband, Monica Burns and Lulu Burns, his wife, Helen Snider and Perry Snider, her husband, and Henry Burns,
Defendants.

No. 12651.
Petition to Mortgage Real Estate of Wards.

Plaintiff, for her cause of action, says that she is the duly appointed and qualified guardian of Belle A. Burns, of the age of 19 years on the 28th. day of January, 1933, Charles A. Burns, of the age of 15 years on the 13th. day of October, 1933, and Betty Ann Burns of the age of 8 years on the 5th. day of March, 1933, all residing in Darby Township, Union County, Ohio, and whose Post Office address are Plain City, Ohio, R. F. D. #1.

That none of said wards are married and the following who are all made parties defendant, are the names and residences of the next of kin of said wards residing in this state, to-wit;
John B. Burns, father, Plain City, Ohio, R. F. D. #1, Darby Twp., Union Co.,
Alta M. Burns, mother, " " " " " "
May R. Burns, sister, " " " " " "
Geraldine Carr, sister, 410 The Brooklands, Akron, Ohio.
Monica Burns, brother, 195 Berman Ave., East Akron, Ohio.
Helen Snider, sister, Granville, Ohio.
Henry Burns, brother, Co. A., 11th. Inf. Fort Knox, Ky.

THE COL. B. B. MFG. CO. 73503

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The defendant, Bert Carr, is the husband of Geraldine Carr, Lulu Burne is the wife of Monica Burne, and Leroy Snider is the husband of Helen Snider.

That each of said wards is the owner of an estate in remainder after the death of said John B. Burne in the undivided one-eighth of the following described real estate situated in the County of Union, in the State of Ohio, and in the Township of Darby, and part of Survey No. 6602, and bounded and described as follows:

Commencing at a stone in the center of the Scheidner Gravel Road and at the Northeast corner of Henry J. Scheidner's land; Thence with the center of said Road N. 26° 15' E. 100 poles to a stake at the Southeast corner of John B. Burne land; Thence with the South line of said land N. 64° 30' W. 188.60 poles to a stone in the East line of Philip Dohathic land; Thence with said line S. 12° 45' W. 102.80 poles to a stone at the Northwest corner of John Bunsold's land; Thence with the North line of said land and the lands of said Scheidner S. 64° 30' E. 163.00 poles to the beginning. Containing one hundred and ten (110) acres, more or less.

That on the 27th. day of March, 1920, John G. Burne and Katie N. Burne, his wife, executed and delivered to John B. Burne, their certain warranty deed whereby they conveyed the above described property to John B. Burne during his natural life, and after his death remainder to the heirs of his body, their heirs and assigns forever, which said deed was duly filed for record on the 27th. day of March, 1920, at 2:40 P. M., and was thereafter duly recorded on the 16th day of April, 1920, in Volume 121, Page 109 of the Deeds Records of Union County, Ohio.

That on said date and coincident with the execution of said deed an article of agreement was executed by and between the said John G. Burne, and the said John B. Burne, whereby it was provided that the said John G. Burne should receive an annual rental for said lands in the sum of $400.00 per year, and this article of agreement was thereafter, on the 10th. day of June, 1926, duly recorded in Miscellaneous Record #2, Page 187 in the office of the Recorder of Union County, which agreement was on the 24th. day of October, 1926, marked, "Cancelled and Terminated."

On the 9th. day of October, 1926, the said John B. Burne and Alta M. Burne, his wife, executed and delivered to the said John G. Burne their deed of quit claim for the above described real estate whereby they reconveyed to the said John G. Burne the life estate of said John B. Burne in said real estate.

The said John G. Burne died on or about the 23rd. day of October, 1930, and the defendant, Katie N. Burne, was duly appointed and qualified as executrix of his estate, and is

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12661 still qualified and acting as such executrix.

That because of the conveyance of said life estate to John G. Burns by quit claim from John B. Burns, the said John B. Burns, at the death of said John G. Burns, lost the possession and control of said real estate and the same could not therefore be used as a residence and home for the said minor wards and the other children of the said John B. Burns.

Since the life estate in said lands has been in the possession of the estate of John G. Burns, deceased, the fences upon the same have become badly out of repair so that there is now very little fence upon said farm that will turn hogs and almost no fence that will confine cattle, and the line fences are so out of repair that the adjoining land owners are complaining of the same, and may bring action before the Township Trustees to compel the building of the same.

It therefore becomes necessary and for the best interest of said wards to repurchase said life estate from the estate of John G. Burns, deceased, and to make certain improvements upon said real estate in order that the same may be used as a home for said minor wards and the other children of said John B. Burns, and that the value thereof may be preserved during his lifetime, and it is the intention of John B. Burns and Alta M. Burns, his wife, if said life estate is repurchased, to make their residence upon said lands and to use them for the care and support of said minor wards.

It will require the sum of $600.00 to repurchase said life estate and the further sum of $1900.00 to make the necessary repairs by way of new fencing and repairs to fences, repairs to buildings and additional drainage, and for sufficient tools, implements and stock to operate said farm, if the life estate in the same is reacquired, and to pay the costs and expenses of obtaining a mortgage loan upon the premises, and the costs and expenses of this action. It is the intention to use the net amount recived from said wards, which is estimated at about the sum of $225.00 each, to make repairs and build fences upon said land which shall be in nature of lasting improvements upon the same.

It is therefor the purpose of said John B. Burns and his adult children, together with this plaintiff as such guardian if the court shall so authorize, to make application for a loan in the sum of $2500.00 to The Federal Land Bank of Louisville, Ky., for the purpose of raising the necessary funds for the use above mentioned. This loan will be upon the usual amortization plan, bearing interest at 4½% for the first 5 years, and 5% thereafter, and calling for the amortization of said loan within a period of not more than 36 years. The semi-annual payments on this loan will be made by the said John B. Burns, during his lifetime.

THE COL. B. B. MFG. CO 73503

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It is therefore the purpose of said John B. Burns and his adult children, together with this plaintiff as such guardian if the court shall so authorize, to make application for a loan in the sum of $2500.00 to The Federal Land Bank of Louisville, Ky., for the purpose of raising the necessary funds for the use above mentioned. This loan will be upon the usual amortization plan, bearing interest at 4½% for the first 5 years, and 5% thereafter, and calling for the amortization of said loan within a period of not more than 36 years. The semi-annual payments on this loan will be made by the said John B. Burns, during his lifetime.

That said wards have no other property or estate of any kind except their undivided interest in the above described real estate and that no income will be derived therefrom other than that acquired by living upon and the operation of said lands by the said John B. Burns, their father, and the members of his family.

That the said John B. Burns and Alta M. Burns, father and mother of said wards, and the said May R. Burns and Geraldine Carr, Monica Burns, Helen Snider and Henry Burns, brothers and sisters of said wards, join in and concur in the prayer of this petition and it is their desire that a joint mortgage for the sum of $2500.00 be executed by all of the adult owners of said real estate, and that the plaintiff be permitted to join therein as guardian for the said minor defendants.

The plaintiff therefore prays that said wards and the said May R. Burns, John B. Burns, Alta M. Burns and Geraldine Carr, Monica Burns, Helen Snider and Henry Burns, and Katie N. Burns, as executrix of the estate of John G. Burns, deceased, may be made parties defendant to this petition; that they may be notified of the pendency and prayer hereof in such way as the Court shall direct, and that she may be authorized to join in the borrowing of the sum of $2500.00 upon said real estate in behalf of her said wards and to mortgage such lands so as to secure this loan, and for such other and further relief as the Court may deem just and proper.

May R. Burns, Guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns.

By — her Attorneys.

State of Ohio, Union County, ss.

May R. Burns, being first duly sworn, says that she is the duly appointed and qualified guardian of Belle A. Burns, Charles A. Burns and Betty Ann Burns, and is plaintiff in the above entitled cause, and that the facts stated and allegations made and contained in the foregoing petition are true as she verily believes.

12651.

Filed Mar. 2-1934. Entry Granting Petition.

12651.

Sworn to before me and signed in my presence this — day of December, 1933.

— Notary Public.

Filed Mar. 2-1934. Entry Granting Petition.

In the Probate Court, Union County, Ohio.

May R. Burns, as guardian of Belle A. Burns, et al.,
Plaintiff,
-vs-
Belle A. Burns, et al.,
Defendants.

No. 12651.
Entry Granting Petition.

On this 2nd. day of March, 1934, this cause came on to be further heard on the report of three disinterested persons heretofore appointed, and the same having reported in favor of the mortgage prayed for in the petition, the court finds that all necessary and proper parties have either waived the issuing and service of summons herein and consented to the prayer of the petition, or have been duly and legally served with summons and such service is hereby approved and the prayer of the petition granted.

Wherefore, it is ordered that said guardian be, and she hereby is, as such guardian, authorized and directed to join with the adult owners of the real estate described in the plaintiff's petition in borrowing the sum of $2000.00 thereon, and to join in the execution of the mortgage on said premises to The Federal Land Bank of Louisville, Kentucky, to secure a promissory note for said sum. Said loan shall be upon the usual and customary terms of such loans made by the said The Federal Land Bank of Louisville, and calling for the amortization of the same, and bearing interest at 4½% for the first five years, and 5% thereafter, with semi-annual payments to be made by the owner of the life estate during his lifetime. And it is further authorized that $600.00 of such loan be used to repurchase the life estate of John B. Burns, and the remainder be used for the benefit of said wards and the other owners of said real estate as set forth in the petition.

And the Court, being satisfied that the terms of the loan are reasonable and proper, it is ordered that the same be, and hereby are approved, and that the guardian be, and hereby is ordered to join in the execution and delivery of the promissory note and mortgage for the loan on the premises in question in accordance with the terms aforesaid.

L. W. Hazen - Probate Judge.

THE COL. B. B. MFG. CO. 73503

12651
Filed
Apr. 19-1934.
Application
for Permission
to Change
Mortgagee.

In the Probate Court of Union County, Ohio.

May R. Burns, as guardian
of Belle A. Burns, et al.,
Plaintiff,
-vs-
Belle A. Burns, et al.,
Defendants.

No. 12651.
Application for Permission
to Change Mortgagee.

Now comes May R. Burns as guardian of Belle A. Burns, et al., plaintiff, by Cameron & Cameron, her attorneys, and moves the Court for permission to change the mortgagee in the loan heretofore authorized by this Court from The Federal Land Bank of Louisville, Ky., to The Citizens Home and Savings Company of Marysville, Ohio, and for grounds for said motion says:

That the said The Federal Land Bank of Louisville, Ky., after granting the application for said loan originally made, has refused to complete the same, and it is therefore necessary to obtain said loan from another source, The Citizens Home and Savings Company, Marysville, Ohio, being willing to make the same upon the usual terms and conditions granted by said Building and Loan company.

Wherefore the plaintiff prays that an order may issue from this Court directing her to substitute as mortgagee in said loan The Citizens Home and Savings Company of Marysville, Ohio.

May R. Burns, Gdn.
By Cameron & Cameron -
Her Attorneys.

State of Ohio, Union County, ss:

Richard L. Cameron, being first duly sworn, says that he is one of the attorneys for the plaintiff in the above entitled action, and that the facts set forth within the foregoing application are within his knowledge and information, and that the facts stated and allegations made in said application are true as he verily believes.

Richard L. Cameron.

Sworn to before me and signed in my presence this third day of April, 1934.

(Seal) L. W. Hazen - Probate Judge.

Filed
Apr. 19-1934.
Entry.

Probate Court of Union County, Ohio.

May R. Burns, guardian of
Belle A. Burns, et al.,
Plaintiff,
-vs-
Belle A. Burns, et al.,
Defendants.

No. 12651.
Entry.

This day this cause came on to be heard upon the application of the plaintiff for permission to change the mortgagee in the loan heretofore authorized by this Court; and the Court,

12651

13100
Filed
Feb. 15-1936.
Robt T. Allen
Attorney.

12651

being fully advised in the premises, finds that it is for the best interest of said wards and their estate that said permission be granted, and it is therefore adjudged and decreed that the said May R. Burns as guardian of Belle A. Burns, et al., be permitted and directed to join in the execution and delivery of the promissory note and the mortgage securing the same for the loan heretofore authorized on the premises in question to The Citizens Home and Savings Company of Marysville, Ohio.

L. W. Hazen - Probate judge.

13100
Filed
Feb. 15-1936.
Robert T. Allen
attorney.

Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio.

Robert T. Allen, Administrator of the Estate of B. T. McCrary, Deceased,
Plaintiff,

-vs-

Alona McCrary, Vera Allgower, Betty McCrary, Walter Allgower, The Northwestern Mutual Life Ins. Co., H. S. Squire, Supt. of Banks of the State of Ohio, in Chg. of the liquidation of The Farmers Deposit Bank of Richwood, Ohio,
Defendants.

Case No. 13100.
Petition of Administrator to Sell Real Estate to Pay Debts.

Now comes the Plaintiff, Robert T. Allen, and deposes and says that he is the duly appointed, qualified and acting Administrator of the Estate of B. T. McCrary, deceased, late of this County; as near as can be ascertained, the amount of the valid debts against said deceased are as follows, to-wit:

The Northwestern Mutual Life Insurance Company	-	Notes secured by mtg. on farm of 69 1/4 A. hereinafter described	$3,300.00
H. S. Squire, Supt. of Bks. of the State of Ohio, in chg. of the liquidation of The Farmers Deposit Bank of Richwood, O.	-	Notes secured by mtg. on farm of 69 1/4 A. hereinafter described	1,350.00
Lloyd Winter & Son	-	Funeral Expenses	75.00
Ralph Patterson	-	Digging Grave	8.00
L. W. Hazen - Probate judge	-	Court Costs (Approx)	35.00
		Total	$4,768.00

An allowance of Seven Hundred Sixty Five Dollars ($765) was made by the appraisers of the above estate to Alona McCrary, the widow, for twelve (12) months.

The total value of the personal property of said decedent was fixed by the appraisers of said estate at One Hundred Ninety Eight and 85/100 Dollars ($198.85), said appraisement

13100 not having been excepted to; and said personal property is wholly insufficient to pay debts, allowance and costs aforesaid.

Said decedent died seized in fee-simple of the following described real estate situated in the County of Union, State of Ohio, Township of Claibourne and bounded and described as follows:

Tract No. I. Being part of Survey No. 7008.

Beginning at a stone in the center of the Richwood and Bokes Creek Gravel Road and southeast corner of lands formerly owned by George R. Gunn; thence with two consecutive lines of said Gunn's land, S. 77° W. 123.08 poles to a stone and N. 13° W. 10.90 poles to a stone in the Southerly line of the right of way of the N. Y. P. & O. Railway; thence with said line, S. 50½° W. 48.80 poles to a stone in the W. line of Survey No. 7008; thence with said Survey line S. 13° E. 59.82 poles to a stone and tile at the Northwest corner of Chauncey E. Kinney's land; thence with the North line of said Kinney's land, N. 77° E. 165.50 poles to an iron pin in the center of said Gravel Road; thence with the center of said Road, N. 12° 45' W. 66.65 poles to the place of beginning.

Petition. Containing 69.25 acres, more or less, and being the same premises conveyed by Nicholas J. Kinney and wife to Benjamin F. McCrary by deed dated April 6, 1926, and recorded in Union County Deed Record No. 133 Page 75. Excepting therefrom a parcel of land conveyed by Benjamin F. McCrary and wife to Gideon Shelhorn and Lucy Shelhorn, by deed dated November 15, 1926, (Refer to Union County Deed Record No. 140 Page 133) and described as beginning at the Southwest corner of Gideon Shelhorn's land; thence West 275 feet; thence Northeast along the Erie Railroad 316 feet; thence South 182 feet to the place of beginning. Containing 3/5 of an acre, more or less.

Leaving 68.65 acres, more or less.

Tract No. II. Situated in the State of Ohio, County of Union and Village of Richwood, and bounded and described as follows:

Being all of Lot No. Eight hundred and twenty-six (826) of The Homestead Land Company's Homestead Addition to said Village of Richwood.

For a more definite description of said lot, reference is made to the recorded plat of said Addition in Plat Book No. One, Pages 290 and 291, in the Recorder's Office at Marysville, Ohio.

Said Lot No. 826, has a frontage of 50 feet on Blaine Avenue and extends back a distance of 200 feet.

Being the same premises conveyed by Arthur G. Spring and wife to Benjamin F. McCrary by deed dated February 6, 1919, and recorded in Union County Deed Record No. 119, Page 148.

The Plaintiff further says Tract No. I was included in the Inventory of the Estate pursuant to the Order of this

13100

Court and appraised at Three Thousand Five Hundred Fifty Dollars ($3,550), and Tract No. II was included in the Inventory of the Estate pursuant to the Order of this Court and appraised at Two Thousand Dollars ($2,000).

The Plaintiff further says Tract No. I is subject to a mortgage held by the Defendant, The Northwestern Mutual Life Insurance Company, the balance due of which is approximately Three Thousand Three Hundred Dollars ($3,300) and Tract No. II is subject to a mortgage held by the Defendant, H.S. Squire, Supt. of Banks of the State of Ohio, in charge of the liquidation of The Farmers Deposit Bank of Richwood, Ohio, in the sum of approximately One Thousand Three Hundred Fifty Dollars ($1,350).

The decedent died leaving the Defendant, Alona McCreary, as his widow who is sixty one (61) years of age and is entitled to dower in said premises.

The Defendants, Vera Allgower and Betty McCreary, the latter a Minor of the age of Sixteen (16) years of age, are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having an interest therein, and Walter Allgower is the husband of Vera Allgower. There are no other persons who have any interest in said real estate.

Wherefore, Plaintiff prays that said real estate be sold free from all the right of dower of the said Alona McCreary therein, but out of the proceeds of the sale, in lieu of dower, the Court allow to the said Alona McCreary, such sum of money as is just and reasonable value thereof unless the answer of the said Alona McCreary waives such allowance; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your Petitioner be authorized and ordered to sell said real estate according to the Statutes in such case made and provided and for such other and further relief to which he is entitled.

Robert T. Allen - Administrator.

State of Ohio, County of Union, ss:

Robert T. Allen, being first duly sworn according to law, deposes and says that he is the Plaintiff in the above entitled cause and that the facts set forth and allegations contained in the foregoing Petition are true as he verily believes.

Robert T. Allen.

Oath.

Sworn to before me and subscribed in my presence this 13" day of February, A. D. 1936.

Martha T. Parrott - Notary Public.

{Seal}

(Fee claimed 80¢)

THE COL. B. B. MFG. CO. 73503

13100
Praecipe.

In the Probate Court of Union County, Ohio.

Robert T. Allen, administrator of the Estate of B. T. McCrary, Deceased, Plaintiff,

-vs-

Alona McCrary, et al., Defendants.

Case No. 13100.
Praecipe.

To the Probate Court:

Please issue summons directed to the Sheriff of Ashland County, Ohio, to be served on Betty McCrary, a Minor, sixteen (16) years of age, and her Mother, both of whom reside in the City of Ashland, Ohio, and make same returnable according to Law.

Endorse summons "Action to Sell Real Estate to Pay Debts."

Robert T. Allen - Administrator of the Estate of B. T. McCrary, Deceased.

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Filed
Feb. 25- 1936.
Answer and Cross Petition

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Filed
Feb. 21-1936.
Summons.

In the Probate Court of Union County, Ohio.

Robert T. Allen, Administrator of the Estate of B. T. McCrary, Deceased, Plaintiff,

-vs-

Alona McCrary, et al., Defendants.

Case No. 13100.
Summons.

State of Ohio, County of Union, ss:

To ——, Sheriff of Ashland County, Ohio:

You are hereby commanded to notify Betty McCrary, a Minor sixteen years of age and her Mother, that Betty McCrary has been sued by Robert T. Allen, Administrator of the Estate of B. T. McCrary, Deceased, by filing in this Probate Court, an action for authority to sell certain real estate of said deceased to pay the debts of said deceased and costs of administration, and that unless they answer by the 14th. day of March, 1936, said Petition will be taken against them as true and judgment entered accordingly.

You will make due return of this Summons on or before the 24th. day of February, A. D. 1936.

Witness my hand and official seal at Marysville, Ohio, this 15 day of February, A. D. 1936.

(Seal) L. W. Hazen - Probate Judge.

Return of Sheriff.

State of Ohio, County of Ashland, ss:

Received this writ the 17 day of February, A. D. 1936, and on the 18 day of February, A. D. 1936, I served the same on the within named Betty McCrary and upon her Mother by delivering a true copy thereof to them of the proceeding.

Return of Sheriff.

Sheriff's fee $ .75
Sheriff's Mileage $ .25
$ 1.00

H. T. Wallett - Sheriff.

13100
Filed
Feb. 25- 1936.
Answer and
Cross Petition

In the Probate Court, Union County, Ohio.

Robert R. Allen, administrator
of the Estate of B. R. McCrary,
deceased,
Plaintiff,
-vs-
The Northwestern Mutual Life
Insurance Company, et al.,
Defendants.

No. 13100.
Answer and Cross Petition.

Now comes the defendant, The Northwestern Mutual Life Insurance Company, and says that it is a corporation organized under the laws of the State of Wisconsin with its principal place of business at Milwaukee, Wisconsin, and for answer to the petition of the plaintiff filed herein, admits that Robert R. Allen is the duly appointed, qualified and acting administrator of the Estate of B. R. McCrary, deceased, admits that Alma McCrary is the widow of decedent, and that Vera Allgower and Betty McCrary, the latter a minor of the age of 16 years, are all the heirs at law or persons entitled to the next estate of inheritance from the decedent; and that Walter Allgower is the husband of the defendant, Vera Allgower; admits that The Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin, holds a first mortgage lien on the real estate described as Tract No. 1 in the petition, and for want of knowledge, denies each and every allegation in said petition contained not herein expressly admitted to be true.

Cross Petition.

Now comes the defendant, The Northwestern Mutual Life Insurance Company, and for its cross petition herein, says:

That on the 2nd. day of March, 1926, Nicholas J. Kinney and Mary S. Kinney, husband and wife, executed and delivered to this defendant, The Northwestern Mutual Life Insurance Company, their promissory note for the sum of $3000.00, of which the following is a copy with all endorsements:

$3000.00 Washington, District of Columbia, March 2, 1926.

For value received we, jointly and severally, 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 Three thousand dollars as follows, viz: Three hundred Dollars thereof at the expiration of five years and the remaining Twenty-seven hundred dollars thereof 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 two 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'

THE COL. & B. MFG. CO. 73503

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additional interest shall be paid on any and all such payments in excess of one-half of the orginal principal made after five years and before maturity.

This note is secured by a mortgage of even date herewith executed by Nicholas J. Kinney and Mary S. Kinney, 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 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.

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, we further promise and agree to pay a reasonable attorney's fee, to be fixed by the court.

"Nicholas J. Kinney"

"Mary S. Kinney"

The following endorsements appear on the back of said note:

"Interest paid on this note to and including the installment of interest due March 2, 1933."

"Interest paid on this note to and including the installment of interest due Sept. 2, 1934, and $50 paid on account of interest due March 2, 1935."

That there is now due on said note the sum of $3176.52 with interest from the 24th. day of February, 1936, at the rate of 5% per annum.

At the time of the execution and delivery of the note hereinbefore set forth, in order to secure the payment of the same, the said Nicholas J. Kinney and Mary S. Kinney, his wife, executed and delivered to this defendant their certain mortgage deed, thereby conveying to this defendant, its successors and assigns, the following described real estate:

Situated in the Township of Claibourne, County of Union and State of Ohio, to-wit:

A part of Lots three and four of the subdivision of Survey No. 7008 bounded and described as follows, viz: Beginning at a stone in the middle of the Richwood and Bokes Creek Gravel Road and southeast corner of lands formerly owned by George R. Gunn, and running thence with two consecutive lines of said Gunn's land south seventy-seven degrees west one hundred twenty-three and eight one-hundredths

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poles to a stone and north thirteen degrees west ten and ninety one-hundredths poles to a stone in the southerly line of the right of way of the N. Y. P. & O. Railway; thence with said line south fifty and one-half degrees west forty-eight and eighty one-hundredths poles to a stone in the west line of said survey; thence with said west line south thirteen degrees east fifty-four and thirty-two one-hundredths poles to a stone and tile at the northwest corner of Chauncey E. Kinney's land; thence with the north line of said Kinney's land north seventy-seven degrees east one hundred sixty-five and fifty one-hundredths poles to an iron pin in the middle of said gravel road and thence with the middle line of said road north twelve degrees forty-five minutes west sixty-six and sixty-five one-hundredths poles to the place of beginning, containing sixty-nine and twenty-five one-hundredths acres, more or less.

Upon the 3rd. day of April, 1926, at 11:00 o'clock A. M. said mortgage was duly left for record at the recorder's office in Union County, Ohio, and was duly recorded in Volume 93, Pages 251 and 252 of his mortgage records, and became the first, best and subsisting lien on said real estate.

Upon the 4th. day of September, 1926, Nicholas J. Kinney and Mary S. Kinney, his wife, conveyed all of the real estate described in said mortgage as above set forth, by warranty deed, to the deadent, Benjamin F. Mc Cleary, and the said Benjamin F. Mc Cleary in said deed assumed the payment of said note, secured by said mortgage.

Said mortgage was conditioned upon the payment of the promissory note hereinbefore set forth with interest thereon, and provided that in case of default said mortgage should become absolute.

Upon the 18th. day of March, 1931, this defendant and the said Benjamin F. Mc Cleary and Nicholas J. Kinney and Mary S. Kinney entered into a contract in writing whereby the time for the payment of the installment of $300.00 which matured March 2, 1931, was extended to September 2, 1931, with interest at 6%.

Upon the 11th. day of December, 1931, this defendant and the said Benjamin F. Mc Cleary, Nicholas J. Kinney and Mary S. Kinney entered into a contract in writing whereby the time for the payment of the installment of $300.00 which matured September 2, 1931, was extended to March 2, 1932, with interest at 6%.

On June 3, 1932, this defendant and the said Benjamin F. Mc Cleary, Nicholas J. Kinney and Mary S. Kinney entered into a contract in writing whereby the time for the payment of the installment of $300.00 which matured March 2, 1932, was extended to January 1, 1933, with interest at 6½%.

THE COL. & B. MFG. CO. 73503

13100

On June 30, 1933, this defendant and the said Benjamin F. McCrary, Mary S. Kinney, Edwin J. Kinney and Ray Donald Kinney, Executors of the Estate of Nicholas J. Kinney, entered into a contract in writing whereby the time for the payment of the installment which matured January 1, 1933, was extended to March 2, 1935, with interest at the rate of 6%.

Said mortgage contained a covenant binding the said Nicholas J. Kinney and Mary S. Kinney to pay all taxes and special assessments upon said premises as they became due under the laws of Ohio, and that in default thereof, this defendant would be entitled to pay said installments of taxes and assessments, and that the amount of said payments with interest thereon from the time of said payment at the rate of 8% should be deemed a part of the indebtedness secured by said mortgage.

This defendant says that the said Nicholas J. Kinney, Mary S. Kinney and Benjamin F. McCrary failed to pay the installments of taxes for the years 1931 and 1932, and that on the 18th. day of July, 1933, this defendant paid said taxes for the years 1931 and 1932 in the sum of $126.18; that on the 9th. day of February, 1935, there was refunded on said tax payment the sum of $27.23, making a total advanced for taxes by this defendant in the sum of $98.95; that there is a balance due this defendant by reason of the payment of said taxes in the sum of $124.32 with 8% interest from February 24, 1936.

Wherefore, this defendant prays that upon the sale of the property, its claim of $3176.52 with interest at 6% from February 24, 1936, and $124.32 with interest at 8% from February 24, 1936, be first paid from the proceeds of said sale, and for such other relief as is proper.

The Northwestern Mutual Life
Insurance Company -
Per- Hooper & Sanders - Its attorneys.

State of Ohio, Union County, ss:

C. A. Hooper, being first duly sworn, says that he is one of the attorneys for this defendant, The Northwestern Mutual Life Insurance Company, and that the facts stated and allegations contained in the foregoing answer and cross petition are true as he verily believes.

C. A. Hooper.

Sworn to before me and subscribed in my presence this 24th. day of February, 1936.

Ruth Hess - Notary Public.

(Seal)

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Filed
Mar. 9-1936.
Waiver.
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Filed
Mar. 9-1936.
Waiver.

In the Probate Court of Union County, Ohio.

Robert T. Allen, Administrator of the Estate of B. T. McCray, Deceased, Plaintiff,

-vs-

Alona McCray, et al., Defendants.

Case No. 13100.
Waiver.

Alona McCray, Vera Allgower and Walter Allgower, the undersigned persons, Defendant in the above entitled action being competent adult persons, hereby waive the issuance and service of summons and voluntarily enter their appearance as such Defendants, and consent to the sale of the real estate described in the Petition as therein prayed for.

Alona McCray.
Vera Allgower.
Walter Allgower.

Filed
Mar. 9-1936.
Waiver.

In the Probate Court of Union County, Ohio.

Robert T. Allen, Administrator of the Estate of B. T. McCray, Deceased, Plaintiff,

-vs-

Alona McCray, et al., Defendants.

Case No. 13100.
Waiver.

The Northwestern Mutual Life Insurance Company by its attorneys, Hooper & Sanders, one of the Defendants in the above entitled action, hereby waives the issuing and service of summons upon it and voluntarily enters its appearance as such Defendant.

The Northwestern Mutual Life Insurance Co.
By- Hooper & Sanders - Attorneys-at-law.

Filed
Mar. 9-1936.
application for Guardian ad Litem.

In the Probate Court of Union County, Ohio.

Robert T. Allen, Administrator of the Estate of B. T. McCray, Deceased, Plaintiff,

-vs-

Alona McCray, et al., Defendants.

Case No. 13100.
application for Guardian ad litem.

Now comes Robert T. Allen, Administrator of the Estate of B. T. McCray, Deceased, and makes application for the appointment of a Guardian ad litem for Betty McCray, one of the Defendants herein, an infant of the age of sixteen years, upon whom summons was duly served according to law, suggests that —— who is a suitable person be appointed as such.

Robert T. Allen - Administrator.

THE COL. B. B. MFG. CO 73503

13100

State of Ohio, County of Union, ss:

Robert T. Allen, being first duly sworn according to Law, deposes and says that he is the duly appointed, qualified and acting Administrata of the Estate of B. T. McCray, Deceased; as such Administrata, he is duly authorized and empowered to make this oath; and the facts stated and the allegations contained in the foregoing application are true as he verily believes.

Robert T. Allen.

Sworn to before me and subscribed in my presence this 29th. day of February, A. D. 1936.

[Seal]

Martha T. Parrott - Notary Public. of Union County, Ohio.

Entry.

In the Probate Court

Robert T. Allen, Administrator of the Estate of B. T. McCray, Deceased, Plaintiff,

-TS-

Alona McCray, et al., Defendants.

Case No. 13100.
Entry.
Mch. 9 - 1936.

On the application of Robert T. Allen, Administrator of the Estate of B. T. McCray, Deceased, it appearing that Betty McCray, one of the Defendants herein was duly served with summons and is a minor of the age of sixteen (16) years,

It is ordered that Richard C. Thrall be and he is hereby appointed Guardian ad Litem of the said Betty McCray.

D. W. Hazen - Probate Judge. Union County, Ohio.

Answer of Guardian ad Litem.

In the Probate Court of

Robert T. Allen, Administrator of the Estate of B. T. McCray, Deceased, Plaintiff,

-TS-

Alona McCray, et al., Defendants.

Case No. 13100.
Answer of Guardian ad Litem.

And now comes Richard C. Thrall duly appointed by the Court as Guardian ad Litem of Betty McCray, the minor child of Harry McCray, Deceased, and for Answer to the Petition of said Plaintiff says that he has not by reason of the age of said Defendant, become informed as to the truth of the matter set forth in said Petition; and therefore on behalf of said Minor Defendant, Betty McCray, denies the same and submits the interest of said Defendant to the care and protection of the Court to order in the premises as justice and interest of said Defendant is required.

Richard C. Thrall - Guardian ad Litem.

State of Ohio, County of Union, ss:

Richard C. Thrall being first duly sworn according to law, deposes and says that he is the duly qualified and acting Guardian ad Litem of Betty McCray, a Minor; and as such, he is duly authorized and empowered to make this oath; and that the facts stated in the foregoing Answer are

13100

Filed Mar. 21 - 1936. Entry Dispensing with appraisement and ordering Private Sale.

13100

Filed Mar. 21-1936. Entry Dispensing with a new appraisement and ordering Private Sale.

true as he verily believes.

Richard C. Thrall.

Sworn to before me and subscribed in my presence this — day of February, 1936.

Seal L. W. Hagen.

In the Probate Court of Union County, Ohio.

Robert F. Allen, Administrator of the Estate of B. F. McCrary, Deceased, Plaintiff,

-vs-

Alona McCrary, et al., Defendants.

Case No. 13100

Entry Dispensing with a New appraisement and Ordering Private Sale.

This matter came on to be heard on the Petition of the Plaintiff for authority to sell real estate of the above decedent to pay debts of his estate, the answer of Richard C. Thrall, Guardian ad Litem of Betty McCrary, a Minor, sixteen years of age, the Return of the Sheriff of Ashland County, Ohio, reflecting personal Service of summons on the said Betty McCrary, a Minor, prior to the appointment of Richard C. Thrall as Gufardian ad Litem, the Answer and Cross Petition of the Defendant, the Northwestern Mutual Life Insurance Company, mortgagee, the Waivers of Alona McCrary, Vera Allgower and Walter Allgower, said above named Defendants, being all of the parties to this suit interested in Tract No. I described in the Petition of the Plaintiff.

The Court therefore, finds from the evidence, that all necessary parties are before the Court and that the Prayer of the Petition should be granted; that a sale of the real estate shall be made free of dower of the Defendant, Alona McCrary, the surviving spouse of said decedent which claim for dower shall attach to the proceeds thereof, should she be entitled to the same; that the real estate described in the Petition as Tract No. I was appraised by the appraisers of the estate for Three Thousand Five Hundred Fifty Dollars ($3,550) and the Court orders that a further appraisement be dispensed with.

The Court further finds that the Bond heretofore given by the Plaintiff as Administrator of the Estate of B. F. McCrary deceased, in the amount of Five Hundred Dollars ($500) is not sufficient and it is ordered that he file an additional Bond with sufficient sureties to be approved by this Court in the sum of One Thousand Dollars ($1,000) inasmuch as the Court has been informed that said real estate will be sold subject to the balance of the principal of the mortgage in favor of the Northwestern Mutual Life Insurance Company in the amount of Three Thousand Dollars ($3,000) and said One Thousand Dollars ($1,000) additional Bond will be more than the equity over and above the mortgage.

THE COL. B. B. MFG. CO. 73503

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And it appearing that private sale would be to the best interest of the estate, it is ordred that the said Robert T. Allen as such Administrator sell said real estate at private sale at not less than Three Thousand Five Hundred Fifty Dollars ($3,550), being the appraised value thereof on the following terms, to-wit: Subject to the mortgage in favor of the Northwestern Mutual Life Insurance Company in the principal amount of Three Thousand Dollars ($3,000) and the balance in cash, to be paid by the purchaser on delivery of a Deed.

And it is further ordered that said Robert T. Allen as such Administrator, make Return of Sale without unnecessary delay.

L. W. Hazen - Judge.

Filed Mar. 21-1936. Bond of Administrator.

Bond of Administrator.

In Proceeding to Sell Real Estate.

Know all Men by these Presents: That we Robert T. Allen, as Principal and The Fidelity and Deposit Company of Maryland, are held and firmly bound unto the State of Ohio, in the penal sum of One Thousand ($1,000) Dollars, for the payment of which we hereby jointly and severally bind ourselves, our Heirs, executors and Administrators.

Signed by us, and dated at Richwood, Ohio, this 20th day of March A. D. 1936.

The condition of the above obligation is such, That whereas, the above bound Robert T. Allen was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Administrator of the estate of B. T. McCrary, Deceased.

And whereas, the said Robert T. Allen as such Administrator has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said B. T. McCrary, Deceased, described in said petition;

And whereas said Court, on the — day of — 1936, made an order requiring said Administrator to execute a bond according to the statute in such cases made and provided.

Now, if the said Robert T. Allen as Administrator aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

Executed in Presence of
Gaynn Sanders.
C. A. Hoopes.

Fidelity and Deposit Company of Maryland.
By- Sturgis H. Cheney.
Robert T. Allen.

This Bond approved in open Court, this 20th. day of March, a. D. 1936.

(Seal)

L. W. Hazen - Probate Judge.

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Filed Mar. 21-1936. Entry Approving additional Bond.

Filed Mar. 21-1936. Order of Private Sale.

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Filed
Mar. 21- 1936.
Entry Approving
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In the Probate Court of Union County, Ohio.

Robert T. Allen, Administrator of the Estate of B. T. McCrary, Deceased,
Plaintiff,
-vs-
Alona McCrary, et al.,
Defendants.

Case No. 13100
Entry approving Additional Bond.

It further appearing to the Court that the Plaintiff has given additional Bond in the sum of One Thousand Dollars ($1,000), with approved sureties, conditioned according to law, the said Bond is hereby approved.

L. W. Hazen- Judge.

Filed
Mar. 21- 1936.
Order of
Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Robert T. Allen, Administrator of the Estate of B. T. McCrary, Deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Administrator of the Estate of B. T. McCrary, Deceased, are Plaintiff and Alona McCrary, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than Three Thousand Five Hundred Fifty Dollars ($3,550) the appraised value thereof, the following described premises, to-wit:

Situate in the State of Ohio, County of Union and Township of Claibourne, being part of Survey No. 7008, and bounded and described as follows:

Beginning at a stone in the center of the Richwood and Bokes Creek Gravel Road and southeast corner of lands, formerly owned by George R. Gum; thence with two consecutive lines of said Gumis land, S. 77° W. 123.08 poles to a stone and N. 13° W. 10.90 poles to a stone in the southerly line of the right of way of the N. Y. P. & O. Railway; thence with said line, S. 50½° W. 48.80 poles to a stone in the West line of Survey No. 7008; thence with said Survey line S. 13° E. 54.82 poles to a stone and tile at the Northwest corner of Chauncey E. Kinney's land; thence with the North line of said Kinney's land, N. 77° E. 165.60 poles to an iron pin in the center of said Gravel Road; thence with the center of said Road, N. 12° 45' W. 66.65 poles to the place of beginning.

Containing 69.25 acres, more or less, and being the same premises conveyed by Nicholas J. Kinney and wife to Benjamin T. McCrary by deed dated April 6, 1926, and recorded in Union County, Deed Record No. 133, Page 75. Excepting therefrom a parcel of land conveyed by Benjamin T. McCrary and wife to Milton Shelhorn and Mary Shelhorn, by deed dated November 15, 1926 (Refer to Union County Deed Record No. 140, Page 183) and described as beginning at the Southwest corner

THE COL. B. B. MFG. CO. 73503

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of Gideon Shelhorn's land; thence West 275 feet; thence North-east along the Erie Rail Road 316 feet; thence South 182 feet to the place of beginning. Containing 3/5 of an acre, more or less.

Said sale to be upon the following terms: Subject to the balance of principal of a mortgage in favor of The Northwestern Mutual Life Ins. Co. in the sum of $3,000 and the remainder to be cash upon delivery of a deed to the purchaser.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 21 day of March, A. D. 1936.

(Seal) L. W. Hazen - Probate judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 21 day of March, A. D. 1936.

Robert T. Allen - Admr. of estate of B. F. McCray.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 16th day of March, A. D. 1936, offer said property, at private sale, and Ralph C. Peet having offered therefor the sum of Seven Hundred Dollars ($700) cash, and to assume and agree to pay the balance of prin. of mtg. in favor of The Northwestern Mutual Life Ins. Co. in the amt. of $3,000 and the same being not less than the appraised value of said property, I sold the same to said Ralph C. Peet for that sum.

Report of Private Sale.

Robert T. Allen - Admr. of estate of B. F. McCray, deceased.

Affidavit to Report of Private Sale.

The State of Ohio, Union County. ss:

Robert T. Allen, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Affidavit to Report of Private Sale.

Robert T. Allen.

Subscribed in my presence and sworn to before me, this 21 day of March, A. D. 1936.

Guyum Sanders - Notary Public.

13100 Filed Mar. 21-1936. Entry Confirming Sale.

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Filed
Mar. 21-1936.
Entry Confirming
Sale.

In the Probate Court of Union County, Ohio.

Robert T. Allen, Administrator of
the Estate of B. T. McCray,
Deceased,
Plaintiff,

-vs-

Alona McCray, et al.,
Defendants.

Case No. 13100.
Entry Confirming Sale.
March 21, A.D. 1936.

This day this cause came on to be heard on the Repat of Robert T. Allen, Administrator of the Estate of B.T. McCray, deceased, of his proceedings under the former order of this Court and upon the motion of said Petitioner to confirm the sale made in obedience to said Order; the Court having carefully examined said Repat which provides that the sale of said real estate has been made to Ralph C. Leet on the basis of a purchase price of Three Thousand Seven Hundred Dollars ($3,700) and the said Ralph C. Leet assuming and agreeing to pay the balance of the principal amount of the mortgage in favor of The Northwestern Mutual Life Insurance Company in the sum of Three Thousand Dollars ($3,000) and the remainder of said purchase price of Seven Hundred Dollars ($700) to be paid in cash by the said Ralph C. Leet on delivery of a deed to him, 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 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 B. T. McCray in said real estate to the purchaser, Ralph C. Leet, upon the said purchaser assuming and agreeing to pay the balance of the principal of the mortgage in favor of The Northwestern Mutual Life Insurance Company in the sum of Three Thousand Dollars ($3,000) and upon him paying the said Administrator the sum of Seven Hundred Dollars ($700) cash.

And now this cause coming on further to be heard upon the pleadings herein and upon Motion to distribute the cash proceeds of sale amounting to the sum of Seven Hundred Dollars ($700) and the said Alona McCray, in her having by waiver waived the issuance and service of process and consented to the sale of said premises, it is

Ordered that said real estate be sold free of her dower and that such dower, if any, shall attach to the cash proceeds thereof in the above mentioned sum of Seven Hundred Dollars ($700).

The Court finds there is due to the Northwestern Mutual Life Ins. Co. upon its mortgage as set forth in its Answer and Cross Petition from the proceeds of sale

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of said real estate for delinquent interest and taxes advanced the sum of Three Hundred Ten and 68/100 Dollars ($310.68), which is not part of the balance of the principal of Three Thousand Dollars ($3,000) in favor of The Northwestern Mutual Life Ins. Co.

It is Ordered that an Entry of Release and satisfaction of said mortgage lien be entered on the records in the Office of the Recorder of Union County, Ohio, according to law.

It is further ordered that said administrator out of the sum of Seven Hundred Dollars ($700) cash in his hands, pay:

1. To the Treasurer of this County the sum of $44.66 being the taxes and penalties and interest thereon against said property.

2. Costs and expenses incurred in the sale of said property including administrator's fee to Robert T. Allen of $168 and $25 to Gradie Carroll representing commission for services rendered in said sale.

3. To the Northwestern Mutual Life Insurance Co., $310.68 representing the sum due it for delinquent interest and taxes advanced which the Court finds to be the amount due it.

4. To Adele M. Hagay for Continuation, & Abstract $15.00

5. Probate Court Costs in connection with this land sale taxed at $14.00

6. It is further ordered that the balance of said proceeds amounting to the sum of $122.66 be accounted for by said Administrator according to law.

L. W. Hazen - Judge.

approved:-
Hoppes & Sanders - Attys for Northwestern Mutual Life Ins. Co.
Robert T. Allen - Admr. of estate of B. T. McCrary, Deceased.
Richard C. Thrall - Guardian ad Litem.

13133
Filed
Mar. 31 - 1936.
Cameron & Cameron,
attorneys.

Petition to Sell Real Estate.

Probate Court of Union County, Ohio.

H. D. Harrington, Administrator of the Estate of Alice Harrington, Deceased,

Plaintiff,

-vs-

Maidie Smart,
Arie Taylor,
H. D. Harrington,
Lina C. Wyeth,
Jean Wyeth, and
Ray Wyeth, Guardian of Lupa C. Wyeth and Jean Wyeth.

Defendants.

No. 13133
Petition to Sell Real Estate Upon Demand and with Consent of Beneficiaries.

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Petition.

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The plaintiff is the duly appointed, qualified and acting administrator of the estate of Alice Harrington, deceased, late of Raymond, Union County, Ohio.

The said Alice Harrington died seized of an estate in fee simple of the following described real estate.

Situated in the County of Union, State of Ohio, Part of Survey No. 12472, and Beginning at a stake in the center of the Road leading from Raymond to East Liberty, at the North East corner of Margaret Mc Connell's land; thence with the East line of said land Southwesterly about 202 feet to a stake in the North line of land belonging to A. Titus; thence with said North line Southeasterly 36 feet to a stake; thence in a Northwesterly direction and parallel with the line of said Margaret Mc Connell's East line about 202 feet to a stake in the center of said road; thence with the center of the road in a Northwesterly direction 36 feet to the beginning. Containing 1/6 acre, more or less.

Petition. Said real estate was included in the inventory of said estate and was appraised at the sum of $600.00. There are no encumbrances or liens upon the same.

All of the persons entitled to share in the estate of Alice Harrington upon distribution have filed a request and consent with your petitioner that he shall commence an action in the Probate Court for authority to sell said real estate, which requests and consents are filed herewith.

Ray Wyeth is the duly appointed, qualified and acting guardian of Lura C. Wyeth and Jean Wyeth, minors over the age of 14 years, and as such, has signed for and with them the request and consent for said sale in behalf of his wards.

It is for the best interest of said estate and the beneficiaries thereof that said real estate be sold at private sale and as quickly as possible as the same is a residence property located in the town of Raymond, and if left remaining vacant is apt to deteriorate by reason of damage and decay.

The said Alice Harrington left no surviving spouse, and the following persons her sole and only heirs at law and beneficiaries under said estate, to-wit: Maidie Smart, a daughter, of legal age, residing at R. F. D. #1, East Liberty, Ohio; Arie Taylor, a daughter, of legal age, residing at North Lewisburg, Ohio; H. D. Harrington, a son, of legal age, residing at 2088 Minnesota Avenue, Columbus, Ohio; Lura C. Wyeth, a granddaughter, aged 18 years, and Jean Wyeth, a granddaughter, aged 16 years, both of whom reside with Ray Wyeth, R. F. D. Richwood, Ohio, their legally appointed guardian.

Wherefore, the plaintiff prays that he may be authorized and ordered to sell said real estate at private sale

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without reappraisement and for not less than the appraised value thereof, according to the statutes in such cases made and provided, and for such other and further relief as may be proper.

Cameron & Cameron - Attorneys for Plaintiff.

State of Ohio, Union County, ss:

H. D. Harrington, being first duly sworn, says that he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing Petition are true as he verily believes.

H. D. Harrington.

Oath.

Sworn to before me and signed in my presence this 31st. day of March, 1936.

Seal

R. L. Cameron - Notary Public. Union County, Ohio.

Filed Mar. 31 - 1936. Request and Consent that the Administrator proceed to Sell Real Estate.

Probate Court,

H. D. Harrington, Administrator of the Estate of Alice Harrington, Deceased,

Plaintiff,

-vs-

Maidie Smart, et al.,

Defendants.

No. 13133.

Request and Consent that the Administrator Proceed to Sell Real Estate.

The undersigned persons entitled to share in the estate of Alice Harrington, deceased, upon distribution, hereby request H. D. Harrington, the administrator of said estate, to commence an action in the Probate Court of Union County, Ohio, to sell the real estate of said Alice Harrington, deceased, consisting of her residence property in Raymond, Union County, Ohio, at private sale at not less than the amount of the appraisement of the same as found in the inventory of said estate, and we hereby waive the issuing and service of summons and enter our appearance in said action, and consent that an order for such sale may be immediately issued to such administrator by the probate court without further notice or hearing upon the petition thereof.

Maidie Smart.
Union County, Ohio.

Probate Court of

H. D. Harrington, Administrator of the Estate of Alice Harrington, Deceased,

Plaintiff,

-vs-

Maidie Smart, et al.,

Defendants.

No. 13133.

Request and Consent that the Administrator Proceed to Sell Real Estate.

The undersigned persons entitled to share in the estate of Alice Harrington, deceased, upon distribution, hereby request H. D. Harrington, the administrator of said estate, to commence an action in the Probate Court of Union County, Ohio, to sell the real estate of said Alice Harrington,

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deceased, consisting of her residence property in Raymond, Union County, Ohio, at private sale, at not less than the amount of the appraisement of the same as found in the inventory of said estate, and we hereby waive the issuing and service of summons and enter your appearance in said action, and consent that an order for such sale may be immediately issued to such administrator by the Probate Court without further notice or hearing upon the petition therefor.

Arie Taylor.

Probate Court of Union County, Ohio.

H. D. Harrington, Administrator of the Estate of Alice Harrington, Deceased,

Plaintiff,

-vs-

Maidie Smart, et al.,

Defendants.

No. 13133.

Request and Consent that the Administrator Proceed to Sell Real Estate.

The undersigned persons entitled to share in the estate of Alice Harrington, deceased, upon distribution, hereby request H. D. Harrington, the administrator of said estate, to commence an action in the Probate Court of Union County, Ohio, to sell the real estate of said Alice Harrington, deceased, consisting of her residence property in Raymond, Union County, Ohio, at private sale, at not less than the amount of the appraisement of the same as found in the inventory of said estate, and we hereby waive the issuing and service of summons and enter our appearance in said action, and consent that an order for such sale may be immediately issued to such administrator by the Probate Court without further notice or hearing upon the petition therefor.

Ray Wyeth - Guardian of Luna C. Wyeth and Jean Wyeth, minors.

Luna C. Wyeth.

Jean Wyeth.

Probate Court, Union County, Ohio.

H. D. Harrington, Administrator of the Estate of Alice Harrington, Deceased,

Plaintiff,

-vs-

Maidie Smart, et al.,

Defendants

No. 13133.

Request and Consent that the Administrator Proceed to Sell Real Estate.

The undersigned, being persons entitled to share in the estate of Alice Harrington, deceased, upon distibution, hereby request H. D. Harrington, the administrator of said estate, to commence an action in the Probate Court of Union County, Ohio, to sell the real estate of said Alice Harrington, deceased, consisting of her residence property in

THE COL. O. B. MFG. CO 73503

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Raymond, Union County, Ohio, at private sale at not less than the amount of the appraisement of the same as found in the inventory of said estate, and we hereby waive the issuing and service of summons and enter our appearance in said action, and consent that an order for such sale may be immediately issued to such administrator by the Probate Court without further notice or hearing upon the petition thereof.

H. D. Harrington.

Filed Apr. 4- 1936. Entry Dispensing with the appraisement and Ordering Private Sale

Probate Court, Union County, Ohio.

H. D. Harrington, Administrator of the Estate of Alice Harrington, Dec'd.

Plaintiff,

-vs-

Maidie Smart, et al.,

Defendants.

No. 13133.

Entry Dispensing with New appraisement and Ordering Private Sale.

This day this cause came on to be heard upon the petition of the plaintiff for authority to sell the real estate of the above decedent at private sale; and it appearing to the Court that all of the defendants have filed with the administrator of said Estate their requests in writing that said real estate be sold at private sale for not less than the appraised value of the same as found in the Inventory of said Estate, and that they have each waived the issuing and service of summons and entered their appearance in this action and consented that an order for such sale may be immediately issued to the Administrator by this Court.

It further appearing that Ray Wyeth is the duly appointed, qualified and acting Guardian of the defendants, Lura C. Wyeth and Jean Wyeth, and that he has joined in such request and consent according to the provisions of Section #10510-6 of the Genral Code of Ohio, and that all such written requests are now on file with this Court in this action.

The Court further finds from the evidence that all the necessary parties are before the Court and the provisions of the Statute have been fully complied with, and that the prayer of the Petition should be granted; that the real estate described in the Petition was appraised by the appraisers of the Estate at $600.00 and the Court orders that further appraisement be dispensed with.

The Court further orders that the plaintiff, as Administrator of the Estate of Alice Harrington, deceased, file an additional bond with sufficient sureties to be approved by this Court in the sum of $1000.00, and it appearing that private sale would be to the best interest of said Estate it is ordered that said H. D. Harrington, as such Administrator, proceed to sell said real estate at private

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Filed Apr. 20- 1936. Bond of Administrator.

Filed Apr. 20- 1936. Journal Entry approving Additional Bond and Ordering Private Sale.

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13133 sale for not less than $600.00 being the appraised value thereof; the terms of said sale to be cash; and it is further ordered that said H. D. Harrington, as such administrator, make return of his proceedings hereunder to this Court.

L. W. Hazen - Probate Judge.

Filed Apr. 20-1936. Bond of Administrator.

Bond of Administrator.

Know all Men by these Presents, that we, H. D. Harrington Admr. Est. of Alice Harrington + Fidelity + Deposit Co. of Md. are held and firmly bound to the State of Ohio, in the penal sum of One Thousand Dollars, to the payment of which sum we jointly and severally bind ourselves, our successors, heirs, executors and administrators.

Signed by us and dated this 14th. day of April, 1936.

The condition of the above obligation is such, that if the above bound H. D. Harrington, Admr., as Administrator of Est. of Alice Harrington, faithfully discharge his duties and pay and account for all moneys arising from the sales of the Real Estate in the action entitled as indorsed hereon, according to law, then this obligation to be void, otherwise to remain in full force and virtue in law.

Executed in Presence of:
E. E. Sawyer.
R. L. Cameron.

H. D. Harrington, Admr.
The Fidelity + Deposit Co. of Md.
By- The Sawyer Insurance Agency,
E. E. Sawyer.

This bond approved in open Court, this 14th. day of Apr. 1936.

Seal

L. W. Hazen - Judge.

Filed Apr. 20-1936. Journal Entry approving Additional Bond and Ordering Private Sale.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

H. D. Harrington as Administrator of the Estate of Alice Harrington, dec'd.,
Plaintiff,
-vs-
Maidie Smart, et al.,
Defendants.

Apr. 20 - 1936.
Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of $1000.00 Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be of more to the interest of said estate to sell the real estate described in the petition at private sale, it is now ordered that H. D. Harrington as such administrator, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash in hand.

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and Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate judge.

Filed May 22-1936. Order of Private Sale.

Order of Private Sale.

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

To H. D. Harrington, Administrator of the Estate of Alice 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 Administrator are Plaintiff and Maidie Smart, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than $600.00 the appraised value thereof, the following described premises, to-wit:

Situated in the County of Union, State of Ohio, Township of Liberty and bounded and described as follows: Part of Survey No. 12472, and Beginning at a stake in the center of the Road leading from Raymond to East Liberty, at the Northeast corner of Margaret McConnell's land; thence with the East line of said land Southwesterly about 202 feet to a stake in the North line of land belonging to A. Titus; thence with said North line Southeasterly 36 feet to a stake; thence in a Northwesterly direction and parallel with the line of said Margaret McConnell's East line about 202 feet to a stake in the center of said road; thence with the center of the road in a Northwesterly direction 36 feet to the beginning. Containing 1/6 Acre, more or less.

Said sale to be upon the following terms: Cash.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 20th. day of April, 1936.

Seal

L. W. Hazen - 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 21st. day of May, 1936.

H. D. Harrington.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 21st. day of May, 1936, offer said property, at private sale, and Myron D. Seaman having offered therefor the sum of Six Hundred and Ten Dollars ($610.00) and the same being not less than the appraised value of said property, I sold the same to said Myron D. Seaman

Return.

Report of Private Sale.

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Affidavit to Report of Private Sale.

Filed May 22-1936. Entry Confirming Sale and Ordering Deed.

18183 for that sum.

H. D. Harrington.

Affidavit to Report of Private Sale.

The State of Ohio, Union County, ss:

H. D. Harrington, being duly sworn, says that the private sale of property made under the within order and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Affidavit to Report of Private Sale.

H. D. Harrington.

Sworn to before me and subscribed in my presence, this 21st. day of May, 1936.

[Seal] Mary B. Aurine - Notary Public.

Probate Court, Union County, Ohio.

Filed May 22-1936. Entry Confirming Sale and Ordering Deed.

H. D. Harrington as Administrator of the Estate of Alice Harrington, Deceased, Plaintiff,

-vs-

Maidie Smart, et al., Defendants.

No. 13133.
Entry Confirming Sale and Ordering Deeds.

This day this cause came on to be heard on the report of H. D. Harrington, administrator of the estate of Alice Harrington, deceased, of his proceedings under the former order of this Court and upon the motion of said petitioner to confirm the same 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 Alice Harrington in said real estate, to the purchaser, Myron D. Seaman, upon payment of the purchase price thereof.

It is further ordered that said administrator, out of the money in his hands, pay: First, to the Treasurer of this County the sum of $5.15 being the taxes against said property; Second, the costs and expenses incurred in the sale of said property, including an attorney fee of $25.00 to Cameron & Cameron, and to H. D. Harrington, his percentage of the sale price herein amounting to the sum of $24.40.

It is further ordered that the balance of said proceeds amounting to the sum of $543.75 be accounted for by said administrator according to Law, and it is further ordered that this proceeding be recorded and that said petitioner pay the costs herein taxed at $37.00 out of the proceeds of said sale.

L. W. Hazen - Probate Judge.

THE COL. B. B. MFG. CO 73503

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Filed
Oct. 24- 1935.
Milo L. Myers,
Attorney.

Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio.

Anna J. Mummey, as Administratrix of the Estate of Marinda Peters, Deceased,

Plaintiff,

-vs-

Hannah Tiffany,
William E. Tiffany,
Eva Iles,
Nicholas Iles,
Anna J. Mummey and
The Unknown Heirs at law, next of kin, devisees, and surviving spouse of Luther Tiffany, Deceased.

Defendants.

No. 13032.
Petition.

Now comes Anna J. Mummey and says that she is the duly appointed, qualified and acting administratrix of the estate of Marinda Peters, deceased; that she was appointed as such on the 30th. day of July, 1935, by the Probate Court of Union County, Ohio.

That the said Marinda Peters died on the 8th. day of March, 1935, in testate, leaving no surviving spouse.

That the said decedent at the time of her death owned no personal property, but was seized in fee-simple and the owner of the following described real estate, to-wit:

Situated in the Village of Milford Center, County of Union, State of Ohio.

Being all of Lot No. 148 of the A. Boylan addition to the said Village.

That, the debts of the said decedent, including funeral expenses, as near as can be ascertained, at this time, are $300.00.

That, the costs of administering her estate will amount to about $150.00, and there is no personal property of any nature whatsoever that can be converted in cash with which to pay said debts and costs of administration; and that it is necessary to sell the said real estate to pay the same.

That, the said real estate has not been appraised.

That, the said decedent did leaving the following named as her only heirs and next of kin and the only persons having the next estate of inheritance from her that are known to the Plaintiff, to-wit.

Hannah Tiffany, sister, un-married, and who resides at Milford Center, Ohio.

The Plaintiff, Anna J. Mummey, sister, un-married and who resides at Milford Center, Ohio.

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William E. Tiffany, brother, un-married, and who resides at No. 1971 N. 24th. Street, Kansas City, Mo.

Eva Ilse, sister, whose husband name is the Defendant, Nicholas Ilse and who resides at Everett, Kansas.

The unknown heirs at law and next of kin, surviving spouse and/or devisees of Luther Tiffany, Deceased, who was a brother of said Marinda Peters, deceased.

Wherefore, the Plaintiff prays that the unknown heirs at law, next of kin, devisees and surviving spouse of Luther Tiffany, deceased, be made parties defendant to this action without naming them and that all of said Defendants be properly and legally notified of the pendancy and prayer of this petition; that she may be directed and ordered to sell the said real estate to pay the debts and costs of administering said estate, as provided by law and for such other and further instructions and orders as may be just and equitable.

Milo L. Myers - attorney for Plaintiff.

The State of Ohio, Union County, ss:

Anna J. Mummey being duly sworn says that the facts stated and the allegations made and contained in foregoing petition are true as she believes.

Anna J. Mummey.

Sworn to before me and signed in my presence this 24th. day of October, 1935.

[Seal] Milo L. Myers - Notary Public.

In the Probate Court, Union County, Ohio.

Filed Oct. 24-1935. Journal Entry.

Anna J. Mummey as administratrix of the Estate of Marinda Peters, Deceased, Plaintiff,

-vs-

Hannah Tiffany, et al., Defendants.

No. 13032. Journal Entry.

This day came Anna J. Mummey as administratrix of the estate of Marinda Peters, deceased, and filed herein her certain petition praying among other things for the sale of the real estate described therein for the purpose of paying the debts of the decedent and the cost of administering her estated.

Therefore, it is ordered that hearing on said petition be set for the 7th. day of December, 1935, at 10 o'clock a. m. to which time this cause is continued.

L. W. Hazen.

THE COL. B. B. MFG. CO. 73503

13032
Filed
Oct. 24- 1935.
Journal Entry.

In the Probate Court, Union County, Ohio.

Anna J. Mummey as Administratrix
of the Estate of Marinda Peters,
Deceased,
Plaintiff,
-vs-
Hannah Tiffany, et al.
Defendants.

No. 13032.
Journal Entry.

This day came the Plaintiff and filed herein an affidavit according to law for the purpose of procuring service by publication; and it appearing to the court that the Defendants, William E. Tiffany, Eva Ilse and Nicholas Ilse are non-residents of Union County, Ohio, and service of summons can not be made on them in Ohio, and that the heirs, next of kin, surviving consort and devisees of Luther Tiffany, deceased, are necessary parties and their names and residences are unknown to the Plaintiff, and cannot with reasonable diligence be ascertained, and that service of summons on such unknown Defendants can not be made within this state; it is ordered that proceedings against said unknown heirs be had without naming them; that 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.

D. W. Hazen - Judge.

Filed
Oct. 24- 1935.
affidavit
for Service.

In the Probate Court, Union County, Ohio.

Anna J. Mummey as Administratrix,
of the Estate of Marinda Peters,
Deceased,
Plaintiff,
-vs-
Hannah Tiffany, et al.,
Defendants.

No. 13032.
affidavit for Service.

State of Ohio, Union County, ss:

Anna J. Mummey being duly sworn, says that she as administratrix of the estate of Marinda Peters, deceased, is the Plaintiff herein, and that the Defendants, William E. Tiffany, Eva Ilse and Nicholas Ilse and the unknown heirs, next of kin, surviving consort, and Executors or administrators or devisees of Luther Tiffany, deceased, who was a brother of the said Marinda Peters, deceased, are non-residents of the State of Ohio, that service of summons on them can not be made in this state; that the residence of the said William E. Tiffany is 1917 North 29th Street, Kansas City, Missouri, and the residence of the said Eva Ilse and Nicholas Ilse is Everett, Kansas.

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Filed
Jan. 29- 1936.
Waiver.

13032
Filed
Jan. 29- 1936.
Waiver.

Filed
Feb. 4- 1936.
Motion.

13032

That, the names of the unknown heirs, next of kin, surviving consort, devisees and Executors or Administrators of Luther Tiffany, deceased, if any and place of residence are unknown to the Plaintiff and can not with reasonable diligence be ascertained and that service of summons can not be made thereon.

That, this case is one of those mentioned in Section No. 11292 of the Genral Code of Ohio.

Anna J. Mummey.

Sworn to before me and signed in my presence this 24th. day of October, 1935.

[Seal] John W. Daily - Notary Public.

In the Probate Court, Union County, Ohio.

Filed Jan. 29-1936. Waiver.

Anna J. Mummey as Administratrix, of the Estate of Marinda Peters, Deceased, Plaintiff. -vs- Hannah Tiffany, et al., Defendants.

No. 13032. Waiver.

I, the undersigned and one of the Defendants named in the above entitled cause do hereby voluntarily enter my appearance and waive the issuing and service of summons and process against me in this action.

Miss Hannah Tiffany.

Union County, Ohio.

In the Probate Court, Union County, Ohio.

Filed Jan. 29-1936. Waiver.

Anna J. Mummey as Administratrix, of the Estate of Marinda Peters, Deceased, Plaintiff, -vs- Hannah Tiffany, et al., Defendants.

No. 13032. Waiver.

We, the undersigned, do hereby voluntarily enter our appearance in and to this action and waive the issuing and service of summons or process upon us, and, of service by publication.

Geo. E. Tiffany.
Inez B. Tiffany.
Anna Tietje Burke.

In the Probate Court, Union County, Ohio.

Filed Feb. 4-1936. Motion.

Anna J. Mummey as Administratrix, of the Estate of Marinda Peters, Deceased, Plaintiff, -vs- Hannah Tiffany, et al., Defendants.

No. 13032. Motion.

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Now comes the plaintiff and represents to the Court that the defendant, William E. Tiffany, died on the — day of — 1935, leaving no surviving spouse, but left George E. Tiffany, Inez A. Tiffany and Anna Ferne Burks his only children and heirs at law and the only persons having the next estate of inheritance from said decedent.

That, by reason of the death of the said William E. Tiffany his said children are necessary parties to this action.

Therefore, moves the Court that they and each of them be made parties defendant hereto.

Anna J. Mummey
By- Milo L. Myers- Plaintiff's attorney.

Filed
Feb. 4-1936.
Entry.

In the Probate Court, Union County, Ohio.

Anna J. Mummey as Administratrix,
of the Estate of Marinda Peters,
Deceased,
Plaintiff,
-vs-
Hannah Tiffany, et al.,
Defendants.

No. 13032.
Entry.

This day this cause came on for hearing on motion of the plaintiff asking leave of Court to make George E. Tiffany, Inez A. Tiffany and Anna Ferne Burks parties defendant to this action, and the Court being advised in the premises find that the said William E. Tiffany, since the filing of this action, has died, and left the above named as his only children and heirs at law, and only persons having the next estate of inheritance from said decedent, and that they are necessary parties to this action.

Therefore, it is hereby ordered and adjudged that the said George E. Tiffany, Inez A. Tiffany and Anna Ferne Burks, be, and they are made parties defendant to this action.

L. W. Hazen- Probate judge.

Filed
Feb. 4-1936.
Journal Entry
Ordering
Appraisement.

In the Probate Court, Union County, Ohio.

Anna J. Mummey as Administratrix,
of the Estate of Marinda Peters,
Deceased,
Plaintiff,
-vs-
Hannah Tiffany, et al.,
Defendants.

No. 13032.
Journal Entry-
Ordering Appraisement.

This matter coming on to be heard upon the petition and the evidence, the Court finds all the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance and consent to the sale prayed for, and are properly before the Court; that the said Marinda Peters died leaving no surviving spouse; and it is necessary to sell said real estate to pay the debts of said estate and the prayer of the petition should be granted

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Filed
May 23-1936.
Order of
Appraisement.

Return.

Oath of
Appraisers.

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and it appearing to the Court that an appraisement should be made of said real estate, it is ordered that R. B. Neer, Walter Howard and H. P. Clouse, three judicious and disinterested persons of the vicinity, not next of kin of the petitioner, be and they hereby are appointed to appraise said real estate at its true value in money free from dower; it is further ordered that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view of its fair cash value, and discharge the duties required by them according to law, and to make return of their proceedings in writing to this Court on or before the 15th. day of February, 1936.

L. W. Hagen - Probate Judge.

Filed May 23 - 1936. Order of Appraisement.

Order of Appraisement.

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

To Anna J. Mummey:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Administratrix of the estate of Marinda Peters, deceased, are Plaintiff and Hannah Tiffany et al., are Defendants, you are commanded that by the oaths of R. B. Neer, Walter Howard and H. P. Clouse, judicious disinterested persons of the vicinity, not of kin to the petitioner, 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 Village of Milford Center, County of Union, State of Ohio.

Being all of Lot No. 148 of the A. Boylan addition to the said Village.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 4th. day of February, A. D. 1936.

(Seal) L. W. Hazen - 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 March, 1936.

Anna J. Mummey.

Return.

Oath of Appraisers.

The State of Ohio, Union County.

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

Oath of Appraisers.

THE COL. U. S. MFG. CO. 73503

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H. P. Clouse, Walter Howard, R. B. Neer - Appraisers.
Sworn to before me and signed in my presence, this 21st. day of February, 1936.
Seal Milo 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 in money of said real estate at Six Hundred and no/100 Dollars.

Given under our hands, this 21st. day of February, 1936.

H. P. Clouse.
Walter Howard.
R. B. Neer. } Appraisers.

Appraisers' fee $2 each $6.00.

Filed May 23 - 1936. Entry Confirming Appraisement.

In Probate Court, Union County, Ohio.

Anna J. Mummey as Administratrix of the Estate of Marinda Peters, Deceased, Plaintiff,

-vs-

Hannah Tiffany, et al., Defendants.

No. 13032. Entry.

This day this matter came on to be further heard on the report of the appraisement heretofore made; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it is hereby approved and confirmed.

It is therefore further ordered that the said Anna J. Mummey the administratrix execute to the State of Ohio, a bond with sufficient sureties to the approval of the Court in the sum of Six Hundred ($600.00) Dollars conditioned according to law, and this cause is continued.

L. W. Hazen - Probate Judge.

Filed May 6 - 1936. Legal Notice.

Legal Notice.

William E. Tiffany, who resides at 1917 North 29th. Street, Kansas City, Missouri, and Eva Ilse and Nicholas Ilse, who resided at Everett, Kansas, and the unknown heirs, devisees, surviving spouse, executors and / or administrators of Luther Tiffany, deceased, will take notice that Anna J. Mummey, as administratrix of the estate of Marinda Peters, deceased, on the 24th. day of October, 1935, filed her petition in the Probate Court within and for the County of Union, and State of Ohio, alleging that the personal estate of said decedent is insufficient to pay her debts and the charges of administering her estate; that she died seized in fee simple of the following described real estate situated in the Village of Milford Center, Union County, Ohio.

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Filed May 23 - 1936. Bond of Administrator.

13032 Being all of Lot No. 148 of the A. Boylan addition to said Village.

The prayer of said petition is for sale of said premises, for the payment of the debts and charges aforesaid.

The persons first above mentioned will further take notice that they have been made parties defendant to said petition and that they are required to answer the same on or before the 7th. day of December, 1935.

Anna J. Mummey Administratrix aforesaid.

Milo L. Myers, Attorney.

State of Ohio, Union County, ss:

Personally appeared before me B. B. Gaumer and made solemn oath, that the notice, a copy of which is hereto attached was published for 6 consecutive weeks on and next after Oct. 24, 1935, in The Union County Journal, a newspaper of general circulation in county aforesaid.

B. B. Gaumer.

Sworn to before me and signed in my presence this 25th. day of Nov. A.D. 1935.

(Seal) R. Hasselbring.

Printer's Fees $14.70.

Filed May 23-1936. Bond of Administrator.

Bond of Administrator.

In Proceeding to Sell Real Estate.

Know all Men by these Presents: That we Anna J. Mummey and The Fidelity + Deposit Company of Maryland, are held and firmly bound unto the State of Ohio, in the penal sum of Six Hundred 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 Milford Center, Ohio, this 21st. day of May, A.D. 1936.

The condition of the above obligation is such, That whereas, the above bound Anna J. Mummey was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Administratrix of the estate of Marinda Peters, Deceased.

And whereas, the said Anna J. Mummey as such Administratrix has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Marinda Peters described in said petition;

And whereas said Court, on the 9th. day of March, 1936, made an order requiring said Administratrix to execute a bond according to the statute in such cases made and provided.

Now, if the said Anna J. Mummey as Administratrix aforesaid, shall faithfully discharge her duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

THE COL. B. B. MFG. CO 73503

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Anna J. Mummey.
Seal The Fidelity + Deposit Co. of Maryland.
By- The Speyer Insurance Agency.
E. E. Speyer.

This Bond approved in open Court, this 23 day of May, 1936.

Seal L. W. Hazen - Probate Judge.

Filed May 23 - 1936. Entry approving Bond and Ordering Sale.

In the Probate Court, Union County, Ohio.

Anna J. Mummey as Administratrix of the Estate of Marinda Peters, Deceased, Plaintiff,

-vs-

Hannah Tiffany, et al., Defendants.

No. 13032. Entry.

This day this cause came on further to be heard, and it appearing to the Court, that the said Hannah J. Mummey as such administratrix, the plaintiff above named, has given bond as heretofore ordered, in the sum of $600.00, with The Fidelity + 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 further ordered that the said Anna J. Mummey, as such administratrix proceed to sell said real estate at private sale, for not less than $600.00, the appraised value thereof, and for cash in full in hand on day of sale.

And the said plaintiff as such administratrix is ordered to make return of her proceedings to this court immediately after such sale is made and this cause is continued.

L. W. Hazen - Judge.

Filed May 23 - 1936. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Anna J. Mummey, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you are administratrix of the estate of Marinda Peters, as Plaintiff and Hannah Tiffany, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than Six Hundred Dollars the appraised value thereof the following described premises to-wit;

Situated in the Village of Milford Centre, County of Union, State of Ohio.

Being all of Lot No. 148 of the A. Boylan addition to the said Village.

13032

Return.

Report of Private Sale.

Affidavit to Report of Private Sale.

Filed May 23 - 1936. Entry Confirming Sale.

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Said sale 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 23 day of May, A. D. 1936.

Seal H. W. Hagen - Probate judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 23rd. day of May, 1936.

Anna J. Mummey.

Report of Private Sale.

Report of Private Sale. On obedience to the command of the within order of sale, I did on the 23d. day of May, 1936, offer said property, at private sale, and The Ohio Grain Co-Operative Association, Inc., having offered therefor the sum of Six Hundred and no/100 Dollars ($600.00) and the same being not less than the appraised value of said property, I sold the same to said Association for that sum.

Anna J. Mummey.

Affidavit to Report of Private Sale.

State of Ohio, Union County, ss:

Affidavit to Report of Private Sale. Anna J. Mummey, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Anna J. Mummey.

Subscribed in my presence and sworn to before me this 23d. day of May, 1936.

Seal Milo L. Myers - Notary Public.

In Probate Court, Union County, Ohio.

Filed May 23-1936. Entry Confirming Sale.

Anna J. Mummey as Administratrix of the Estate of Marinda Peters, Deceased, Plaintiff,

-vs-

Hannah Tiffany, et al., Defendants.

No. 13032.

Entry, Confirming Sale.

This cause came on this day to be heard upon the report of the plaintiff of the sale made to The Ohio Grain Co-Operative Association, Inc., of the premises as herein before ordered, and the proceedings and return appearing in all respects regular and in conformity to law, and the former orders of the Court, they are hereby approved and confirmed.

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13032 And the said Anna J. Mummey as such administratrix, is ordered to execute and deliver to the said purchaser a good and sufficient deed for the premises so sold.

L. W. Hazen - Probate Judge.

13174 Filed June 4- 1936. Leonard Cox, Attorney.

Petition to Sell Real Estate.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, deceased,

Plaintiff,

-vs-

Margaret Newell, Manda Smith, Dakon Ansley, Lee Williams, Herman Williams, Alice Monnon, Ralph Engle, Rose Engle, Claire Engle, Wm. Engle, Velda Strait and Sarah E. Williams,

Defendants.

Case No. 2642.

Petition for Administrator to Sell Real Estate.

The Plaintiff is the duly appointed, qualified and acting administrator of the Estate of Rawson W. Williams, deceased, late of this County: as near as can be ascertained the amount of the valid debts against the estate is Twenty-four Hundred Dollars ($2400.00).

An allowance of Twelve Hundred Dollars ($1200.00) was made by the appraisers of the above estate to the widow for twelve months and the undeemed assets was Eleven Hundred and Sixty-eight Dollars ($1168.00) and the costs of the administration of the estate will be about Four Hundred Dollars ($400.00).

The total value of the personal property of said decedent was fixed by the appraisers of the said estate at Four Hundred and Ten Dollars ($410.00). Said appraisement not having been excepted to and said personal property is wholly insufficient to pay debts, allowance and costs aforesaid.

Said decedent died seized in fee simple of the un-divided one half of the following described real estate: Situated in the County of Logan, in the State of Ohio, and in the Township of Bokescreek, Survey No. 9959 and bounded and described as follows: Beginning at a white oak, sugar and beech Northeasterly corner of said Survey; thence South 12 deg. East 166 poles to a red oak, on the bank of Rush-creek; thence down the center of said creek, with the meanderings thereof to a Buckeye and Ironwood in the Easterly line of said survey; thence North 12 deg. West 161 poles to the place of beginning, 102 acres more or less.

Except therefrom about four (4) acres conveyed to Joshua Richardson laying on the South side of the Witcraft Road.

13174 Petition.

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Also the following described premises, situated in the same Township and State and bounded and described as follows to-wit; Beginning at a post in the center of Rush Creek in the original block line 3 rods North 10½ deg. West from a small Hickory, lower corner to Lot No. 7 of said Survey No. 9969; thence with the line of said Lot or Block South 10½ deg. East 11 3/4 rods to the center of the road known as the Witcraft road; thence West and Nathwest with the center of said road 66 ¼ rods to the center of Rush Creek and Bridge; thence East in the center of said Creek with the meanderings thereof to the place of beginning, containing three acres more or less and making the total amount herein conveyed 95 acres, be the same more or less.

Petition.

Also the following described premises situated in same County, Township and State and known as part of Military Survey No. 9969; Beginning at two sugars and an elm in the North line of said survey and one hundred rods W. of the orginal N. E. corner of said Survey; thence S. 10½ deg. W. 150 poles to a stone in the center of the County road, known as the Witcraft road; thence W. with the center of said road 41 3/4 poles to a stone; thence N. 10½ deg. W. 153½ poles to two ash trees in the N. line of said Survey; thence N. 79½ deg. E. 41 3/4 poles to the beginning, containing thirty-nine (39) acres.

Also the following described premises situated in same County, Township, State and Survey, made in the name of Robert Means, beginning at a large beech in the road, corner to G. Dickinson & W. Elliott; thence S. 10½ deg. E. with said road, 231 8/100 poles to a stone; thence N. 79½ deg. E. 18 50/100 poles to the center of Rush Creek, witnessed by a sweet oak 14 inches in S. 79½ deg. W. 68 links distant; thence down the center of said Creek with the meanderings thereof to a stone witnessed by a sycamore 16 inches in diameter, two rods 5½ feet Southwesterly distant; thence N. 10 deg. West 16 1/16 poles to the center of the road; thence N. 10½ deg. West 163½ poles to two ashes in the Northwesterly line of the original survey; thence S. 79½ deg. West 58 1/14 poles to the place of beginning, containing ninety (90) acres more or less.

Also the following described premises situated in the Counties of Logan and Union in the State of Ohio and in the Bokeporuck and Washington Townships and bounded and described as follows: Surveys Nos. 9960 and 11042, beginning at a beech and sugar tree and an elm S. W corner to the representative of Michael Rudolph No. 9960 and 11042 for 2000 acres; thence with the line of said Survey N. 79 deg. E. 101 poles to two sugar trees and cherry tree; thence N. 11 deg. 273 poles crossing Rush Creek to two sugar two elms and Dogwood on the North

THE COL. B. B. MFG. CO. 73503

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banks of said Creek; thence up said Creek in the middle of it with the meanderings thereof to a beech and ironwood on the North bank of said Creek in the Westerly line of said Rudolph Survey; thence with said line S. 11 deg. E. 265½ poles to the place of beginning, containing 171¾ acres more or less, save and excepting 13¼ acres off of the S. W. corner, also excepting 70 acres conveyed by Grantors herein named to Wm. T. and Nettie A. Bird by deed Sept. 25, 1906 and recorded Oct. 11, 1906 in Vol. 104 at page 223 deed record of Logan County, Ohio, Conveyed by this deed 88½ acres more or less.

That he was the sole owner of the following described real estate, situated in the Village of Mt. Victory, County of Hardin and State of Ohio, and known as Lots No. One and two in the L. E. Osburn's addition to the Village of Mt. Victory, Ohio, as they appear on the recorded plat of said addition.

Said real estate was included in the inventory of the estate pursuant to the order of this Court and appraised at Fifty-four Hundred Thirty Dollars ($5430.00).

The decedent died leaving the defendants, Sarah E. Williams as his widow, who is 83 years of age and who is the owner of the other one-half undivided interest in said real estate.

The defendants, Margaret Newell, Manda Smith, Dawn Ansley, Lee Williams, Herman Williams and Alice Monnon are children of the deceased; and Ralph Engle, Ross Engle, Claire Engle, Wm. Engle and Velda Strait are children of a deceased daughter and are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having an interest therein and there are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold; that the rights, interests and liens of all parties may be fully determined, adjusted and protected and that your petitioner be authorized according to the Statute in such cases made and provided and for such other and further relief as he may be entitled to.

Leonard Cox - Attorney for Plaintiff.

State of Ohio, Hardin County, ss:

Lee Williams being duly sworn says that he is the plaintiff in the above entitled cause and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

Lee Williams.

Oath.

Sworn to before me and signed in my presence by the said Lee Williams this 20th. day of Sept. 1934.

Leonard Cox - Notary Public,
Hardin County, Ohio.

(Seal)

13174 Waiver of Summons and Consent to Sell.

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Journal Entry Ordering Summons.

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13174
Waiver of Summons and Consent to Sell.

Waiver of Summons and Consent to Sell.
Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,
Plaintiff,
-vs-
Margaret Newell, et al.,
Defendants.

Petition to Sell Real Estate
Waiver of Summons and Consent to Sell.

We, the undersigned Manda Smith, Dawn Ansley, Lee Williams, and Alice Mormon; 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 according to the prayer of the same.
Sept. 20, 1934.

Amanda Smith.
Alice Marmon.
H. G. Williams.
Dawn Ansley.
Lee Williams.

Journal Entry Ordering Summons.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,
Plaintiff.
-vs-
Margaret Newell, et al.,
Defendants.

Case No. 2642.
Journal Entry
Ordering Summons.
Dated Sept. 28, 1934.

This day Lee Williams, administrator of the estate of the deceased filed in this Court his petition praying for the sale of the real estate therein described to pay the debts of said estate.

It is ordered that said petition be heard on the 29th. day of October 1934, at 10 o'clock A. M., and that summons be issued to the sheriff of Knox County, Ohio, for the defendant Margaret Nubell, to the sheriff of Union County, Ohio, for the defendants Manda Smith, Herman Williams and Rose Eagle, to the sheriff of Franklin County, Ohio, for the defendant Delta Strait, and to sheriff of Hardin County, Ohio, for the defendants Ralph Eagle, Elaine Eagle, and Wm. Eagle. Said summons to be returnable according to law.

Laurence Sapp - Probate Judge.

Journal 13, Page 482.

THE COL. S. B. MFG. CO 73503

13174
Summons.

Summons.

Civil Action. To Sell Real Estate.

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

To the Sheriff of Union County, Greeting:

You are Commanded to notify Miranda Smith, Herman Williams and Rose Engle that they have been sued by Lee Williams, administrator of the Estate of Rawson W. Williams, "Sale of Real Estate to Pay Debts" in the Probate Court of Logan County, and that unless they answer by the 27th. day of October 1934, the petition of said plaintiff against them filed in said Court, such petition will be taken as true, and judgment rendered accordingly.

You will make due return of this summons on the 8th. day of October, 1934.

Witness my signature and the seal of said Court, this 28th. day of September, 1934.

Lawrence Rupp - Judge and Ex-Officio Clerk.

Seal

By- Lucile Southard - Deputy Clerk.

Sheriff's Returns.

Sheriff's Return.

Sheriff's Office, County, Ohio.

Received this summons on the 29th. day of September 1934, at 9 o'clock a. m., and pursuant to its Command, I forthwith served the same on the 1st. day of October 1934, by delivering a certified copy of it, with the indorsements thereon, to the within named Miranda Smith; and also on the same day I served the within named Herman Williams and Rose Engle by leaving at their usual place of residence a true copy and certified copy of said writ with all the endorsements thereon.

Sheriff's Fees.

Service and Return, first name	$ .75
— Add'l. names, each 25¢	.50
Mileage — miles at 8¢	4.72
	.05
Total	$ 6.02

William Rawson - Sheriff.

By- A. Grigsby - Deputy.

Summons.

Summons.

Civil Action. To Sell Real Estate.

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

To the Sheriff of Hardin County, Greeting:

You are commanded to notify Ralph Engle, Claire Engle, and Wm. Engle that they have been sued by Lee Williams, administrator of the Estate of Rawson W. Williams, deceased, "Sale of Real Estate to Pay Debts" in the Probate Court of Logan County, and that unless they answer by the 27th. day of October 1934, the petition of said plaintiff against them filed in said Court, such petition will be taken as true, and judgment rendered accordingly.

You will make due return of this summons on the 8th. day of October 1934.

13174.

Sheriff's Return.

Summons.

13174. Witness my signature and the seal of said Court, this 28th. day of September, 1934.

Seal

Lawrence Lupp- Judge and Ex-Officio Clerk.
By- Lucile Southard- Deputy Clerk.

Sheriff's Return.

Sheriff's Return.
Sheriff's Office, Hardin County, Ohio.
October 6, 1934.

Received this summons on the 29th. day of September, 1934, at 9 o'clock a. m., and pursuant to its command, I forthwith served the same on the 6th. day of October 1934, by delivering a certified copy of it, with the indorsements thereon, personally to the within named Ralph Engle and Wm. Engle and on October 6th. by leaving a certified copy of it with the indorsements thereon at the usual place of residence of the within named Claire Engle.

Sheriff's Fees.

Service and Return, first name		$ .75
— add'l names, each 25¢		.00
Mileage 20 miles at	8¢	1.60
3 copies		75
Dockett + Postage		.14
Total		$ 3.71

Wilbut Mitchell - Sheriff.

Summons.
Civil Action. To Sell Real Estate.

Summons.

The State of Ohio, Logan County, ss. Probate Court.
To the Sheriff of Knox County, Greeting:

You are commanded to notify Margaret Newell that she has been sued by Lee Williams, Administrator of the estate of Rawson W. Williams, deceased, "Sale of Real Estate to Pay Debts" in the Probate Court of Logan County, and that unless she answer by the 27th. day of October 1934, the petition of said plaintiff against her filed in said Court, such petition will be taken as true, and judgment rendered accordingly.

You will make due return of this summons on the 8th. day of October 1934.

Witness my signature and the seal of said Court, this 28th. day of September 1934.

Lawrence Lupp- Judge and Ex-Officio Clerk.
Seal
By- Lucile Southard - Deputy Clerk.

Sheriff's Return.

Sheriff's Return.
Sheriff's Office, Knox County, Ohio.
Oct. 4- 1934.

Received this summons on the 29 day of Sept. 1934, at 2 o'clock P. M., after a careful and diligent search, the within named Margaret Newell could not be found in my County. I make return thereof this 8th. day of Oct. 1934.

THE COL. B. B. MFG. CO. 73503

13174

Sheriff's Fees.

Service and Return, first name	$ .75
— Add'l name, each 25¢	.64
Mileage — miles at 8¢	.13
Post. & Dock.	
Total	$ 1.52

V. D. Mason - Sheriff.

Summons.

Summons.

Civil Action. To Sell Real Estate.

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

To the Sheriff of Franklin County, Greeting:

You are commanded to notify Velpa Strait that she has been sued by Lee Williams, Administrator of the estate of Rawson W. Williams, deceased, "Sale of Real Estate to Pay Debts" in the Probate Court of Logan County, and that unless she answer by the 27th. day of October 1934, the petition of said plaintiff against her filed in said Court, such petition will be taken as true, and judgment rendered accordingly.

You will make due return of this summons on the 8th. day of October 1934.

Witness my signature and the seal of said Court, this 28th. day of September 1934.

Lawrence Lupp - Judge and Ex-Officio Clerk.

(Seal)

By. Lucile Southard - Deputy Clerk.

Sheriff's Return.

Sheriff's Return.

Sheriff's Office, Franklin County, Ohio.

Oct. 4 - 1934.

Received this summons on the 29 day of September, 1934, at 9 o'clock A. M., and pursuant to its command. And after due and diligent search was unable to find the within named Velva Strait within my bailiwick.

Sheriff's Fees.

Service and Return, first name	$ .75
Mileage — miles at 8¢	.80
Postage	.03
Total	$ 1.58

Ross E. Anderson
Sheriff of Franklin County, Ohio.
By - A. C. Dickerson - Deputy.

Waiver of Summons & Consent to Sale.

Waiver of Summons and Consent to Sale.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

No. 2642
Civil Action.
To Sell Real Estate.
Waiver of Summons and 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.

13174

Journal Entry

Order of Appraisement.

13174

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. Dated October 18, A.D. 1934.

Dec. 10th. 1934. Sarah E. Williams.

Velda Strait.

Margaret Newell.

Journal Entry

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased, Plaintiff,

-vs-

Margaret Newell, et al., Defendants.

Case No. 2642
Journal Entry
December 1934.

This matter coming on to be heard upon the petition and the evidence, the Court finds all the defendant herein have been duly and legally served with process, or have voluntarily entered their appearance and consent to the sale prayed for, and are properly before the court; that Sarah E. Williams, widow of said Rawson W. Williams is not entitled to homestead rights in the real estate described in the petition; and that it is necessary to sell said real estate to pay the debts of said estate and the prayer of the petition should be granted.

And, it appearing to the court that a new appraisement should be made of said real estate, it is ordered that W. D. Kerns, Charles Monnon, John A. Hill three judicious and disinterested persons of the vicinity, not next of kin of the petitioner, be and they hereby are appointed to appraise said real estate at its true value in money free from dower or homestead right of said Sarah E. Williams therein; it is further ordered that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view at its fair cash value, and discharge the duties required by them according to law, and to make return of their proceedings in writing to this court on or before the 29th. day of December 1934.

Laurence Zupp - P. J.

Journal 14- Page 57.

Order of Appraisement.

Order of Appraisement.

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

To Lee Williams, Administrator of the estate of Rawson W. Williams, deceased, Greeting:

In obedience to an order of the Probate Court of said County, made this day, in a certain action No. 2642 now pending in said Court, Lee Williams, Administrator of the estate of Rawson W. Williams, deceased, are Plaintiff and Margaret Newell, et al., are Defendants, you are commanded

THE COL. B. B. MFG. CO 73503

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that by W. D. Kenna, Charles Monnan and John G. Hill, judicious and disinterested persons of the vicinity, not next of kin of the petitioner, after taking the oath required by law, and upon actual view, you cause an appraisement to be made at its true value in money of the following described real estate free of dower, to-wit:

Undivided 1/2 interest of the following real estate:

Tract No. 1. Situated in the County of Logan, in the State of Ohio and in the Township of Rokeby Creek, Survey No. 9959 and bounded and described as follows: Beginning at a white oak, sugar and beech Northeasterly corner of said Survey; thence South 78 deg. W. 100 poles to two sugar trees and an elm; thence South 12 deg. East 156 poles to a red oak on the bank of Rushcreek; thence down the center of said creek, with the meanderings thereof to a Buckeye and Dogwood in the Easterly line of said survey; thence North 12 deg. West 151 poles to the place of beginning, containing 102 acres, more or less, except therefrom about four (4) acres conveyed to Joshua Richardson laying on the South side of the Witcraft Road. Also excepting the following described premises, situated in the same Township and State and bounded and described as follows, to-wit: Beginning at a post in the center of Rush Creek in the original block line 3 rods North 10 1/2 deg. West from a small Hickory, lower corner to Lot No. 7 of said Survey No. 9959; thence with the line of said Lot & block South 10 1/2 deg. East 11 3/4 rods to the center of the road known as the Witcraft road; thence West and Northwest with the center of said road 66 1/4 rods to the center of Rush Creek and Bridge; thence East in the center of said Creek with the meanderings thereof to the place of beginning, containing three acres more or less and making the total amount herein conveyed 95 acres, be the same more or less.

Tract No. 2. Also the following described premises situated in same County, Township and State and known as part of Military Survey No. 9959, Beginning at two sugars and an elm in the North line of said survey and one hundred rods W. of the original N. E. corner of said Survey; thence S. 10 1/2 deg. W. 150 poles to a stone in the center of the County road known as the Witcraft road; thence W. with the center of said road 41 3/4 poles to a stone; thence N. 10 1/2 deg. W. 153 1/2 poles to two ash trees in the N. line of said Survey; thence N. 79 1/2 deg. E. 41 3/4 poles to the beginning, containing thirty-nine (39) acres.

Tract No. 3. Also the following described premises situated in same County, Township, State and Survey, made in the name of Robert Means, Beginning at a large beech in the road, corner to S. Dickinson W. Elliott; thence S. 10 1/2 deg. E. with said road, 281 80/100 poles to a stone; thence N.

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79½ deg. E. 18 00/100 poles to the center of Rush Creek witnessed by a sweet oak 14 inches in S. 79½ deg. W. 63 links distant; thence down the center of said Creek with the meanderings thereof to a stone witnessed by a sycamore 16 inches in diameter, two rods 5½ feet Southwesterly distant; thence N. 10 deg. West 16 1/6 poles to a stone in the center of the road; thence westerly with said Road 26 3/4 poles to a stone in the center of said road; thence N. 10½ deg. West 103½ poles to two ashes in the Northwesterly line of the original survey; thence S. 79½ deg. West 08 1/7 poles to the place of beginning, containing ninety (90) acres more or less.

Tract No. 4. Also the following described premises situated in the Counties of Logan and Union in the State of Ohio and in the Bokescreek and Washington Townships and bounded and described as follows: Surveys Nos. 9960 and 11042, beginning at a beech and sugar tree and an elm tree S. W. corner to the representative of Michael Rudolph No. 9960 and 11042 for 2000 acres; thence with the line of said Survey N. 79 deg. E. 101 poles to two sugar trees and cherry tree; thence N. 11 deg. W. 273 poles crossing Rush Creek to two sugar trees, two elms and an Ironwood tree on North banks of said Creek; thence up said Creek in the middle of it with the meanderings thereof to a beech and ironwood on the North bank of said Creek in the Westerly line of said Rudolph Survey; thence with said line S. 11 deg. E. 266 6/a poles to the place of beginning, containing 171 3/4 acres more or less, save and excepting 13 1/4 acres off of the S. W. corner, also excepting 70 acres conveyed by Grantors herein named to Wm. T. and Nettie A. Bird by deed Sept. 26, 1906 and recorded Oct. 11, 1906 in Vol. 104 at page 223 deed record of Logan County, Ohio. Conveyed by this deed 88½ acres more or less.

Tract No. 5. That he was the sole owner of the following described real estate, situated in the Village of Mt. Victory, County of Hardin and State of Ohio, and known as Lots No. One and two in the L. E. Osburn's addition to the village of Mt. Victory, Ohio, as they appear on the recorded plat of said addition.

You will make return of your proceedings herein to said Probate Court on or before the 19th. day of January 1965, and have you then and there this writ.

Witness my signature and the seal of said Court, this 21 day of December, 1964.

(Seal)

Lawrence Rupp- Judge and Ex-Officio Clerk.
By- Lucile Southard- Deputy Clerk.

THE COL. B. B. MFG. CO 73503

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Return.

To the Probate Court of Logan 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 this 12 day of January, 1935.

Lee Williams.

Oath of Appraisers.

The State of Ohio, Logan County, ss.

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

W. D. Kerns.
C. A. Marmon. } appraisers.
John S. Hill.

Sworn to before me and signed in my presence, this 9th. day of January, 1935.

Lee Williams - Administrator.

Appraisers' Return.

Appraisers' Return. In obedience to the foregoing order, after being first duly sworn and upon actual view of the real estate therein described, we, the undersigned appraisers, appraise the true value in money of said real estate at Fifty One Hundred and Fifty Nine Dollars ($5159.00), free of dower, and as follows:

Tract No. 1	$1830.00
Tract Nos. 2+3	2580.00
Tract No. 4	1239.00
Tract No. 5	20.00

Given under our hands, this 9 day of January, 1935.

W. D. Kerns.
C. A. Marmon. } appraisers.
John S. Hill.

Probate Court, Logan County, Ohio.

Journal Entry.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

Case No. 2642.
Journal Entry.
January 12, 1935.

This day this matter came on to be heard further on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said repat is in all respects regular and correct, it is ordered that the same be and it is hereby approved and confirmed.

13174

Motion. Journal Entry. Amended Petition for Administrator to Sell Real Estate.

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It is further ordered that said Lee Williams administrator execute within 20 days to the State of Ohio a bond with sufficient sureties to be approved by the Court in the sum of Ten Thousand and Four Hundred ($10,400.00) Dollars conditioned according to law.

Lawrence Zupp - Probate judge.

Journal 14 - Page 78.

Motion.

Probate Court of Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

Case No. 2642.

Motion.

Now comes Lee Williams, Administrator of the estate of Rawson W. Williams, deceased, plaintiff herein, by his attorneys, Godwin and Godwin and asks leave of the Court to file an amended petition herein.

Leonard Cox - attorneys for Plaintiff.

Journal Entry.

Probate Court of Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

Case No. 2642.

Journal Entry.

Upon motion of the plaintiff leave is hereby granted plaintiff to file an amended petition and the same filed.

D. K.

Leonard Cox
attorneys for Plaintiff.

Lawrence Zupp - Probate judge,
Logan County, Ohio.

Journal 14 - Page 340.

Amended Petition for Administrator to Sell Real Estate.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell and Foust Newell, her husband; Manda Smith and Huston Smith, her husband; Dawn Ansley, widow; Lee Williams and Maude Williams, his wife; Herman Williams and Blanche Williams, his wife; Alice Marmon and Harry Marmon, her husband;

Case No. 2642
Amended - Petition for Administrator to Sell Real Estate.

THE COL. B. B. MFG. CO. 73503

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Ralph Engle and Martha Engle, his wife; Ross Engle and Ruth Engle, his wife; Claire Engle and Mabel Engle, his wife; Wm. Engle, unmarried; Elda Strait and Lee Strait, her husband; Harry Marmon, Administrator of the estate of Sarah E. Williams, deceased,

Defendants.

By leave of court first granted for his amended petition plaintiff says he is the duly appointed, qualified and acting administrator of the estate of Robson W. Williams, deceased, late of this county; that as near as can be ascertained the amount of the valid debts against the estate is Twenty-four Hundred Dollars ($2400.00).

An allowance of Twelve Hundred Dollars ($1200.00) was made by the appraisers of the above estate to the widow for twelve months and the undeemed assets was Eleven Hundred and Sixty-eight Dollars ($1168.00) and the costs of the administration of the estate will be about Four Hundred Dollars ($400.00).

The total value of the personal property of said decedent was fixed by the appraisers of the said estate at Four Hundred and Ten Dollars ($410.00). Said appraisement not having been excepted to and said personal property is wholly insufficient to pay debts, allowance and costs aforesaid.

Said decedent did seized in fee simple of the undivided one-half of the following described real estate: Situated in the County of Logan, in the State of Ohio, and in the Township of Bokescreek, Survey No. 9959 and bounded and described as follows: Beginning at a white oak, sugar and beech Northeasterly corner of said Survey; thence south 78 deg. W. 100 poles to two sugar trees and an elm; thence south 12 deg. East 106 poles to a red oak, on the bank of Rushcreek; thence down the center of said creek, with the meanderings thereof to a Buckeye and Ironwood in the Easterly line of said survey; thence North 12 deg. West 151 poles to the place of beginning, containing 102 acres, more or less. Excepting therefrom about four (4) acres conveyed to Joshua Richardson laying on the south side of the Witcraft Road.

Also the following described premises, situated in the same Township and State and bounded and described as follows: to-wit: Beginning at a post in the center of Rushcreek in the original block line 3 rods North 10½ deg. West from a small hickory, corner to Lot No. 7 of said survey No. 9959; thence with the line of said lot or block South 10½ deg. East 11 3/4 rods to the center of the road known as the Witcraft road; thence West and Northwest with

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the center of said road 66¼ rods to the center of Rush Creek and Bridge; thence East in the center of said Creek with the meanderings thereof to the place of beginning, containing three acres more or less and making the total amount herein conveyed 95 acres, be the same more or less.

Also the following described premises situated in said County, Township and State and known as part of Military Survey No. 9959, Beginning at two sugars and an elm in the North line of said survey and one hundred rods W. of the original N. E. corner of said survey; thence S. 10½ deg. W. 150 poles to a stone in the center of the County road, known as the Witcraft road; thence W. with the center of said road 41 3/4 poles to a stone; thence N. 10½ deg. W. 153½ poles to two ash trees in the N. line of said Survey; thence N. 79½ deg. E. 41¾ poles to the beginning, containing thirty-nine (39) acres.

Also the following described premises situated in said County, Township, State and Survey, made in the name of Robert Ware, beginning at a large beech in the road, corner to S. Dickinson & W. Elliott; thence S. 10½ deg. E. with said road, 231 80/100 poles to a stone; thence N. 79½ deg. E. 18 00/100 poles to the center of Rush Creek, witness by a sweet oak 14 inches in S. 79½ deg. W. 63 links distant; thence down the center of said Creek with the meanderings thereof to a stone witnessed by a sycamore 16 inches in diameter, two rods 5½ feet southwesterly distant; thence N. 10 deg. West 16¼ poles to the center of the road; thence westerly with said Road 26 3/4 poles to a stone in the center of said road; thence N. 10½ deg. West 153½ poles to two ashes in the Northwesterly line of the original survey; thence S. 79½ deg. West 58¼ poles to the place of beginning, containing ninety (90) acres more or less.

Also the following described premises situated in the Counties of Logan and Union in the State of Ohio and in the Bokyorock and Washington Townships and bounded and described as follows: Surveys Nos. 9960 and 11042, beginning at a beech and sugar tree and an elm S. W. corner to the representative of Michael Rudolph No. 9960 and 11042 for 2000 acres; thence with the line of said Survey N. 79 deg. E. 101 poles to two sugar trees and cherry tree; thence N. 11 deg. W. 273 poles crossing Rush Creek to two sugar two elms and Ironwood on the North banks of said Creek; thence up said Creek in the middle of it with the meanderings thereof to a beech and iron wood on the North banks of said Creek; thence up said Creek in the middle of it with the meanderings thereof to a beech and ironwood on the North bank of said Creek in the westerly line of said Rudolph Survey; thence with said line S. 11 deg. E. 265½ poles to the place of beginning containing

THE COL. B. B. MFG. CO. 73503

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171 3/4 acres more or less, save and excepting 18 1/4 acres off of the S. W. corner, also excepting 70 acres conveyed by Grantors herein named to Wm. T. and Nettie A. Bird by deed Sept. 25, 1906 and recorded Oct. 11, 1906 in Vol. 104 at page 223 deed record of Logan County, Ohio. Conveyed by this deed 88 1/2 acres more or less.

The above described real estate of four (4) different tracts estimated to be 312.50 acres is intended to include all of the real estate of which Rawson W. Williams and Sarah E. Williams died seized, the undivided one-half to each, the same being owned jointly, as co-tenants in common.

That Rawson W. Williams was the sole owner of the following described real estate, situated in the Village of Mt. Victory, County of Hardin and State of Ohio, and known as Lots Nos. one and two in the L. E. Osbun's addition to the Village of Mt. Victory, Ohio, as they appear on the recorded plat of said addition.

That since the filing of the original petition, September 28th. 1934, Sarah E. Williams, wife of Rawson W. Williams, died (June 16th. 1935), seized of the undivided one-half interest in the above described real estate of the estimated number of acres of 312.50, excepting therefrom Lots Nos. one and two in the L. E. Osbun's addition to Mt. Victory, Hardin County, Ohio, as co-tenant with said Rawson W. Williams, deceased, both of whom, Rawson W. Williams, deceased, and Sarah E. Williams, deceased, leaving the following named persons their children, grandchildren, heirs at law and next of kin and entitled to the next estate of inheritance and their spouses living; Margaret Newell and Forest Newell, her husband; Magda Smith and Huston Smith, her husband; Dawn Ansley, widow; Lee Williams and Maude Williams, his wife; Herman Williams and Blanche Williams, his wife; Alice Marmon and Harry Marmon, her husband; Ralph Engle and Martha Engle, his wife; Ross Engle and Ruth Engle, his wife; Claire Engle and Mabel Engle, his wife; Wm. Engle, unmarried; Velda Strait and Lee Strait, her husband, children of Neiola Williams Engle, a daughter of Rawson W. Williams and Sarah E. Williams, both deceased, who intermarried with one William Engle, Sr., both of whom are now deceased.

That on the 10th. day of August, 1935, Harry Marmon was appointed Administrator of the estate of Sarah E. Williams, deceased, and is now the duly appointed, qualified and acting Administrator thereof; that plaintiff and said Administrator Harry Marmon, of the estate of Sarah E. Williams, deceased, desire and ask that the entire property, including the other undivided one-half interest owned by said Sarah E. Williams, deceased, as co-tenant with Rawson W. Williams, deceased, be ordered sold in this action

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Motion.

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as a whole, the estimated number of acres being (312.00) acres by virtue of Section 10510-10 of the General Code of Ohio.

Wherefore plaintiff prays that the said real estate including the undivided one-half interest owned by Sarah E. Williams, deceased, as co-tenant with Rawson W. Williams, deceased, be ordered sold as an entirety; that the plaintiff Lee Williams, as administrator of the estate of Rawson W. Williams, deceased, be ordered and authorized to sell, execute and deliver a deed for the entire real estate belonging jointly to Rawson W. Williams deceased, and Sarah E. Williams, deceased as co-tenants in common estimated to be 312.00 acres more or less; that the rights, interests and lien of all parties herein made be fully determined, adjusted and protected and for all other, proper and further orders and different relief to which he may be entitled.

Leonard Cox.
Southard & Godwin.
Attorneys for Plaintiff.

State of Ohio, County of Logan, ss.

Lee Williams being duly sworn says that he is the Plaintiff in the above entitled cause and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

Lee Williams.

Sworn to before me and signed in my presence by the said Lee Williams this 17th. day of September, 1935.

A. Glenn Hill - Notary Public,
Logan County, Ohio.
My commission expires Jan. 24-1938.

Seal

Probate Court,
Logan County, Ohio.

Motion.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

Case No. 2642
Motion.

Now comes the plaintiff and represents to the court that it is necessary for the full and final determination of the matter herein, that Harry Mannon, Administrator of the Estate of Sarah E. Williams, deceased, be made a party defendant herein and asks the court for leave to make him a party defendant.

Leonard Cox - Attorney for Plaintiff.

THE COL. P. R. MFG. CO. 73503

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Journal Entry.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

Case No. 2642.
Journal Entry.

Upon motion of the plaintiff, leave is hereby granted to make Harry Mannon, Administrator of the Estate of Sarah E. Williams, deceased, a party defendant.

D. K.
Leonard Cox.
Attorneys for Plaintiff.
Journal 14- Page 340.

Lawrence Supp- Probate Judge,
Logan County, Ohio.

Affidavit for Service by publication, on unknown residence.

Probate Court of Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

Case No. 2642.
Affidavit for Service by publication, on unknown residence.

State of Ohio, Hardin County, ss.

Lee Williams, being duly sworn, says he is the plaintiff in the above entitled cause, that the residence of the defendant Lee Strait, is unknown and cannot with reasonable diligence be ascertained, and service of summons cannot be made upon him within this State; and the case is one of those mentioned in G. C. Section 11292.

Lee Williams.

Sworn to before me and signed in my presence this 17th. day of September 1935.

Leonard Cox- Notary Public,
Hardin County, O.

(Seal)

Journal Entry.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

Case No. 2642.
Journal Entry.

It appearing to the Court that the residence of Lee Strait is unknown and cannot be ascertained by Reasonable diligence; that service of summons cannot be made in this State, upon said Lee Strait.

It is ordered and adjudged by the court that service upon the said Lee Strait be obtained by publication for

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Waiver of Summons and Consent to Sale.

Answer of Harry Mannon Administrator of the Estate of Sarah E. Williams, Deceased.

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13174 six consecutive weeks in a newspaper of general publication in the County of Logan and State of Ohio.

O. K.
Leonard Cox
Southard, Godwin and Godwin.
Attorneys for Plaintiff.
Journal 14 - Page 344.

Lawrence Supp. - Judge of the Probate Court.
Logan County, Ohio.

Waiver of Summons and Consent to Sale.

Waiver of Summons and Consent to Sale.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff.

-vs-

Margaret Newell, et al.,

Defendants.

No. 2642.
Civil Action.
To Sell Real Estate.
Waiver of Summons and 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. Dated November 8 - 1935.

November 15, 1935.
Margaret Newell
Forrest Newell
Maude Williams
Lee Williams
Alice Marmon
Harry Marmon
November 20 - 1935.
Velva Strait.

Rose Engle
Ruth Engle
Clare Engle
Mabel Engle
Wm. Engle.
Martha Engle.
Ralph Engle.

Herman Williams.
Blanche Williams.
Manda Smith.
Dawn Awley.
Huston S. Smith.

Answer of Harry Marmon Administrator of the Estate of Sarah E. Williams, Deceased.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

Case No. 2642.
Answer of Harry Marmon Administrator of the Estate of Sarah E. Williams, Deceased.

Now comes Harry Marmon, Administrator of the Estate of Sarah E. Williams, deceased, and voluntarily enters his appearance herein and for answer to the plaintiff's petition consents to the sale of the undivided one-half interest of the real estate described in the petition in the name of Sarah E. Williams, deceased.

Harry Marmon - Administrator of the Estate of Sarah E. Williams, deceased.

THE COL. B. B. MFG. CO 73503

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State of Ohio, Logan County, ss:

Harry Marmon, being first duly sworn according to law, says that he is the duly appointed, qualified and acting administrator of the estate of Sarah E. Williams, deceased; that the statements and allegations in his foregoing answer are true as he believes.

Harry Marmon.

Sworn to and subscribed before me this 21st. day of November, 1935.

Elmer L. Godwin - Notary Public,
Logan County, Ohio.
My Commission expires Sept. 11-1937.

Seal

Probate Court, Logan County, Ohio.

Journal Entry.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,

Plaintiff,

-vs-

Margaret Newell, et al.,

Defendants.

Case No. 2672.
Journal Entry.

This 21st. day of November, 1935, this matter came on to be heard on the Amended Petition of the Plaintiff, the answer of Harry Marmon, Administrator of the estate of Sarah E. Williams, deceased, and the evidence for authority to sell the real estate of the above named decedents, Rawson W. Williams, and Sarah E. Williams, who were owners of the whole of the said estate, being 312 1/2 acres. The court further finds that from the evidence that all necessary parties are before the court, all the defendants, including Harry Marmon, Administrator of the estate of Sarah E. Williams, deceased, having either waived the issuing and service of summons or voluntarily entered their appearance and consented to the sale of the whole of said estate including 312 acres, except Lee Strait whose residence was unknown has been duly and legally notified by publication, and that the prayer of the petition be granted and the whole estate of the decedents, Rawson W. Williams, and Sarah E. Williams, be sold as a whole, and it is necessary to sell the undivided one-half interest of the real estate described in the petition to pay his debts and that it is for the best interests of the estate of both Rawson W. Williams and Sarah E. Williams and that her undivided one-half interest be sold together with the undivided one-half interest of Rawson W. Williams.

It appearing to the Court that heretofore an appraisement of the undivided one-half interest in the real estate described in the petition belonging to Rawson W. Williams, deceased, was made, the appraisement being $5169.00. The court further finds that the true value of the other

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Bond of Administrator.

Journal Entry Confirming Bond.

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undivided one-half interest belonging to Sarah E. Williams, deceased, would be of value of $5169.00 and therefore no further appraisement is necessary and same be dispensed with.

It is further ordered by the Court that Lee Williams, Administrator of the estate of Rawson W. Williams, deceased, file an additional bond with sufficient sureties thereon to be approved by this court in the sum of $10,000.00 within ten days.

Lawrence Zupp - Judge of the Probate Court,
Logan County, Ohio.

W. K.
Leonard Cox
Southard & Godwin
Attorneys for Plaintiff.
Journal 14 - Page 411

Bond of Administrator.

Civil Action. To Sell Real Estate.

Know all Men by these Presents, that we, Lee Williams and The Ohio Casualty Insurance Company of Hamilton, Ohio, are held and firmly bound to the State of Ohio, in the penal sum of Ten Thousand Dollars, to the payment of which sum we bind jointly and severally bind ourselves, our successors, heirs, executors and administrators.

Signed by us and dated this 21st. day of November, 1935.

The condition of the above obligation is such, that if the above bound Lee Williams as Administrator, of the Estate of Rawson W. Williams faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate in the action entitled as endorsed thereon, according to law, then this obligation to be void, otherwise to remain in full force and virtue in law.

Lee Williams
The Ohio Casualty Insurance Co.
By- J. Glenn Hill- Attorney-in-fact.

Executed in Presence of
Margaret Barton
Mary Eloise Smith

This bond approved in open Court, this 21st. day of November, 1935.

Lawrence Zupp - Judge.

Journal Entry Confirming Bond.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the Estate of Rawson W. Williams, Deceased,
Plaintiff,
-vs-
Margaret Newell, et al.,
Defendants.

Case No. 2642.
Journal Entry Confirming Bond.

It further appearing to the Court that the plaintiff has given additional bond in the sum of $10,000.00 with sureties conditioned according to law, the said bond is hereby approved.

THE COL. O. B. MFG. CO. 73503

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It is now ordered that Lee Williams as such administrator proceed to advertise for sale the whole of said premises on the premises on the 28th. day of December, 1935, at 1:00 o' clock P. M. and that he sell the same for not less than two-thirds of the appraised value thereof on the following terms, to-wit: Cash.

On motion of the plaintiff the said Administrator is hereby authorized to expend the sum of $10.00 for additional advertising and the sum of $10.00 for an auctioneer to sell said premises.

W. K.
Southard & Godwin
Leonard Cox
Attorneys for Plaintiff.
Journal 14- Page 414.

Lawrence Guppe- Judge of the Probate Court,
Logan County, Ohio.

Legal Notice.

State of Ohio, Logan County, ss.

Frank G. McCracken being duly sworn, says that he is the representative of the publisher of The Daily Examiner, a newspaper printed and of general circulation in the said County, and that the annexed advertisement was published in said paper Nov. 27, December 4, 11 and 18, 1935.

Frank G. McCracken.

Sworn to and subscribed before me this 20th day of December 1935.

Seal

M. E. Jones - Notary Public,
My Commission Expires March 26, 1936.

Printers Fee - $42.50

Legal Notice.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the estate of Rawson W. Williams, deceased, Plaintiff, vs. Margaret Newell, et al., Defendants.

Notice of Public Sale.

In pursuance of an order of the Probate Court of Logan County, Ohio, I will offer for sale at public auction on the 28th. day of December, 1935, at 1 o' clock P. M., on the premises of the late residence of Rawson W. Williams, located 2 miles south of Mt. Victory, 2 miles east of Ridgeway, and 7 miles north of West Mansfield on the Bellecenter and Whitetown road, the following described real estate situated in the Counties of Logan, Union and Hardin, bounded and described as follows:

The following described real estate, situated in the County of Logan, in the State of Ohio, and in the Township of Bokescreek, Survey No. 9959 and bounded and described as follows:

Beginning at a white oak, sugar and beech northeasterly corner of said Survey; thence south 78 deg. W. 100 poles to two sugar trees and an elm; thence south 12 deg. East 156 poles to a red oak, on the bank of Rushcreek; thence down the center of said creek, with the meanderings thereof to a Buckeye and Ironwood in the Easterly line of said Survey;

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13174 thence North 12 deg. West 151 poles to the place of beginning, containing 102 acres, more or less. Except therefrom about four (4) acres conveyed to Joshua Richardson laying on the south side of the Witcraft Road.

Also excepting following described premises, situated in the same Township and State and bounded and described as follows, to-wit: Beginning at a post in the center of Rushcreek in the original black line 3 rods North 10½ deg. West from a small hickory, lower corner to Lot No. 7 of said survey No. 9959; thence with the line of said lot or block south 10½ deg. East 11¾ rods to the center of the road known as the Witcraft Road; thence West and Northwest with the center of said road 66¼ rods to the center of Rushcreek and Bridge; thence East in the center of said creek with the meanderings thereof to the place of beginning, containing three acres, more or less and making the total amount herein conveyed 95 acres, be the same more or less.

Also the following described premises situated in same County, Township and State and known as part of Military Survey No. 9959, beginning at two sugars and an elm in the North line of said survey and one hundred rods W. of the original N. E. corner of said survey; thence S. 10½ deg. W. 150 poles to a stone in the center of the County road, known as the Witcraft road; thence W. with the center of said road 41¾ poles to a stone; thence N. 10½ deg. W. 153½ poles to two ash trees in the N. line of said survey; thence N. 79½ deg. E. 41¾ poles to the beginning, containing thirty-nine (39) acres.

Also the following described premises situated in same County, Township, State and Survey, made in the name of Robert Medus, beginning at a large beech in the road, corner to G. Dickinson and W. Elliott; thence S. 10½ deg. E. with said road, 231 80-100 poles to a stone; thence N. 79½ deg. E. 18 00-100 poles to the center of Rush Creek, witnessed by a sweet oak 14 inches in diameter S. 79½ deg. W. 63 links distant; thence down the center of said creek with the meanderings thereof to a stone witnessed by a sycamore 16 inches in diameter two rods 5½ feet southwesterly distant; thence N. 10 deg. West 16¼ poles to the center of the road; thence westerly with said road 26¾ poles to stone in the center of said road; thence N. 10½ deg. W. 153½ poles to two ashes in the Northwesterly line of the original survey; thence S. 79½ deg. West 08¾ poles to the place of beginning, containing ninety (90) acres, more or less.

Also the following described premises situated in the Counties of Logan and Union in the State of Ohio and in the Bokescreek and Washington Townships and bounded and described as follows: Surveys Nos. 9960 and 11042, beginning at a beech and sugar tree and an elm S. W. corner to the representative of Michael Rudolph No. 9960 and 11042 for 2,000 acres; thence with the line of said survey N.

THE COL. B. B. MFG. CO 73503

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79 deg. E. 101 poles to two sugar trees and cherry tree; thence N. 11 deg. W. 273 poles crossing Rush Creek to two sugar, two Elms and Ironwood on the North banks of said Creek; thence up said Creek in the middle of it with the meanderings thereof to a beech and ironwood on the North bank of said Creek in the westerly line of said Rudolph Survey; thence with said line S. 11 deg. E. 265½ poles to the place of beginning, containing 171¾ acres, more or less, save and excepting 13/10 acres off of the S. W. corner, also excepting 70 acres conveyed by Grayton Lemin named to Wm. J. and Nettie A. Reid by deed dated Sept. 25, 1906 and recorded Oct. 11, 1906 in Vol. 104 at page 223 deed record of Logan County, Ohio. Conveyed by this deed 88½ acres more or less.

The above described real estate of four (4) different tracts estimated to be 312.50 acres is intended to include all of the real estate of which Rawson W. Williams and Sarah E. Williams died seized, the undivided one-half to each, the same being owned jointly, as co-tenants in common.

That Rawson W. Williams was the sole owner of the following described real estate, situated in the Village of Mt. Victory, County of Hardin and State of Ohio, and known as Lots Nos. one and two in the L. E. Osburn's Addition to the Village of Mt. Victory, Ohio, as they appear on the recorded plat of said addition.

This real estate is appraised at $10, 338.00.

The two lots in Mt. Victory are appraised at $20.00, $10.00 each. The farm of 312.00 acres is appraised at $10, 318.00. Terms of the sale. Cash.

Lee Williams - Administrator of the estate of Rawson W. Williams, Deceased.

Leonard Cox.
Southard,
Godwin & Godwin,
Attorneys for Plaintiff.
Nov. 27-1935.

Legal Notice

State of Ohio, Logan County, ss:

The undersigned being sworn, says that a copy of the annexed notice was published for six consecutive weeks in The West Mansfield Enterprise, a newspaper of general circulation in The West Mansfield Enterprise, a newspaper of general circulation in the County of Logan, the first publication beginning with issue Sept. 27, 1935.

R. G. English - Publisher.

Sworn to and subscribed before me this 20th. day of November, 1935.

[Seal]

Granville Stanley - N. P.
My Commission Expires April 22, 1936.

Publisher's Fees,
Fees paid by Administrator -
Leonard Cox.

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Legal Notice.

Lee Strait, whose residence is unknown and the unknown heirs, devisees, legatees, executors and administrators of Lee Strait will take notice that on the 17th. day of September, 1935, Lee Williams, Administrator of the estate of Rawson W. Williams, deceased, filed his amended petition in the Probate Court, within and for the County of Logan and State of Ohio, alleging that the personal property of said estate is insufficient to pay his debts and the charges of administering his estate; that he died seized in fee simple of the following described real estate, together with Sarah E. Williams, his deceased wife, situated in said county, to-wit:

Said decedents died seized in fee simple of the undivided one-half interest each in the following described real estate: Situated in the County of Logan, in the State of Ohio, and in the Township of Bokescreek, Survey No. 9959 and bounded and described as follows: Beginning at a white oak, sugar and beech Northeasterly corner of said Survey; thence South 78 degrees West 100 poles to two sugar trees and an elm; thence South 12 degrees East 156 poles to a red oak, on the bank of Rushcreek; thence down the center of said creek, with the meanderings thereof to a Buckeye and Ironwood in the easterly line of said Survey; thence North 12 degrees West 151 poles to the place of beginning, containing 102 acres, more or less. Except therefrom about four (4) acres conveyed to Joshua Richardson laying on the south side of the Witcraft Road.

Also excepting the following described premises, situated in the same Township and State and bounded and described as follows to-wit: Beginning at a post in the center of Rush Creek in the original block line 3 rods North 10½ degrees West from a small Hickory, lower corner to Lot No. 7 of said Survey No. 9959; thence with the line of said Lot or Block South 10½ degrees West 11 3/4 rods to the center of the road known as the Witcraft road; thence West and Northwest with the center of said road 66 1/4 rods to the center of Rush Creek and Bridge; thence East in the center of said creek with the meanderings thereof to the place of beginning, containing three acres more or less and making the total amount herein conveyed 95 acres, be the same more or less.

Also the following described premises situated in same County, Township and State and known as part of Military Survey No. 9959. Beginning at two sugars and an elm in the North line of said Survey and one hundred rods West of the original Northeast corner of said survey; thence South 10½ degrees West 100 poles to a stone in the center of the County road, known as the Witcraft Road; thence West with the center of said road 41 1/4 poles to a stone;

THE COL. B. B. MFG. CO. 73503

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thence North 10½ degrees West 153½ poles to two ash trees in the North line of said Survey; thence North 79½ degrees East 41 3/4 poles to the beginning, containing thirty-nine (39) acres.

Also the following described premises situated in same County, Township, State and Survey, made in the name of Robert Means, beginning at a large beech in the road, corner to S. Dickinson and W.J Elliott; thence South 10½ degrees East with said road, 281 80/100 poles to a stone; thence North 79½ degrees East 18 80/100 poles to the center of Rush Creek, witnessed by a sweet oak 14 inches in diameter South 79½ degrees West 63 links distant; thence down the center of said Creek with the meanderings there of to a stone witnessed by a sycamore 16 inches in diameter, two rods 5½ feet Southwesterly distant; thence North 10 degrees West 16 1/6 poles to the center of the road; thence westerly with said road 26 3/4 poles to stone in the center of said road; thence North 10½ degrees West 153½ poles to two ashes in the Northwesterly line of the original survey; thence South 79½ degrees West 58 1/4 poles to the place of beginning, containing ninety (90) acres more or less.

Also the following described premises situated in the Counties of Logan and Union in the State of Ohio and in the Bokescreek and Washington Townships and bounded and described as follows: Surveys Nos. 9960 and 10042, beginning at a beech and sugar tree and an elm Southwest corner to the representative of Michael Rudolph No. 9960 and 10042 for 2000 acres; thence with the line of said Survey North 79 degrees East 101 poles to two sugar trees and a cherry tree; thence North 11 degrees West 273 poles crossing Rush Creek to two sugar, two elms and Ironwood on the North banks of said Creek; thence up said Creek in the middle of it with the meanderings there of to a beech and ironwood on the North bank of said Creek in the Westerly line of said Rudolph Survey; thence with said line South 11 degrees East 265½ poles to the place of beginning, containing 171 3/4 acres more or less, save and excepting 13 1/4 acres off the Southwest corner, also excepting 70 acres conveyed by Grantors herein named to Wm. T. and Nettie A. Bird by deed Sept. 25, 1906 and recorded Oct. 11, 1906 in Vol. 104 at page 223, Deed Record of Logan County, Ohio. Conveyed by this deed 88½ acres more or less.

The prayer of said petition is for sale of said premises as a whole for the payment of the debts and charges aforesaid.

The said Lee Strait, his unknown heirs, devisees, legatees, executors and administrators will take notice that they have been made parties defendant of said petition, being Case No. 2642 in the Probate Court of Logan County, Ohio, and that they are required to answer on or before the

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Order of Sale.

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13174 8th day of November, 1935.

Lee Williams - Administrator of the estate of Rawson W. Williams, Deceased,

Leonard Cox.
Southard,
Godwin & Godwin,
Attorneys for Plaintiff.

Order of Sale. Order of Sale (Public Sale)

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

To Lee Williams, Administrator of the Estate of Rawson W. Williams, deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain action, wherein you as Administrator of the estate of Rawson W. Williams, deceased are Plaintiff and Margaret Newell et al, are Defendants, you are commanded to proceed according to law, to sell at public auction, for not less than two-thirds the appraised value thereof, free of dower, the following described real estate, to-wit:

Tract #2. The following described real estate, situated in the County of Logan, in the State of Ohio, and in the Township of Bokescreek, Survey No. 9959 and bounded and described as follows: Beginning at a white oak, sugar and beech Northeasterly corner of said Survey; thence South 78 deg. W. 100 poles to two sugar trees and an elm; thence South 12 deg. East 156 poles to a red oak, on the bank of Rushcreek; thence down the center of said creek, with the meanderings thereof to a Buckeye and Ironwood in the Easterly line of said Survey; thence North 12 deg. West 151 poles to the place of beginning containing 102 acres more or less. Except therefrom about four (4) acres conveyed to Joshua Richardson laying on the south side of the Witcraft Road.

Also excepting the following described premises, situated in the same Township and State and bounded and described as follows, to-wit: Beginning at a post in the center of Rushcreek in the original block line 3 rods North 10½ deg. West from a small hickory, lower corner to Lot No. 70 of said Survey No. 9959; thence with the line of said Lot or block South 10½ deg. East 11 3/7 rods to the center of the road known as the Witcraft road; thence West and Northwest with the center of said road 66 4/7 rods to the center of Rush Creek and Bridge; thence east in the center of said Creek with the meanderings thereof to the place of beginning, containing three acres more or less and making the total amount herein conveyed 95 acres, be the same more or less.

THE COL. B. B. MFG. CO 73503

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Tract #1. also the following described premises situated in same County, Township and State and known as part of Military Survey No. 9959, Beginning at two sugars and an elm in the North line of said Survey and one hundred rods W. of the original N. E. corner of said survey; thence S. 10½ deg. W. 150 poles to a stone in the center of the County road, known as the Witcraft road; thence W. with the center of said road 41 3/4 poles to a stone; thence N. 10½ deg. W. 153½ poles to two ash trees in the N. line of said Survey; thence N. 79½ deg. E. 41 3/4 poles to the beginning containing thirty-nine (39) acres.

Also the following described premises situated in same County, Township, State and Survey, made in the name of Robert Means, beginning at a large beech in the road, corner to G. Dickinson W. Elliott; thence S. 10½ deg. E. with said road, 231 80/100 poles to a stone; thence W. 79½ deg. E. 18 50/100 poles to the center of Rush Creek, witnessed by a sweet oak 14 inches in diameter S. 79½ deg. W. 63 links distant; thence down the center of said Creek with the meanderings thereof to a stone witnessed by a sycamore 16 inches in diameter two rods 5½ feet southwesterly distant; thence N. 10 deg. West 16¼ poles to the center of the road; thence westerly with said road 26 3/4 poles to stone in the center of said road; thence N. 10½ deg. West 153½ poles to two ashes in the Northwesterly line of the original survey; thence S. 79½ deg. West 58 7/10 poles to the place of beginning, containing ninety (90) acres more or less.

Tract #3. Also the following described premises situated in the Counties of Logan and Union in the State of Ohio and in the Bokescreek and Washington Townships and bounded and described as follows: Surveys Nos. 9960 and 11042, beginning at a beech and sugar tree and an elm S. W. corner to the representative of Michael Rudolph No. 9960 and 11042 for 2060 acres; thence with the line of said Survey N. 79 deg. E. 101 poles to two sugar trees and cherry tree; thence N. 11 deg. W. 273 poles crossing Rushcreek to two sugar, two elms and Ironwood on the North banks of said Creek; thence up said Creek in the middle of it with the meanderings thereof to a beech and ironwood on the North bank of said Creek in the westerly line of said Rudolph Survey; thence with said line S. 11 deg. E. 265½ poles to the place of beginning, containing 171 3/4 acres more or less, save and excepting 13¼ acres off of the S. W. corner, also excepting 70 acres conveyed by Grantors herein named to Wm. A. and Nettie A. Bird by deed Sept. 25, 1906 and recorded Oct. 11, 1906 in Vol. 104 at page 223 Deed Record of Logan County, Ohio. Conveyed by this deed 88½ acres more or less.

The above described real estate of four (4) different tracts estimated to be 312.00 acres is intended to include

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Return.

Report of Sale.

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13174 all of the real estate of which Rawson W. Williams and Sarah E. Williams died seized, the undivided one-half to each, the same being owned jointly, as co-tenants in common.

Tract #4. That Rawson W. Williams was the sole owner of the following described real estate, situated in the Village of Mt. Victory, County of Hardin and State of Ohio, and known as Lots Nos. one and two in the L. E. Osborn's Addition to the Village of Mt. Victory, Ohio, as they appear on the recorded plat of said addition.

Said sale to be on the premises in this County, on the 28th. day of December, 1935, at 1 o'clock P. M., and on the following terms, to-wit: Cash in hand on day of sale. You will give notice of the time and place of such sale by advertisement at least four weeks successively in some newspaper printed in Logan County, Ohio, where the lands are situated.

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

Witness my signature and the seal of said Court, this 21st. day of November, 1935.

Lawrence Zupp - Judge and Ex-Officio Clerk.
Seal
By- Lucile Southard - Deputy Clerk.

Return.

To the Probate Court of Logan County, Ohio:

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

Dated this 15th. day of January, 1936.

Lee Williams - Administrator of the estate of Rawson W. Williams, Deceased

Repot of Sale.

In obedience to the within order, I duly advertised the real estate therein described for sale, in The Daily Examiner a newspaper printed in Logan County, Ohio, where the lands are situated, for at least four weeks successively prior to the 28th. day of November, 1935, the day of sale therein mentioned; stating in the notice the time, place and terms of sale; and on said day at the hour
Repot of Sale. of 1 o'clock P. M., I attended at the door of the court house in this County, and offered said real estate for sale at public auction, free of dower, when

Tract No. 1, 129 acres was sold to Dawn Ansley for $4700.00
Tract No. 2, 95 acres was sold to Maude Williams for 2810.00
Tract No. 3, 88½ acres was sold to Herman Yoakum for 3200.00
Tract No. 4, 2 lots was sold to Allan Willquer for 14.50

bid to pay for the same the sum of —— Dollars, which being the highest and best bid that was offred, and being

13174 more than the appraised value of said real estate, I then and there sold the same to — for that sum.

Dated this 15th. day of January, 1936.

Lee Williams - Administrator of the estate of Rawson W. Williams, Deceased.

Journal Entry Confirming Sale and Ordering Deed.

Probate Court, Logan County, Ohio.

Lee Williams, Administrator of the estate of Rawson W. Williams, Deceased, Plaintiff, -vs- Margaret Newell, et al., Defendants.	Case No. 2642. Journal Entry. Confirming Sale and Ordering Deed.

January 20th, 1936. This day this cause came on to be heard on the report of Lee Williams, administrator of the estate of Rawson W. Williams, deceased, of his proceedings under the former order of this court, and upon 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 Rawson W. Williams, deceased, in said real estate to the purchaser Dawn Ansley for Tract No. 1 consisting of 129 acres; to Maude Williams for Tract No. 2 consisting of 95 acres; to Herman Yoakum for Tract No. 3 consisting of 88½ acres; to Olan Willauer for Tract No. 4, consisting of 2 lots. Said sale to be for cash.

It appearing to the court from the pleadings herein that Sarah E. Williams, deceased, was the owner of the undivided one-half interest in the real estate herein, except the 2 lots in Mt. Victory, Ohio; that Harry Marmon, administrator of the estate of Sarah E. Williams, deceased, has filed his answer herein and consented to the sale of the said real estate herein as a whole.

It is ordered and adjudged by the Court that the said Lee Williams, administrator of the estate of Rawson W. Williams, deceased, execute and deliver deeds for the whole of said real estate; that the proceeds derived from said sale be distributed as their interests may appear.

The distribution of the proceeds derived from said sale is reserved until a later date.

O.K.
Leonard Cox.
Southard, Godwin + Godwin
Attorneys for Plaintiff.

Lawrence Gupp - Judge of the Probate Court.
Logan County, Ohio.

Journal 14 - Page 479.

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12812 Filed June-20-1936. In … In … Cha… to … actu… descr… Cert… The … to … sell … the …

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Certificate to Copy of Paper on File.

The State of Ohio, Logan / County. Probate Court.

I, the undersigned, Judge and ex-officio Clerk of the Probate Court within and for said County, and in whose custody the Files, Journals and Records of said Court are required by the Laws of the State of Ohio to be kept; do hereby certify that the foregoing is taken and copied from the original Sale of real estate, Re: estate of Rawson W. Williams, deceased, now on file in said Court, that it has been compared by me with said original document, and that it is a true and correct copy thereof.

In Testimony Whereof, I hereunto subscribe my name officially, and affix the Seal of said Court, at the Court House, in Bellefontaine in said County, this 21 day of May, A.D. 1936.

Laurence Rupp - Judge and ex-officio Clerk of said Probate Court.

(Seal)

By- Lucile Southard - Deputy Clerk.

12812 Filed June-20-1936.

In the Matter of The Estate of Charles Thompson, Deceased.

In the Probate Court of Union County, Ohio.

In the Matter of The Estate of Charles A. Thompson, Deceased. | No. 12812. Application for Private Sale of Personal Property.

Now comes Ella Mae Thompson and respectfully represents to the Court that she is the duly appointed, qualified and acting Executrix of the Estate of Charles A. Thompson, deceased.

That among the assets of said estate is the following described personal property:

Certificate No. T C 167 for 20 Shares Common Capital Stock of the Seiberling Rubber Company.

Certificate No. T C P 162 for 8 Shares Preferred Capital Stock of the Seiberling Rubber Company.

Certificate No. T A 311 for 11 Shares Preferred Stock $5 Series of The Ohio Edison Company.

Certificate No. B 3618 for 3 Shares Preferred Stock $6 Series of The Ohio Edison Company.

Certificate No. C O L 6317 for 6 Shares Common Capital Stock of Banc Ohio Corporation.

Certificate No. C O L 8761 for 19 Shares Common Capital Stock of Banc Ohio Corporation.

Certificate No. 1150 for 2 Shares of Installment Stock of The United States Building and Loan Company of Akron, Ohio.

That it is necessary to sell said property in order to settle said estate.

Wherefore, your applicant prays that she be ordered to sell said property at private sale for not less than the quoted market value thereof.

Hooper & Sanders
Attorneys for Applicant.

THE COL. B. B. MFG. CO 73503

12812

State of Ohio, Union County, ss.

Ella Mae Thompson being first duly sworn says that the facts stated in the foregoing are true as she verily believes.

Ella Mae Thompson.

Sworn to and subscribed before me this 20th. day of June, 1936.

Gwynn Sanders - Notary Public.

Filed June 20-1936. Entry.

In the Probate Court, Union County, Ohio.

In the Matter of The Estate of Charles A. Thompson, Deceased. | No. 12812. Entry.

This day this cause came on to be heard on the application of Ella May Thompson, Executrix of the Estate of Charles A. Thompson, deceased, for an order to sell the following described personal property, to-wit:

Certificate No. T C 167 for 20 Shares Common Capital Stock of the Seiberling Rubber Company.

Certificate No. T C P. 162 for 8 Shares Preferred Capital Stock of the Seiberling Rubber Company.

Certificate No. T A 311 for 11 Shares Preferred Stock #5 Series of The Ohio Edison Company.

Certificate No. B 3618 for 3 Shares Preferred Stock #6 Series of The Ohio Edison Company.

Certificate No. C O L 6317 for 6 Shares Common Capital Stock of Banc Ohio Corporation.

Certificate No. C O L 3761 for 19 Shares Common Capital Stock of Banc Ohio Corporation.

Certificate No. 1150 for 2 Shares of Installment Stock of The United States Building and Loan Company of Akron, Ohio.

The Court after careful consideration finds that it is necessary to sell said property and that it would be to the best interests of said estate if the same were sold at private sale.

It is therefore ordered, that the said Ella May Thompson, as Executrix of said estate sell said property at private sale for not less than the quoted market value thereof, and that she make return of her proceedings herein, within thirty days after said sale.

L. W. Hazen - Probate Judge.

12884 Filed Feb. 18-1935.

In the Matter of The Estate of Thomas Laurence Epps, Deceased.

In the Probate Court of Union County, Ohio.

In the Matter of The Estate of Thomas Laurence Epps, Deceased. | No. 12884. Petition to Sell Personal Property.

To the Judge of said Court:

The undersigned, H. A. Pyers, Executor of the estate of Thomas Laurence Epps, deceased, late of said county, respectfully makes application for authority to sell at public sale, at such prices and upon such terms as the Court may direct, that part of the personal property of said estate which is

12884 Filed Feb. 18-1935. Entry Ordering Sale of Personal Property.

12884 Filed Mar. 8-1935. Notice of Public Sale.

12884

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 it would be necessary in the event that said personal property remained intact, to employ someone to care for same, which would be a burden & expense to the estate. That said livestock discribed in the inventory filed in said Court, would sell for a greater price on the market or at public sale at present than some time later, and the nature of the chattel property, such as the livestock in particular, is such that it is absolutely necessary that same be sold in order that it might be to the best interest of the estate.

That said property has not been specifically bequeathed or taken by the surviving spouse at its appraised value nor has distribution thereof been demanded in kind.

Clifton L. Caryl, Atty. H. A. Pyers - Executor.

State of Ohio, Union County, ss.

H. A. Pyers, being first duly sworn, says that the facts stated and the allegations contained in the foregoing Petition, are true as he verily believes.

H. A. Pyers.

Sworn to before me and subscribed in my presence this 16th. day of February, 1935.

Seal Clifton L. Caryl.

Filed Feb. 18-1935. Entry Ordering Sale of Personal Property.

In the Probate Court of Union County, Ohio.

In the Matter of the Estate of Thomas Lawrence Epps, Deceased. | No. 12884. | Entry Ordering Sale of Personal Property.

This day this cause came on to be heard upon the Petition herein filed and the testimony of divers persons, and the Court being fully advised in the premises, finds that the statements and allegations of said Petition are true, and that the property therein described ought to be sold as prayed for.

It is therefore ordered that H. A. Pyers, as Executor of the estate of Thomas Lawrence Epps, deceased, proceed to sell said personal property at public sale on the following terms: Cash.

It is further ordered that said H. A. Pyers make return of his proceedings herein, within sixty (60) days after such sale is made, and this cause is continued.

L. W. Hazen - Probate Judge.

Filed Mar. 8-1935. Notice of Public Sale.

Notice of Public Sale.

The undersigned will offer for sale at public auction at the late residence of Thomas Lawrence Epps, deceased, in Allen Township, Union County, Ohio, on the 12th. day of March, 1935, the personal property of the said Thomas Lawrence Epps, deceased, consisting of two horses, ten head of cattle,

THE COL. B. B. MFG. CO 73503

12884

fifteen head of hogs, seventeen head of sheep, forty mixed chickens, hay, grain, farm implements, harness, and other articles too numerous to mention.

Sale to commence at eleven o'clock, a. m. Terms cash.

H. A. Ryers, Executor.

Lunch served by Ladies Aid of Pottersburg.

Clifton L. Caupl, Attorney.

The State of Ohio, Union County, ss.

Personally appeared before me J. M. Huber and made solemn oath, that the notice, a copy of which is hereto attached was published for three consecutive weeks on and next after February 20, 1935 in the Marysville Tribune, a newspaper of general circulation in the county aforesaid.

J. M. Huber.

Sworn to before me and signed in my presence this 7th. day of March, A. D, 1935.

Seal G. P. Huber- Notary Public.

Printers Fees, $4.80

12387
Filed
June 17-1935.

In the Matter of The Estate of W. H. Husted, Deceased.
Petition to Sell Personal Property at Private Sale.
Probate Court, Union County, Ohio.

In the Matter of the Estate of W. H. Husted, Deceased.

No. 12387.
Private Sale of Personal Property.
Petition.

To the Judge of said Court:

The undersigned Jay W. Mullaney, Executor of the Estate of W. H. Husted deceased, late of said County, respectfully makes application for authority to sell at private sale and at less than its appraised value, the part of the personal property of said estate which is enumerated in the schedule attached hereto, and which is also enumerated in the inventory of said estate filed in said Court.

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

That the stock in question has no market value, and the Executor has secured a buyer which is the first opportunity he has had to dispose of this stock since his appointment.

Dated June 17th. 1935.

J. W. Mullaney - Executor.

The State of Ohio, Union County.

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

J. W. Mullaney.

Sworn to before me and signed in my presence this 17th. day of June, 1935.

Seal William J. Porter, Notary Public.

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12387 5 Shares Richwood Banking Company Stock at $ 250.00
57 Shares Howard Process Company, } $ 50.00
10 Shares Fisher Brass Company Stock,

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 W. H. Husted 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.

Pearl McElroy.
B. J. Southard.
W. P. O'Brien.

Sworn to before me and signed in my presence, this 17th. day of June, 1935.

Seal William J. Porter - Notary Public.

Filed June 17-1935. Journal Entry. — Order for Private Sale.

Probate Court, Union County, Ohio.

In the Matter of The Estate of W. H. Husted, Deceased. | June 17-1935. Petition for Order to Sell. Order of Sale, Etc.

This day this cause came on to be heard upon the petition herein filed and the testimony of Jay W. Mullaney, Executor, 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 stocks at private sale; it is therefore ordered that Jay W. Mullaney as Executor of the Estate of W. H. Husted deceased, proceed to sell said stocks at private sale, for not less than the sum of Three Hundred and no/100 Dollars.

It is further ordered that said sale be made for cash in hand at time of sale.

It is further ordered that said Executor make return of his proceedings herein, within 30 days from this date, and forthwith after such sale is made, and this cause is continued.

L. W. Hazen - Judge.

Filed June 17-1935. Order of Private Sale.

Order of Private Sale, Personal Property.

Probate Court, Union County, Ohio.

In the Matter of the Estate of W. H. Husted, Deceased. | No. 12387. Order of Sale of Personal Property.

To Jay W. Mullaney, Executor of the Estate of W. H. Husted, Deceased.

THE COL. A. B. MFG. CO. 73503

12387.

In obedience to an order and decree of said Court, made this day, in the matter of said estate, you are hereby authorized and required to proceed according to law to sell, at Private sale at less than the appraised value thereof, the following goods and chattels belonging to said estate, to-wit:

5 Shares Richwood Banking Company Stock.
57 Shares Forward Process Company Stock.
10 Shares Fisher Brass Company Stock.

Said sale to be on the following terms: Purchases amounting to Three Hundred and no/100 Dollars ($300.00) or less, cash in hand at time of sale.

You will return this order within one month from this date, and forthwith upon the execution of the same, together with your report thereon endorsed.

Witness my hand and the seal of said Court, this 17th. day of June, A. D. 1935.

(Seal) L. W. Hazen - Probate Judge.

Return.

Probate Court, Union County, Ohio.

In the Matter of the Estate of W. H. Husted, Deceased. | Report of Sale of Personal Property.

Report of Sale of Personal Property.

The undersigned Executor of said estate, says that in obedience to the order of said Court, hereto attached, he sold

Jay W. Mullaney.

The State of Ohio, Union County.

Jay W. Mullaney, Executor of the estate of W. H. Husted 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.

Jay W. Mullaney.

Sworn to before me and signed in my presence, this 17th. day of June, 1935.

William J. Porter - Notary Public.

Journal Entry.

Probate Court, Union County, O. | June 17-1935.

In the Matter of the Estate of W. H. Husted, Deceased. | Sale of Personal Property Confirmed.

Sale of Personal Property Confirmed.

The executor of the above named decedent having filed his return of the sale of the personal property of said decedent, and the Court having carefully examined the same, find said proceedings in all respects regular and in accordance

11996 Filed apr. 24-1936.

with law, and therefore approves and confirms the same.
L. W. Hazen.

11996
Filed
apr. 24-1936.

In the Matter of The Estate of Charles W. Chappell, Deceased.
Petition for Order to Sell Stocks.
Probate Court, Union County, Ohio.

In the Matter of The Estate of	No. 11996.
Charles W. Chappell, Deceased.	Petition.

To the Judge of said Court:

The undersigned respectfully represents that he is the duly appointed and qualified Administrator of the estate of Charles W. Chappell deceased, late of said County; that the personal property of said estate including the notes, etc., hereinafter described, has been duly appraised, and the inventory and appraisement thereof filed in said Court.

Your petitioner makes application for an order to sell at private sale, as provided by law and upon such terms as the Court may order the following Shares of stock of said estate described in said inventory and appraisement, to-wit:

Six shares of stock in the Ohio Grain Co-operative Association, Inc. Milford Center, Ohio. Number 41.

The appraisement of said shares of stock is four hundred and eighty dollars, ($480.00).

The value of sum collectible is four hundred dollars ($400.00).

Said authority is asked for the following reasons:

That the administrator has used due diligence for the purpose of disposing of said shares of stock and that there has been no offer of any price whatsoever.

That the administrator has been in possession of said shares for more than one year, and that the money derived from these shares of stock is needed in the settlement of said estate.

That there is no demand for shares of stock of this nature at the present time.

That the administrator has an offer for the sum of $400.00 cash, and that we have good cause to believe that there will be no other offer of any kind for some length of time, if at all.

Clifton Caryl.

The State of Ohio, Union County!

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

Clifton Caryl.

Sworn to before me and signed in my presence, this 24th. day of April 1936.

L. W. Hazen- Probate judge.

Seal

THE COL. B. B. MFG. CO. 73503

11996
Filed
Apr. 24-1936.
Journal Entry.

Journal Entry - Orders for Private Sale.

Probate Court, Union County, Ohio.

April 24 - 1936.

In the Matter of the Estate of Charles W. Chappell, Deceased.

Petition for Order to Sell Shares of Stock. Order of Sale, etc.

This day this cause came on to be heard upon the petition herein filed and the testimony of the Administrator 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 shares of stock at private sale; it is therefore ordered that Clifton Caryl as Administrator of the Estate of Charles W. Chappell deceased, proceed to sell said shares of stock at private sale, for not less than the sum of four hundred ($400.00) Dollars.

It is further ordered that said sale be made for cash in hand at time of sale.

It is further ordered that said Administrator make return of his proceedings herein, within 30 days from this date, and forthwith after such sale is made, and this cause is continued.

L. W. Hazen - Judge.

13231
Filed
Sept. 15-1936.

Journal Entry

Filed
Sept. 15-1936.
Journal Entry

13281
Filed
Sept. 15-1936.

In the Matter of The Estate of Jacob Kaufman, Deceased.
Probate Court, Union County, Ohio.

In the Matter of the Estate of Jacob Kaufman, Deceased. | No. 13281 - Application to Sell Personal Propety at Private Sale.

Your applicant, Walter Kaufman, as administrator of the estate of Jacob Kaufman, deceased, respectfully represents that it will be for the best interest of said estate to sell at private sale the following personal property to-wit:

The groceries and meats appraised at $1950, and the store fixtures and equipment appraised at $950.00, the Ford delivery truck appraised at $50. and the Chevrolet sedan automobile appraised at $500.00, all located in the village of Milfad Center, Union County, Ohio, and being known as the Red & White Store.

That said sale is asked for the following reasons:

Said grocery store is a going concern and enjoying a profitable business, and it would be difficult for the administrator to operate the same as such, and the adult heirs to said estate have all assigned their interest in said estate to the surviving spouse, Ricke Kaufman, who desires to purchase the afore mentioned property.

Wherefor, your applicant asks for an order directing the sale of said personal property at private sale for not less than the appraised value thereof as the Court may direct.

Walter Kaufman - applicant.

State of Ohio, Union County, ss.

Walter Kaufman, administrator of the estate of Jacob Kaufman, deceased, being first duly sworn, says that the facts stated and allegations made in the foregoing application are true as he verily believes.

Walter Kaufman.

Sworn to before me and signed in my presence this 15 day of Sept. 1936.

Seal Mary B. Aguirre - Notary Public.

Probate Court, Union County, Ohio.

In the Matter of the Estate of Jacob Kaufman, Deceased. | No. 13281 - Waiver and Consent of Surviving Spouse.

The undersigned, surviving spouse of Jacob Kaufman, deceased, hereby waives notice of the foregoing application and consents to the private sale of said property as prayed for.

Ricke Kaufman - Surviving Spouse.

Probate Court, Union County, Ohio.

Filed
Sept. 15-1936.
Entry

In the Matter of the Estate of Jacob Kaufman, Deceased. | No. 13281. Entry.

This day this cause came on to be heard upon the application of Walter Kaufman, administrator of the estate of Jacob Kaufman, deceased, to sell certain personal

THE COL. B. B. MFG. CO. 73503

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property described in said application, and upon the evidence; whereupon the Court, being fully advised in the premises, finds that the allegations of said application are true, and that it will be for the best interest of said estate to sell said property as prayed for.

It is therefore ordered that said Walter Kaufman as administrator of the estate of Jacob Kaufman, deceased, proceed to sell the personal property described in said application at private sale for cash at not less than the appraised value thereof, and that said administrator make return of his proceedings herein within 30 days after the sale.

L. W. Hazen - Probate Judge.

Filed
Sept. 15 - 1936.
Report of Sale.

Probate Court of Union County, Ohio.

In the Matter of the Estate of Jacob Kaufman, Deceased. | No. 13231.
Report of Sale.

Now comes Walter Kaufman, administrator of the estate of Jacob Kaufman, deceased, and respectfully represents that pursuant to the order of sale heretofore made in the above matter he sold at private sale the property specified in said order to the person and at the respective prices following:

Groceries and meats, inventory value $1950. sold to Ricke Kaufman, sale price $1950.00; Store fixtures and equipment, inventory value $950.00, sold to Ricke Kaufman, sale price $950.00; Ford delivery truck, inventory value $50.00, sold to Ricke Kaufman, sale price $50.00; Chevrolet sedan automobile, inventory value $500.00, sold to Ricke Kaufman, sale price $500.00.

The said sale was made after diligent efforts and the price obtained was the best price obtainable for said property. Said administrator further says that the foregoing report is in all respects correct, and that he as an individual is not directly or indirectly interested in the purchase of said items.

Walter Kaufman.

Sworn to before me and signed in my presence this 15th. September, 1936.

Seal

Mary B. Aurine - Notary Public.

13107
Filed
Mar. 3 - 1936.

In the Matter of The Estate of Margaret Warner, Deceased.
In the Probate Court, Union County, Ohio.
In the Matter of the Estate of | No. 13107.
Margaret Warner, Deceased. | Application to Sell Personal Property.

Francis Warner respectfully represents that he is the duly appointed, qualified and acting administrator of the Estate of said decedent; that the assets of said estate have been duly appraised and an inventory filed in this court.

13107
Filed
Mar. 3 - 1936.
Order of Public Sale.

In the Matter of the Estate of Margaret Warner, Deceased.
In the Probate Court, Union County, Ohio.
In the Matter of the Estate of | No. 13107.
Margaret Warner, Deceased. | Order of Public Sale.

Francis Warner, administrator of the estate of Margaret Warner, deceased, having filed his application to sell personal property of said estate at public sale, and upon the evidence; whereupon the Court, being fully advised in the premises, finds that the allegations of said application are true, and that it will be for the best interest of said estate to sell said property as prayed for.

It is therefore ordered that said Francis Warner as administrator of the estate of Margaret Warner, deceased, proceed to sell the personal property described in said application at public sale for cash at not less than the appraised value thereof, and that said administrator make return of his proceedings herein within 30 days after the sale.

L. W. Hazen - Probate Judge.

13107

Applicant asks authority to sell personal property of said estate at public auction.

Francis Warner - Administrator.

State of Ohio, Union County, ss:

Francis Warner, being first duly sworn, says that he is the Administrator herein, and that the facts stated and allegations contained in the foregoing application are true as he verily believes.

Francis Warner.

Sworn to before me and subscribed in my presence this 28 th. day of February, 1936.

C. A. Hooper - Notary Public.

Filed Mar. 3-1936. Order of Public Sale.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of Margaret Warner, Deceased. | No. 13107. | Order of Public Sale.

To: Francis Warner, Administrator of the Estate of: Margaret Warner, deceased.

In obedience to an order and decree of the Probate Court within and for said County, you are hereby authorized and required to proceed according to law to sell, at public auction, to the highest bidder, after giving at least 15 days notice of the time and place of sale in some newspaper in general circulation throughout the County, or by advertisements set up in at least five public places in said township where said sale is to take place, the following personal property:

1 Roan cow (star in face)
1 Yellow cow (stub horns)
1 Black Jersey
1 White cow
5 small calves (short yearlings)
1 wagon & flat rack
1 wagon box & side boards & seat
1 disc
1 double shovel plow.
1 breaking plow
1 cultivator
1 binder
1 mower
13 ewes
1 ram
6 shoats (about 75 lbs.)
6 brood sows
1 bay mare
1 black horse
1 set double harness
1 set double harness
6 horse collars & 2 pads
3 forks

THE COL. B. B. MFG. CO. 73503

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1 land roller
1 grain drill
1 red cow and calf
1 red cow (blind eye)
1 Guernsey cow
1 hay loader
1 corn planter
5 small pigs
about 11 acres of corn
about 50 shocks of corn
about 60 Leghorn chickens
Miscellaneous

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

You will return this order within thirty (30) days after the sale, together with your report thereon.

L. W. Hazen - Probate Judge.

Filed Mar. 20-1936. Entry.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of Margaret M. Warner, Deceased. | No. 13107. | Entry.

This day this cause came on to be heard upon the report of Francis M. Warner, as Administrator of the Estate of Margaret M. Warner, deceased, of his proceedings under the former order of this court for the public sale of personal property.

The court, having carefully examined said report, and being satisfied that said sale was in all respects regular and legal, it is ordered that the same be, and it hereby is, approved and confirmed.

L. W. Hazen - Probate Judge.

13264 Filed Oct. 28-1936.

In the Matter of The Estate of Edward M. Hamilton, Deceased.

In the Probate Court of Union County, Ohio.

In the Matter of the Estate of Edward M. Hamilton, Dec'd. | Case No. 13264. | Application to Sell Personalty.

H. K. Hamilton respectfully represents that he is the duly appointed, qualified and acting administrator of the estate of Edward M. Hamilton, Deceased, late of said County; that the assets of said estate have been duly appraised and an Inventory filed in this Court; your applicant asks authority to sell the following personal property at private sale upon such terms as the Court may order, to-wit:

40 Bu. Wheat appraised at $ 42.00
25 Hogs @ $14 " " 350.00

Application is made for said authority for the reason that all of the remainder of the chattel property has been selected by the widow for her exemption, and it would not be to the best interest of everybody concerned for a

13264 Filed Oct. 28-1936. Waiver and Consent for Sale of Personal Property.

Filed Oct. 28-1936. Entry Ordering Sale.

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public auction of the items above described.

Robert T. Allen - attorney for Administrator.

State of Ohio, County of Union, ss:

H. K. Hamilton being first duly sworn, says he is the Administrator of said Estate; that as such, he is duly authorized to make this oath; and that the facts stated and allegations contained in this his application are true as he verily believes.

H. K. Hamilton.

Sworn to before me and subscribed in my presence this 26th. day of October, 1936.

Martha T. Parrott - Notary Public.

(Fee claimed 80¢) (Seal)

Filed Oct. 28-1936. Waiver and Consent for Sale of Personal Property.

In the Probate Court of Union County, Ohio.

In the Matter of the Estate of Edward M. Hamilton, Dec'd. | Case No. 13264. Waiver and Consent for Sale of Personal Property.

Now comes Amy C. Hamilton, Surviving Spouse of Edward M. Hamilton, Deceased, and hereby waives notice of sale of the chattel property described in the application of H. K. Hamilton, Administrator, and further consents to a private sale of the same.

Amy C. Hamilton - Surviving Spouse.

Filed Oct. 28-1936. Entry Ordering Sale.

In the Probate Court of Union County, Ohio.

In the Matter of the Estate of Edward M. Hamilton, Dec'd. | Case No. 13264. Entry Ordering Sale.

This day this cause came on to be heard upon the application to Sell Personal Property therein described and the testimony; and the Court being fully advised in the premises finds that the statements and allegations in said Petition are true; that the widow has consented to the sale thereof and has no desire to take the property to be sold at its appraised value, and that such property ought to be sold as prayed for. And the Court being satisfied upon good and sufficient reason, that it will be to the best advantage of said estate to sell such personal property at private sale, it is therefore ordered that H. K. Hamilton, Administrator of said estate shall sell said personalty at private sale for not less than Three Hundred Ninety Two Dollars ($392).

It is further ordered that said Administrator make return of his proceedings herein, within thirty days after the sale.

L. W. Hazen - Probate Judge.

THE COL. B. B. KEG. CO. 73503

13264
Filed
July 20-1937.
Return of Private Sale.

In the Probate Court of Union County, Ohio.
In the Matter of the Estate of Edward M. Hamilton, Deceased. | Case No. 13264. Return of Private Sale.

In compliance with the former Order of the Court, I have sold at private sale the following personalty:

Description	Price.
31 bu. 20 lb. of Wheat	$ 37.67
18 Hogs	358.65
6 Hogs	122.40
Total	518.72

Said sale is not less than the price fixed by the Court.

Robert T. Allen
Attorney for Administrator.

State of Ohio, County of Union, ss:

H. K. Hamilton being first duly sworn according to law, deposes and says that he is the Administrator of said Estate; and that the facts stated and allegations contained in this his Return of Private Sale are true as he verily believes.

H. K. Hamilton.

Sworn to before me and subscribed in my presence this 19 day of July, 1937.

Seal

Robert T. Allen - Notary Public.
My commission expires March 10-1940,

Filed
July 20-1937.
Entry approving and Confirming Private Sale.

In the Probate Court of Union County, Ohio.
In the Matter of the Estate of Edward M. Hamilton, Deceased. | Case No. 13264. Entry approving and Confirming Private Sale.

This day came H. K. Hamilton, Administrator of the Estate of Edward M. Hamilton, Deceased, and filed herein this Report of Private Sale of certain property of said estate; upon examination by the Court the same appearing regular and in conformity to law and the former Order of the Court, said Sale is confirmed and with the proceedings herein is Ordered recorded.

L. W. Hazen - Probate Judge.

13280
Filed
Nov. 10-1936.
Hooper & Sanders
Attorneys.

Petition

13280
Filed
Nov. 10-1936.
Hoopes & Sanders
Attorneys.

Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio.

Guyon Sanders, Administrator of the Estate of Joshua H. Evans, Deceased,

Plaintiff,

-vs-

Herschel Evans, John H. Evans, Mrs. C. D. Frye and Mrs. Arilla Davis,

Defendants.

No. 13280.
Petition to Sell Real Estate.

The plaintiff is the duly appointed, qualified and acting administrator of the Estate of Joshua H. Evans, deceased, late of this County.

As near as can be ascertained, the amount of valid debts against said decedent is Three Hundred ($300.00) Dollars, and the costs of administering the estate will be about Seventy-five ($75.00) Dollars.

Said decedent left no personal property, and died seized in fee simple of the following described real estate:

Situated in the State of Ohio, County of Union, and in the Village of Raymond, and being the West one-half of Lot No. 3 in the Town of Raymond, to-wit:

Beginning at the S. W. corner of said lot; thence northerly 132 feet to a stake in the South line of Delaware Street; thence with said South line Easterly 41.25 feet to a stake, the N. W. corner of W. D. Harris lot; thence with an easterly line of said Harris lot Southerly 132 feet to the north line of Main Street; thence with said North line 41.25 feet to the place of beginning.

Petition

For a more complete description of said premises reference is had to the plat of said town in the Recorder's office of Union County.

Said real estate was included in the inventory of the estate pursuant to the order of this court, and appraised at Four Hundred ($400.00) Dollars.

The decedent died leaving no widow, and the defendants, Herschel Evans, residing at Columbus, Ohio, care Robinson's, Inc., John H. Evans, residing at Fellows, California, Mrs. C. D. Frye, residing at Natona, Kansas, and Mrs. Arilla Davis, residing at Granville, Ohio, are all the heirs or persons entitled to the next estate of inheritance from the decedent in said real estate and having an interest therein. There are no other persons who have any interest in said real estate.

The plaintiff says that the actual market value of said real estate is less than Five Hundred ($500.00) Dollars, and that under the provisions of Section 10510-14 of the General Code of Ohio, this court has

13280 the power and should authorize by summary order the sale and conveyance of said real estate at private sale for not less than Four Hundred ($400.00) Dollars, and should dispense with all of the provisions of Chapter 10 of the Probate Code of Ohio as to service of summons, appraisal, and additional bond, and should authorize the plaintiff to give notice of the filing of this proceeding to the defendants by mail.

Wherefore, plaintiff prays that he be authorized and ordered by a summary order of this court to sell said real estate at private sale for not less than Four Hundred ($400.00) Dollars cash, and to cause a notice of the filing of this petition to be served upon the defendants by mail in place of summons herein, and for such other relief as is proper.

Hoopes + Sanders - Attorneys for Plaintiff.

State of Ohio, Union County, ss:

Gwynn Sanders, being first duly sworn, says that he is the administrator of the estate of Joshua H. Evans, deceased, and as such administrator is the plaintiff herein, and that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

Oath

Gwynn Sanders.

Sworn to before me and subscribed in my presence this 10th. day of November, 1936.

(Seal) Ruth Hess - Notary Public.

Filed Nov. 10-1936. Entry.

In the Probate Court, Union County, Ohio.

Gwynn Sanders, Administrator of the Estate of Joshua H. Evans, Deceased,
Plaintiff,

-vs-

Herschel Evans, et al.,
Defendants.

No. 13280
Entry.

This day this cause came on to be heard upon the petition herein, and it is ordered by the court that summons herein be dispensed with and that the plaintiff cause a notice to be served upon all of the defendants by mail by placing in the post office at Marysville, Ohio, a notice containing a summary statement of the cause of action and prayer of the petition, addressed to each of the defendants, in an envelope with legal postage thereon, and that the plaintiff file an affidavit of the mailing of said notices as proof thereof.

L. W. Hazen - Probate Judge.

13280 Filed Nov. 10-1936. Affidavit.

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13280
Filed
Nov. 10-1936.
affidavit.

To ——

You are hereby notified that upon the 10th. day of November, 1936, Gurpus Sanders, Administrator of the Estate of Joshua H. Evans, deceased, filed an action in the Probate Court of Union County, Ohio, for the sale of the following described real estate, to-wit:

Situated in the State of Ohio, County of Union, and in the Village of Raymond, and being the West one-half of Lot No. 3 in the Town of Raymond, to-wit:

Beginning at the S. W. corner of said lot; thence northerly 132 feet to a stake in the South line of Delaware Street; thence with said South line Easterly 41.25 feet to a stake, the N. W. corner of W. D. Harris lot; thence with an easterly line of said Harris lot Southerly 132 feet to the north line of Main Street; thence with said North line 41.25 feet to the place of beginning.

For a more complete description of said premises reference is had to the plat of said town in the Recorder's office of Union County; in order to pay the debts of said decedent; that said petition prayed for a summary order permitting the plaintiff to sell said real estate forthwith at private sale for not less than Four Hundred ($400.00) Dollars, and to immediately execute a deed therefor.

Gurpus Sanders - Administrator.

In the Probate Court, Union County, Ohio.

Gurpus Sanders, Administrator of the Estate of Joshua H. Evans, Deceased,
Plaintiff,
-vs-
Herschel Evans, John H. Evans, Mrs. C. D. Frye and Mrs. Arilla Davis,
Defendants.

No. 18289.
affidavit.

State of Ohio, Union County, ss:

Gurpus Sanders, being first duly sworn, says that on the 10th. day of November, 1936, he deposited in the Postoffice at Marysville, Ohio, notices, a copy of which is hereto attached, in envelopes addressed to the defendants herein, as their addresses are set forth in the petition herein, with first class postage.

Gurpus Sanders.

Sworn to before me and subscribed in my presence this 10th. day of November, 1936.

Ruth Hess - Notary Public.

Seal

THE COL. B. B. MFG. CO. 73503

13280
Filed
Nov. 10- 1936
Entry.

In the Probate Court, Union County, Ohio.

Gaynor Sanders, Administrator of the Estate of Joshua H. Evans, Deceased,

Plaintiff,

-vs-

Herschel Evans, et al.,

Defendants.

No. 13280.
Entry.

This day this cause came on to be heard upon the petition of the plaintiff and the affidavit of the plaintiff of the posting of the notices in accordance with the former order of the court.

And the court, being fully advised in the premises, finds that the plaintiff has notified the defendants by mail as ordered by the court; and further finds that the fair market value of the real estate described in the petition is not more than Four Hundred ($400.00) Dollars, and that it is for the best interest of said estate and all persons interested therein that said real estate be sold forthwith at private sale by the plaintiff for not less than Four Hundred ($400.00) Dollars.

The court further finds that an appraisement of the real estate described in the petition is contained in the inventory and that another appraisement is ordered dispensed with.

It is therefore considered by the court that Gaynor Sanders, Administrator, be, and he hereby is, authorized and directed to forthwith sell the real estate described in the petition at private sale for not less than Four Hundred ($400.00) Dollars; that he execute a deed to the purchaser, and that he make return of his proceedings to this court without unnecessary delay.

L. W. Hagen - Probate Judge.

Filed
Nov. 12- 1936.
Order for Private Sale.

In the Probate Court, Union County, Ohio.

Gaynor Sanders, Administrator of the Estate of Joshua H. Evans, Deceased,

Plaintiff,

-vs-

Herschel Evans, et al.,

Defendants.

No. 13280.
Order for Private Sale.

To Gaynor Sanders, Greeting:

Whereas, at a September term of the Probate Court, held Marysville, in and for said County, commencing on the 10th. day of November, 1936, in a certain action therein pending wherein Gaynor Sanders, as Administrator of the Estate of Joshua H. Evans, deceased, is plaintiff, and Herschel Evans, et al., are defendants, it was ordered, adjudged and decreed that you proceed to sell

13280

Filed
Nov. 12- 1936.
Report of Private Sale

13280

the real estate mentioned in the petition, at private sale, for a price not less than the appraised value thereof agreeable to the statute regulating the sale of real estate by Administrators, and that you make return of your proceedings in the premises to the said Probate Court, and bring this order with you. The said real estate is described in the petition as follows, to-wit:

Situated in the State of Ohio, in the County of Union, and in the Village of Raymond, and being the West one-half of Lot No. 3 in the Town of Raymond, to-wit:

Beginning at the S. W. corner of said lot; thence northerly 132 feet to a stake in the South line of Delaware Street; thence with said South line Easterly 41.25 feet to a stake, the N. W. corner of W. D. Harris lot; thence with an easterly line of said Harris lot Southerly 132 feet to the north line of Main Street; thence with said North line 41.25 feet to the place of beginning.

For a more complete description of said premises reference is had to the plat of said town in the Recorder's office of Union County.

Witness my hand and the seal of said Court, at Marysville, Ohio, this 12th. day of November, 1936.

(Seal) L. W. Hazen- Probate Judge.

By the Probate Court, Union County, Ohio.

Filed Nov. 12- 1936. Report of Private Sale

Gwynn Sanders, Administrator of the Estate of Joshua H. Evans, Deceased, Plaintiff,

-vs-

Herschel Evans, et al., Defendants.

No. 13280.
Repat of Private Sale.

In obedience to the command of the within order of sale, I did on the 12th. day of November, 1936, offer said property, at private sale, and Eva L. Thompson having offerd therefor the sum of Four Hundred Dollars ($400.00) and the same being not less than the appraised value of said property, I sold the same to said Eva L. Thompson for that sum.

Gwynn Sanders.

State of Ohio, Union County, ss:

Gwynn Sanders, being duly sworn says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Gwynn Sanders.

Subscribed in my presence and sworn to before me this 12th. day of November, 1936.

(Seal) C. A. Hoopes- Notary Public.

THE COL. B. B. MFG. CO 73503

13280
Filed
Nov. 12-1936.
Entry.

In the Probate Court, Union County, Ohio.

Gurpin Sanders, Administrator of the Estate of Joshua H. Evans, Deceased,
Plaintiff,
-vs-
Herschel Evans, et al.,
Defendants.

No. 13280.
Entry.

This day this cause came on to be heard on the report of Gurpin Sanders, Administrator of the Estate of Joshua H. Evans, deceased, of his proceedings under the former order of this court and upon the motion of said petitioner to confirm the sale made in obedience to said order, 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 Joshua H. Evans in said real estate, to the purchaser, Eva L. Thompson, upon receipt from the purchaser of the sum of Four Hundred ($400.00) Dollars in cash.

And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to $400.00, it is further ordered that said administrator, out of the money in his hands, pay:

First: To the Treasurer of Union County the taxes, penalty and interest against said property, to-wit, the sum of $ 4.84

Second: The costs and expenses incurred in the sale of said property, including an attorney fee of $50.00 to Hoopes & Sanders and $ 27.00 the percentum of said administrator herein, amounting to the sum of 87.00

Third: To Willard E. Winter, funeral expenses for Joshua H. Evans, to-wit, the sum of 249.05

Fourth: To Herschel Evans, by order of this court, the balance of the money remaining in the hands of the administrator, to apply upon the preferred claim of the said Herschel Evans, to-wit, the sum of 59.11

L. W. Hazen - Probate Judge.

13280
Filed
Nov. 14-1936.
Application for Allowance of Claim.

Filed
Nov. 14-1936.
Entry.

13167
Filed
May 22-1936.
Harry W. Leick
Attorney.

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13280
Filed
Nov. 14-1936.
application
for Allowance
of Claim.

In the Probate Court of Union County, Ohio.
In the Matter of the estate of Joshua H. Evans, Deceased. | Number 13280.
Application for Allowance of Claim.

The undersigned, being a son of the above named decedent, represents to the court that during three months prior to the death of his father, that he cared for said decedent and furnished him the necessaries of life and that in doing so, the undersigned used from his own funds the sum of Seventy Five and no/100 Dollars ($75.00).

Wherefore, the undersigned requests that the Court determine the same to be a preferred claim against said decedent's estate and order the same paid him out of funds now in the possession of the administrator of such estate.

Herschel Evans.

Sworn to before me and subscribed in my presence this 14th. day of November, 1936.

Seal

James D. Brewer - Notary Public.
Franklin County, Ohio.

Filed
Nov. 14-1936.
Entry.

In the Probate Court of Union County, Ohio.
In the Matter of the estate of Joshua H. Evans, Deceased. | Number 13280.
Entry.

This day came Herschel Evans and filed his application for the allowance of a preferred claim against decedents estate in the amount of Seventy Five and no/100 Dollars ($75.00).

The court being satisfied that said claim is a valid and existing preferred claim against the estate of said decedent. It is therefore ordered that the administrator said preferred claim in its entirety or as much thereof as can be satisfied from the funds in his hands.

L. W. Hazen - Judge.

13167
Filed
May 22-1936.
Harry W. Crist
Attorney.

Petition to Sell Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

Lillian Smart as Administratrix of the Estate of Ashton V. Smart, Deceased, Plaintiff,

-vs-

Hubert A. Smart, Asa R. Smart, Ashton V. Smart, Jr. a minor under 14 years of age, Patricia J. Headlee, Delbert J. Headlee, Joy Lou Headlee and Virginia H. Headlee, all four Minors under 14 years of age, and Lillian Smart, Dorothy Smart, Defendants.

No. 13167.
Civil Action.
Petition to Sell Real Estate.
Petition.

THE COL. G. B. MFG. CO. 73503

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The plaintiff is the duly appointed, qualified and acting administratrix of the estate of Ashton D. Smith deceased, late of this County; as near as can be ascertained the amount of the valid debts against said deceased is about Fifty-nine Hundred Six Dollars.

An allowance of One Thousand Dollars was made by the appraisers of the above estate to the widow and children for twelve months.

And the costs of administering the estate will be about Three Hundred Fifty Dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at Thirteen Hundred Ninety-two Dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts, allowance and costs aforesaid.

Said decedent did seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and in the Township of Millcreek and bounded and described as follows:

Petition

Being part of Virginia Military Surveys Nos. 2996 and 5609.

First Tract. Known as the Webb Lot, part of Survey No. 2996, Beginning at an Elm and Beech, northwest corner of said Lot; thence N. 80° east 88 poles to a stake in the northwest corner of that part of said lot sold to William Wally; thence with Wally's line S. 9° 10' east 108.28 poles to a stake in the south line of the original survey and Wally's southwest corner; thence with the said original line S. 80° west 89 poles to a post (witness a Beech N. 12½° west 28 poles to the southwest corner of Lot No. 1); thence N. 9° 10' west 108.28 poles to the beginning. Containing 60.25 acres, more or less.

Second Tract. Being part of Survey No. 2996. Beginning at a limestone in the Long and Brown road and in the place of an Elm and Ash, northwest corner of Lot No. 2 and southwest corner of Lot No. 3; thence with their line and with said road covering the course thereof N. 80° 41' east 89 7/27 poles to a stake in the line of the Long and Brown road; thence S. 9° 10' east 108.28 poles to William Wally's northwest corner; thence S. 80° 41' west 89 7/27 poles to a stake, Elm and fallen Beech, southwest corner to Lot No. 2 and northwest corner to Lot No. 1; thence N. 9° 10' west 108.28 poles to the beginning. Containing 60.25 acres, more or less.

Third Tract. Part of Survey No. 5609. Beginning at the southeast corner of the Ewart land at a limestone in the north line of said Survey; thence with the survey line S. 85° west 76 poles to a stake, witness a small Ash; thence S. 3° east 55 poles with Lewis Lemay's line to the center of the Watkins and Delaware Road; thence with

13167

the center of said road N. 84° east 44.30 poles to a stake; thence N. 2° 12' west 54.24 poles to the beginning. Containing 15 acres and 35 poles, more or less.

Said real estate was included in the inventory of the estate, pursuant to the order of this Court and appraised at Sixty-seven Hundred Eighty-six Dollars.

Said real estate is unencumbered.

The defendant, Lillian Smart, is the surviving spouse of said decedent.

The defendants, Hubert A. Smart, Asa R. Smart and Ashton D. Smart, jr., (the latter of whom is a minor under 14 years of age who resides with his mother the said Lillian Smart) are children of said decedent, Ashton D. Smart; the defendants Patricia J. Headlee, Delbert J. Headlee, Joy Low Headlee and Virginia H. Headlee, (all of whom are minors under 14 years of age and who reside with their father, Delbert W. Headlee, at 98 Whitethorn Avenue, Columbus, Ohio), are children of Bessie Elizabeth Headlee (formerly Smart), who was a daughter of said decedent, Ashton D. Smart, and who died prior to the death of her said father; the defendant, Dorothy Smart, is the wife of defendant, Hubert A. Smart, (all other defendants being unmarried).

The defendants, Lillian Smart, Hubert A. Smart, Asa R. Smart, Ashton D. Smart, jr., Patricia J. Headlee, Delbert J. Headlee, Joy Low Headlee and Virginia H. Headlee, are all the kind or persons entitled to the next estate of inheritance from the decedent in such real estate and having interest therein.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold free of all the right of dower of said Lillian Smart therein; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as she may be entitled to.

Harry W. Crist - Attorney for the Plaintiff

The State of Ohio, Delaware County.

Lillian Smart, being duly sworn, says she is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as she verily believes.

Lillian Smart.

Oath.

Sworn to before me, and signed in my presence by the said Lillian Smart, at Delaware, Ohio, this 20th. day of May, 1936.

(Seal)

Harry W. Crist - Notary Public in and for Delaware County, Ohio.

THE COL. B. B. MFG. CO. 73503

13167
Precipe

Precipe.

To the Probate Judge:

Issue summons in this proceeding, for said Ashton V. Smart, Jr., a minor under 14 years of age who resides with his mother, Lillian Smart in Millcreek Township, Union County, Ohio, to the Sheriff of Union County, O.; and for said Patricia J. Headlee, Delbert J. Headlee, Jay Law Headlee and Virginia H. Headlee, all minors under 14 years of age who reside with their father Delbert W. Headlee, at No. 98 Whitethorn Ave., Columbus, O. to the Sheriff of Franklin County, Ohio, Defendants directed to the Sheriff of said County, returnable according to Law.

Harry W. Crist - Plaintiff's attorney.

Filed
May 22- 1936.
Journal Entry.

Journal Entry - Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Lillian Smart as Administratrix of the Estate of Ashton V. Smart, Plaintiff,

-vs-

Hubert A. Smart, et al., Defendants.

Order Fixing Time for Hearing and for Notice.

This day Lillian Smart, Administratrix of the Estate of Ashton V. Smart deceased, filed in this Court his petition praying for an order to sell the real estate therein described, belonging to the estate of said decedent, to pay debts.

It is ordered that said petition be heard on the 6th. day of July, 1936, at 2 o'clock P. M., and that summons for defendants issue to the Sheriff of this County, returnable according to law.

L. W. Hazen - Probate judge.

Filed
May 29- 1936.
Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: Franklin County.

You are commanded to notify Delbert W. Headlee - Father of Patricia J. - Delbert J. - Jay Law and Virginia H. Headlee, all four being Minors under fourteen years of age; that on the 22nd. day of May, A. D. 1936, Lillian Smart, Administratrix by her Atty. Harry Crist of the Estate of Ashton V. Smart deceased, filed her petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts of said Estate and that unless they answer by the 20th. day of June, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the First day of June, 1936.

13167

Filed
May 25- 1936.
Summons.

13167

Witness my hand and the seal of said Court, this 22nd. day of May, 1936.

(Seal) L. W. Hazen - Probate judge.

Court Cost guaranteed by atty. Christ.

Sheriff's Return.

The State of Ohio, Franklin County.

Sheriff Fees	
Service & Return, first name,	$.75
— miles traveled at 8¢	.80
Postage	.03
Total	$1.58

Received this writ May 25, 1936, at 9 o'clock A. M., and on the 26 day of May, 1936, I served the same by delivering a copy thereof personally to the within named Delbert W. Headlee, father of Patricia J., Delbert J., and Joy Low, and Virginia H. Headlee, all four being minors under fourteen years of age.

Ross E. Anderson -
Sheriff of Franklin County, O.
L. R. Donovan - Deputy.

Filed May 25- 1936. 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 Lillian Smart, Mother of Ashton V. Smart, Jr. and Ashton V. Smart, Jr., residing with his Mother, Lillian Smart, Millcreek Twp., Union County, Ohio, that on the 22nd. day of May, A. D. 1936 Lillian Smart (by atty. H. W. Christ) Administratrix of the Estate of Ashton V. Smart, Sr. 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 20th. day of June, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 1st. day of June, 1936.

Witness my hand and the seal of said Court, this 22nd. day of May, 1936.

(Seal) L. W. Hazen - Probate judge.

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees	
Service & Return, first name,	$.75
1 Additional name, at 25¢	.25
22 miles traveled at 8¢	1.76
Total	$2.76

Received this writ May 23, 1936, at 11 o'clock a. M., and on the 26th. day of May, 1936, I served the same by delivering a copy thereof personally to the within named Lillian Smart, Mother of Ashton V. Smart, Jr. and Ashton V. Smart, Jr.

William Rausch - Sheriff.
By - A. Grigsby - Deputy.

THE COL. & E. REG. CO. 73503

13167
Filed
June 18-1936.
Journal Entry
Dispensing with
a New
appraisement &
Ordering Bond.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Lillian Smart as Administratrix
of the Estate of Ashton D. Smart,
Plaintiff,

-vs-

Hubert A. Smart, et. al.,
Defendants.

Dispensing with a New appraisement and Ordering Bond.

This matter came on to be heard upon the petition of the plaintiff for authority to sell real estate of the above decedent to pay debts of his estate, and the answer of Delbert W. Headlee, guardian ad litem of Ashton D. Smart, Jr., Patricia J. Headlee, Delbert J. Headlee, Joy Lou Headlee and Virginia H. Headlee, minors; the other defendants being in default of answer, although served with summons according to law, and such service of summons is hereby approved. The Court finds from the evidence that all necessary parties are before the Court and that the prayer of the petition should be granted; that the real estate described in the petition was appraised by the appraisers of the estate at Sixty-seven Hundred Eighty-six Dollars, and that a further appraisement is dispensed with.

The Court further finds that the bond heretofore given by the plaintiff as Administratrix of the estate of Ashton D. Smart, in the amount of Two Thousand Dollars is insufficient and is ordered that he file an additional bond with sufficient sureties to be approved by this Court in the sum of Six Thousand Dollars, and this cause is continued.

L. W. Hazen - Probate Judge.

Filed
June 9- 1936.
application
for appointment
of Guardian
Ad Litem.

Application for Appointment of Guardian, Ad Litem.
Probate Court, Union County, Ohio.

To the Hon. _____ Judge of said Court:

The undersigned Lillian Smart, Administratrix of the Estate of Ashton D. Smart, makes application for the appointment of a Guardian ad litem for the minor defendants in the above entitled case.

The defendants Ashton D. Smart Jr., Patricia J. Headlee, Delbert J. Headlee, Joy Lou Headlee and Virginia H. Headlee are all under the age of fourteen years, and have been duly served with summons herein.

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

Respectfully - Lillian Smart.

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Probate Court, Union County, Ohio.

Lillian Smart, as Administratrix of the Estate of Ashton D. Smart,
Plaintiff,
-vs-
Hubert A. Smart, et. al.,
Defendants.

No. 13167.
Appointment of Guardian Ad Litem.

This day Lillian Smart appeared in open Court and made application for the appointment of a Guardian ad litem for the minor defendants in this case.

And it appearing to the Court that the defendants Ashton D. Smart Jr., Patricia J. Headlee, Delbert J. Headlee, Joy Low Headlee and Virginia H. Headlee are all under the age of fourteen years, and have been duly and legally served with summons herein, it is ordered that Delbert W. Headlee be and he hereby is appointed Guardian for the suit, for said minor defendants.

And now comes the said Delbert W. Headlee and in open Court accepts said appointment.

L. W. Hazen - Judge.

Filed June 9-1934. Answer of Guardian Ad Litem.

Answer of Guardian Ad Litem.

Probate Court, Union County, Ohio.

Lillian Smart, Administratrix of the Estate of Ashton D. Smart,
Plaintiff,
-vs-
Hubert A. Smart, et al.,
Defendants.

No. 13167.
Answer of Minor Defendants.

And now come the said Ashton D. Smart, Jr., Patricia J. Headlee, Delbert J. Headlee, Joy Low Headlee and Virginia H. Headlee, the minor defendants to the petition in said cause, by Delbert W. Headlee 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 therefor pray the Court to protect their rights in this cause, and for such relief as may be just.

Ashton D. Smart, Jr.,
Patricia J. Headlee,
Delbert J. Headlee,
Joy Low Headlee and
Virginia H. Headlee,
By- Delbert W. Headlee - Guardian
Ad Litem.

THE COL. B. B. MFG. CO. 73503

13167
Filed
June 9-1936.
Waiver of Summons and Consent to Sell.

Waiver of Summons, on Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

Lillian Smart, Administratrix of the Estate of Ashton V. Smart, Deceased,
Plaintiff,
-vs-
Hubert A. Smart, et. al.,
Defendants.

No. 13167.
Proceeding to Sell Real Estate.
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.

May A. D. 1936.

Asa R. Smart.
Lillian Smart, for and on behalf of Ashton V. Smart Jr., being his mother and the person with whom he resides.
Lillian Smart.
Hubert A. Smart.
Dorothy Smart.
Delbert W. Headlee, for and on behalf of Patricia J. Headlee, Delbert J. Headlee, Joy Lou Headlee and Virginia H. Headlee, all minors under 14 years of age, who reside with their father the said Delbert W. Headlee, they having no lawful guardian.

Bond of Administratrix.

Filed
June 27-1936.
Bond of Administratrix.

Know all Men by these Presents: That we Lillian Smart of Obstrander, Ohio, and The United States Fidelity & Guaranty Co., of Baltimore, Md. are held and firmly bound unto the State of Ohio, in the penal sum of Six 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 Marysville, Ohio, this 27th. day of June, a. D. 1936.

The Condition of the above obligation is such, that whereas, the above bound Lillian Smart was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Administratrix of the estate of Ashton V. Smart, Deceased.

And whereas, the said Lillian Smart as such administratrix has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Ashton V. Smart described in said petition;

And whereas said Court, on the — day of — 19—, made an order requiring said administratrix to execute

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Filed
June 27-1936.
Journal Entry.
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a bond according to the statute in such cases made and provided.

Now, if the said Lillian Smark as Administratrix aforesaid shall faithfully discharge her duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

Executed in Presence of
Norman C. Baun.

Lillian Smark.
(Seal)
United States Fidelity & Guaranty Co.,
By:- Russell S. Banks.

This Bond approved in open Court, this 27th. day of June, 1936.

(Seal)
L. W. Hazen- Probate Judge.

Filed June 27- 1936. Journal Entry Approving Additional Bond and Ordering Private Sale.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court,
Union County, Ohio.

Lillian Smark as Administratrix of the estate of Ashton V. Smark,
Plaintiff
-vs-
Hubert A. Smark, et al.,
Defendants.

Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Six Thousand Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactay evidence, that it would be more to the interest of said estate to sell the real estate described in the petition, at private sale, it is now ordered that Lillian Smark as such Administratrix, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash in hand.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen- Probate Judge.

Filed June 27- 1936. Order of Private Sale.

Order of Private Sale
The State of Ohio, Union County. Probate Court.
To Lillian Smark, as Administratrix of the estate of Ashton V. Smark, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Administratrix are Plaintiff and Hubert A. Smark, et al. are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than $6786.00, the appraised value thereof, the following described premises, to-wit:

Situated in the County of Union in the State of Ohio and in the Township of Milford, and bounded and described as follows:

13167 First Tract: Known as the Webb Lot, part of Survey No. 2996. Begining at an elm and beach northwest corner of said lot; thence N. 80° E. 88 poles to a stake in the northwest corner of that part of said lot sold to William Wally; thence with Wally's line S. 9° 10' E. 108.28 poles to a stake in the south line of the original survey and Wally's southwest corner thence with the said original line S. 80° W. 89 poles to a post (witness a beech N. 12½° W. 28 poles to the southwest corner of Lot No. 1.) thence N. 9° 10' W. 108.28 poles to the begining. Containing 60.25 acres, more or less.

Second Tract: Being part of Survey No. 2996. Begining at a limestone in the Long and Brown road and in the place of an elm and ash, northwest corner of Lot No. 2 and southwest corner of Lot No. 3; thence with their line and with their line and with said road correcting the course thereof N. 80° E. 89 7/27 poles to a stake in the line of the Long and Brown road; thence S. 9° 10' E. 108.28 poles to William Wally's northwest corner; thence S. 80° 41' W. 89 7/27 poles to a stake, elm and fallen beech southwest corner to Lot No. 2 and northwest corner to Lot No. 1; thence N. 9° 10' West 108.28 poles to the begining. Containing 60.25 acres, more or less.

Third Tract: Part of Survey No. 5609, Begining at the southeast corner of the Smart land at a limestone in the north line of said survey; thence with the survey line S. 85° W. 45 poles to a stake, witness a small ash; thence S. 3° E. 55 poles with Lewis Lemay's line to the center of the Watkins and Delaware road; thence with the center of said road N. 84° E. 44.30 poles to a stake; thence N. 2° 12' W. 54.24 poles to the begining. Containing 15 acres and 35 poles more or less.

Said sale to be upon the following terms: Cash.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 27th, day of June, 1936.

(Seal) L. W. Hazen 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 pro-

Return. ceedings hereto attached.

Dated the 27 day of June, 1936.

Lillian Smart.

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Report of Private Sale. sale, at pr the Doll the said

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Affidavit to Report of Private Sale. abov best is 27 th

Filed June 27-1936.

Journal Entry. Confirming Sale, Ordering Deed and Distribution. Lillia of th Hube

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Report of Private Sale.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 27th. day of June 1936, offer said property at private sale, and Asa R. Smart having offered therefor the sum of Six Thousand Seven Hundred Eighty-six Dollars ($6786.00) and the same being not less than the appraised value of said property, I sold the same to said Asa R. Smart for that sum.

Lillian Smart

By- Harry W. Crist- her Attorney.

Affidavit to Repatt of Private Sale.

The State of Ohio, Delaware County, ss:

Lillian Smart, being duly sworn, says that the private sale of property made under the within order and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Affidavit to Repatt of Private Sale.

Lillian Smart.

Sworn to before me and subscribed in my presence, this 27th. day of June, 1936.

Harry W. Crist- Notary Public,
Delaware Co. O.

Scott

Journal Entry- Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Filed June 27-1936. Journal Entry. Confirming Sale, Ordering Deed and Distribution.

Lillian Smart as Administratrix of the Estate of Ashton V. Smart,
Plaintiff,
-vs-
Hubert A. Smart, et al.,
Defendants.

June 27- 1936.
Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the repat of Lillian Smart, Administratrix of the Estate of Ashton V. Smart 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; 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 Ashton V. Smart in said real estate, to the purchaser, Asa R. Smart, upon the said purchaser paying said purchase price, 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 Six Thousand Seven Hundred Eighty-six Dollars.

THE COL. B. B. MFG. CO. 73503

13167

It is ordered that said Administratix out of the money in her hands, pay: First, the costs and expenses of the sale, including an attorney fee of $50.00 to Harry W. Crist for services performed for the fiduciary in connection with the sale. Second, to the payment of taxes, penalties, and assessments then due, against such real estate and to the payment of mortgages and judgments against the ward or deceased person, according to their respective priorities of lien, so far as they operated as a lien on the real estate of the deceased at the time of the sale or on the estate of the ward at the time of the sale; which shall be apportioned and determined by the Court, or on reference to a master or otherwise. Third, the remaining proceeds of sale to be applid as follows: To discharge the claims and debts of the estate, in the order provided by law.

L. W. Hazen - Probate Judge.

13253
Filed
Sept. 30-1936.

Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio.

Luther Nuetzel, as Guardian of Elizabeth Nuetzel,
Plaintiff,

-vs-

Luther Nuetzel, Elizabeth Nuetzel and The Citizens Federal Savings and Loan Association,
Defendants.

No. 13253.
Petition.

Plaintiff is the duly appointed, qualified and acting guardian of Elizabeth Nuetzel, by an order of the Probate Court of Union County, Ohio.

Said ward is seized of the following described real estate:

Being an undivided one-half interest in the real estate situated in the County of Union, in the State of Ohio, and in the Village of Marysville.

Being part of Out Lots Nos. 6 and 7 and known as the Marion Out-Lots, to-wit:

Petition.

Beginning in the edge of the street at the south-west corner of a parcel of said Lot No. 7 sold to John Cassil by W. H. Wadham; Thence 1° East with the line of said Lot to the southwest corner of a lot sold by said Cassil to L. G. Burroughs and being 11-2/5 poles; thence 89° with said Burroughs' line 4 poles and 16 links to a stake in the corner of a lot sold by John Cassil to J. G. Cassil; thence South 1° West 11½ poles to a stake in the street, another

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corner of J. S. Cassil's lot; thence with said street 4 poles and 16-1/3 feet to the beginning. Containing 1/3 of an acre, more or less.

Also all of Out Lot No. 8 in the old Welsh Addition and now known as Lot No. 222 of Marysville. For a more definite description refer to the recorded plat of said Addition, in the Recorder's office of Union County, Ohio.

There is excepted from the above tracts of land a certain tract sold to Frank Rezeta with a frontage of 60 feet on Third Street and extending back the full length of the above described two tracts. Said tract sold to Rezeta being on the west side of the said tracts.

The value of the undivided one-half interest, as near as can be ascertained, is $887.50; that said real estate is encumbered by a mortgage to The Citizens Federal Savings and Loan Association, securing a promissory note for the sum of $ ——.

That the defendant, Luther Nuetzel, is the only person entitled to the next estate of inheritance from said ward in said real estate, and he is now a resident of Union County, Ohio.

That there are no other persons that have any interest in said real estate.

It is necessary to sell said real estate for the support of said ward and for the payment of the just debts of said ward and it would be to the advantage of said ward if said real estate were sold.

Wherefor, plaintiff prays the court to set this petition for hearing, to issue summons to the Sheriff of this County for the defendant, Elizabeth Nuetzel, returnable according to law, and for an order authorizing the plaintiff to sell said real estate, and for such other and further relief in the premises as the court deems just and proper.

Hooper & Sanders-Attorneys for Plaintiff.

State of Ohio, Union County, ss:

Luther Nuetzel, being first duly sworn, says that he is the guardian of Elizabeth Nuetzel, and that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

Luther Nuetzel.

Sworn to before me and subscribed in my presence this 29th. day of September, 1936.

Gaynor Sanders - Notary Public.

[Seal]

THE COL. B. B. MFG. CO 73503

13253
Filed Sept. 30. 1936.
Precipe

In the Probate Court of Union County, Ohio.

Luther Nuetzel, as Guardian of Elizabeth Nuetzel,
Plaintiff,
-vs-
Luther Nuetzel, Elizabeth Nuetzel, and The Citizens Federal Savings and Loan Association,
Defendants.

No. 13253.
Precipe.

To the Judge, Clerk Ex-Officio:

Issue summons in the above entitled cause for the defendant, Elizabeth Nuetzel, to the Sheriff of Union County, Ohio, and make the same returnable according to law.

Endorse summons, "Action for sale of real estate of a minor, Elizabeth Nuetzel, by her guardian, Luther Nuetzel."

Hoopes & Sandys - Attorneys for Plaintiff.

Filed
Oct. 2 - 1936.
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 Nuetzel, a Minor, Marysville, Ohio, Precipe; Luther Nuetzel, as Guardian of Elizabeth Nuetzel, Plaintiff -vs- Luther Nuetzel, Elizabeth Nuetzel, and The Citizens Federal Savings and Loan Association, Defendants, that on the 29th. day of September, A. D. 1936, Luther Nuetzel, Guardian of the Property of His Ward Elizabeth Nuetzel - 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 decedent, in said petition described, for the purpose of paying "Action for the sale of real estate of a Minor, Elizabeth Nuetzel, by her Guardian, Luther Nuetzel" and that unless they answer by the 31st. day of October, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the Twelfth (12th) day of October, 1936.

Witness my hand and the seal of said Court, this 29th. day of September, 1936.

L. W. Hazen - Judge and ex officio Clerk of the Probate Court of said County.

Seal

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees

Service & Returns, 1st. name .75
Total .75

Received this writ October 1st. 1936, at 11 o'clock A. M., and on the 2nd. day of October, 1936, I served the same by delivering

13253
Filed Oct. 6 - 1936.
Application for Appointment of Guardian ad Litem.

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Answer of Guardian ad Litem.

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a copy thereof personally to the within named Elizabeth Kuetzel a Minor.

William Rausch - Sheriff.
By- C. S. Deputy.
of Union County, Ohio.

Filed Oct. 6- 1936. Application for appointment of Guardian ad Litem.

In the Probate Court of Union County, Ohio.

Luther Kuetzel, as Guardian of Elizabeth Kuetzel,
Plaintiff,
-vs-
Luther Kuetzel, Elizabeth Kuetzel, and The Citizens Federal Savings and Loan Association,
Defendants.

No. 13253.
Application for appointment of Guardian ad Litem.

Now comes Elizabeth Kuetzel, the ward and defendant in the above entitled cause, and being 17 years of age, and upon whom summons has been duly served, according to law, and suggests that C. A. Hoopes, who is a suitable person be appointed as guardian ad litem for her in this action.

Elizabeth Kuetzel.

Filed Oct. 6- 1936. Answer of Guardian ad Litem.

In the Probate Court of Union County, Ohio.

Luther Kuetzel, as Guardian of Elizabeth Kuetzel,
Plaintiff,
-vs-
Luther Kuetzel, Elizabeth Kuetzel, and The Citizens Federal Savings and Loan Association,
Defendants.

No. 13253.
Answer of Guardian ad Litem.

Now comes C. A. Hoopes, who has been duly appointed by the court as guardian ad litem for Elizabeth Kuetzel, a minor of the age of 17 years, and for answer to the petition of said Luther Kuetzel, guardian, says that it is necessary to sell the real estate described in the petition for the education and support of the said Elizabeth Kuetzel, and that it would be to the best interests of the said ward if said real estate were sold.

Wherefore, this answering defendant prays the court to protect the rights of the said Elizabeth Kuetzel, and for such other and further relief in the premises, as justice and the interest of said minor ward shall require.

C. A. Hoopes - Guardian Ad Litem.

THE COL. P. P. MFG. CO. 73503

13253
Filed
Oct. 6- 1936.
Entry.

In the Probate Court of Union County, Ohio.

Luther Nuetzel, as Guardian of Elizabeth Nuetzel,
Plaintiff,
-vs-
Luther Nuetzel, Elizabeth Nuetzel, and The Citizens Federal Savings and Loan Association,
Defendants.

No. 13253.
Entry.

Upon application of Elizabeth Nuetzel, she being a minor of the age of 17 years, and upon whom summons has been duly served according to law in this action and upon her request that C. A. Hoopes, who is a suitable person, be appointed as guardian ad litem for this action, it is ordered that the said C. A. Hooper be, and he hereby is, appointed guardian ad litem for said Elizabeth Nuetzel for this action.

L. W. Hazen - Probate Judge.

Filed
Oct. 6- 1936.
Waiver.

In the Probate Court of Union County, Ohio.

Luther Nuetzel, as Guardian of Elizabeth Nuetzel,
Plaintiff,
-vs-
Luther Nuetzel, Elizabeth Nuetzel, and The Citizens Federal Savings and Loan Association.
Defendants.

No. 13253.
Waiver.

Now comes Luther Nuetzel, as an individual, and as guardian of Elizabeth Nuetzel, and Elizabeth Nuetzel, the undersigned, parties defendant in the above entitled action, and waive the issuing and service of summons and process upon each of them and voluntarily enter their appearance herein as such defendants, and consent to the sale of the real estate as prayed for in the petition.

Luther Nuetzel
Luther Nuetzel - Guardian of Elizabeth Nuetzel.
Elizabeth Nuetzel.

Filed
Oct. 7- 1936.
Cross Petition of the Defendant, The Citizens Federal Savings and Loan Association.

In the Probate Court of Union County, Ohio.

Luther Nuetzel, as Guardian of Elizabeth Nuetzel,
Plaintiff,
-vs-
Luther Nuetzel, Elizabeth Nuetzel and The Citizens Federal Savings and Loan Association,
Defendants.

No. 13253.
Cross Petition of the Defendant, The Citizens Federal Savings and Loan Association.

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Oct. 15-1936.
Order to, Oath, and Report of appraisers.
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This defendant says that it is the successor to The Citizens Home and Savings Company of Marysville, Ohio, and is the owner of all of the assets of said Company, that it is a corporation organized under the laws of the United States with its principal place of business at Marysville, Ohio.

That on the 13th. day of October, 1925, one William Muetzel and wife executed and delivered to The Citizens Home and Savings Company their promissory note for the sum of $1800.00, with interest at the rate of 7% per annum, and that there is now due thereon the sum of Fifteen Hundred ($1500.00) Dollars.

On said date, in order to secure the payment of said note, the said William Muetzel and Anna E. Muetzel, his wife, both of whom are now deceased, executed and delivered to said Company their mortgage deed thereby conveying the premises described in the petition; that said mortgage is duly recorded in Book 92, Page 308, of said Union County Records of Mortgages, and is the first and best lien on said real estate.

Wherefore, this defendant prays that upon the sale of said property the amount due it upon said note and mortgage be paid first out of the proceeds.

The Citizens Federal Savings and
Loan Company.
Per- Hoopes & Sanders - Attorneys.

State of Ohio, Union County, ss:

C. A. Hoopes, being first duly sworn, says that he is one of the attorneys for The Citizens Federal Savings and Loan Association, and that the facts stated and allegations contained in the foregoing cross petition are true as he verily believes.

C. A. Hoopes.

Sworn to before me and subscribed in my presence this 7th. day of October, 1936.

Seal Ruth Hess - Notary Public.

In the Probate Court of Union County, Ohio.

Luther Muetzel, as Guardian of Elizabeth Muetzel,
Plaintiff,
-vs-
Luther Muetzel, Elizabeth Muetzel, and The Citizens Federal Savings and Loan Association,
Defendants.

No. 13253.
Order to Appraisers.

Filed Oct. 15-1936.

Order to, Oath, and Report of appraisers.

To C. C. Jamie, R. B. Neer and J. M. Lentz, the court reposing confidence in your judgment on the

THE COL. E. B. MFG. CO. 73503

13253

14th. day of October, 1936, in a certain case to sell real estate now pending in said court wherein Luther Nuetzel, guardian of Elizabeth Nuetzel, is plaintiff, and Luther Nuetzel, Elizabeth Nuetzel and The Citizens Federal Savings and Loan Association are defendants, appointed you appraisers of the following described real estate:

Being an undivided one-half interest in the real estate situated in the County of Union, in the State of Ohio, and in the Village of Marysville.

Being part of Out Lots Nos. 6 and 7 and known as the Marion Out Lots, to-wit:

Beginning in the edge of the street at the southwest corner of a parcel of said Lot No. 7 sold to John Cassil by W. H. Wadham; thence 1° East with the line of said Lot to the southwest corner of a lot sold by said Cassil to L. G. Burroughs and being 11-2/5 poles; thence 89° with said Burroughs' line 4 poles and 16 links to a stake in the corner of a lot sold by John Cassil to J. G. Cassil; thence South 1° West 11½ poles to a stake in the street, another corner of J. G. Cassil's lot; thence with said street 4 poles and 16-1/3 feet to the beginning. Containing 1/3 of an acre, more or less.

Also all of Out-Lot No. 8 in the old Welsh Addition and now known as Lot No. 222 of Marysville.

For a more definite description refer to the recorded plat of said Addition, in the Recorder's office of Union County, Ohio.

There is excepted from the above tracts of land a certain tract sold to Frank Nezeta with a frontage of 60 feet on Third Street and extending back the full length of the above described two tracts. Said tract sold to Nezeta being on the west side of the said tracts.

You are therefore ordered by said court that without unnecessary delay and on oath to proceed and appraise said real estate upon actual view at its fair cash value and to make report of your proceedings to this court and bring this order with you.

Witness my hand and official seal at Marysville, Ohio, this 14th. day of October, 1936.

L. W. Hazen - Probate Judge.
(Seal) of Union County, Ohio.

In the Probate Court

Luther Nuetzel, as Guardian of Elizabeth Nuetzel, Plaintiff,

-vs-

Luther Nuetzel, Elizabeth Nuetzel and The Citizens Federal Savings and Loan Association, Defendants.

No. 13253.

Oath of Appraisers.

Oath of appraisers.

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Report of Appraisers.

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Filed Oct. 15-1936. Entry Confirming Appraisement.

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Filed Oct. 15-1936. Additional Bond.

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Marysville,

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State of Ohio, Union County, ss:

On the 14th. day of October, 1936, before me personally appeared C. C. Jarvis, R. B. Neer and J. W. Lentz, the within named and made oath that they would upon actual view truly and impartially appraise at its fair cash value the within described real estates in pursuance of the within order of the Probate Court of said county.

C. C. Jarvis.
R. B. Neer.
J. W. Lentz.

Sworn to before me and subscribed in my presence this 14th. day of October, 1936.

Seal Ruth Hess - Notary Public.

Repot of Appraisers.

We do appraise the within described real estate, on our oath aforesaid, after having actually viewed the same, at Eight Hundred ($800.00) Dollars.

Witness our hands this 14th. day of October, 1936.

C. C. Jarvis.
J. W. Lentz.
R. B. Neer.
Union County, Ohio.

Repot of appraisers.

Filed Oct. 15-1936. Entry Confirming Appraisement.

In the Probate Court of Union County, Ohio.

Luther Nuetzel, as Guardian of Elizabeth Nuetzel, Plaintiff

-vs-

Luther Nuetzel, Elizabeth Nuetzel and The Citizens Federal Savings and Loan Association, Defendants.

No. 13253.
Entry Confirming Appraisement.

This day this matter came on to be further heard on the repot of the appraisers heretofore herein appointed; and it appearing upon examination that said repot is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

L. W. Hazen - Probate Judge.

Filed Oct. 15-1936. additional Bond.

In the Probate Court of Union County, Ohio.

Luther Nuetzel, as Guardian of Elizabeth Nuetzel, Plaintiff,

-vs-

Luther Nuetzel, Elizabeth Nuetzel, and The Citizens Federal Savings and Loan Association, Defendants.

No. 13253.
Additional Bond.

Know all men by these presents: That we, Luther Nuetzel, principal, and Dorothy Nuetzel, as surety,

THE COL. B. B. MFG. CO. 73503

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are firmly bound unto the State of Ohio in the penal sum of Two Hundred Dollars to the payment of which we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

The condition of this obligation is such, that whereas in a certain cause pending in the Probate Court of Union County, Ohio, wherein Luther Muetzel, as Guardian of Elizabeth Muetzel, is plaintiff, and Luther Muetzel, et al., are defendants, the said Luther Muetzel has been ordered by said court to sell certain real estate of said ward to support said ward and to pay the debts of said ward.

Now, if the said Luther Muetzel, Guardian as aforesaid, shall faithfully discharge his duties in the premises and full account for all moneys arising from such sale according to law, then this obligation to be void, otherwise to be in full force and effect.

Luther Muetzel.
Dorothy Muetzel.

Filed Oct. 15-1936. Entry

In the Probate Court of Union County, Ohio.

Luther Muetzel, as Guardian of Elizabeth Muetzel,
Plaintiff,
-vs-
Luther Muetzel, Elizabeth Muetzel and The Citizens Federal Savings and Loan Association,
Defendants.

No. 13253.
Entry.

This day this cause came on to be heard on the petition of the plaintiff, the answer of C. A. Hooper as guardian ad litem for the minor defendant, Elizabeth Muetzel, on the answer and cross petition of the defendant, The Citizens Federal Savings and Loan association, and the evidence.

And the court finds that all of the defendants herein have been duly and legally served with process and have all answered the petition or have voluntarily entered their appearances herein and have consented to an immediate sale of the real estate as prayed for, and that all necessary parties are before the court; the court further finds that Luther Muetzel is the only person entitled to the next estate of inheritance from said ward in said real estate, and that there are no other persons who have any interest in said real estate; that it is necessary to sell said real estate for the support of said ward and for the payment of the just debts of said ward, and that it would be to the advantage of said ward if said real estate were sold.

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Filed Oct. 15-1936. application for Private Sale.

Filed Oct. 15-1936. Report of Private Sale.

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It is therefore ordered that C. C. Jarvis, R. B. Neer and J. M. Kentz, three judicious and disinterested persons of the vicinity, not next of kin of the petitioner, be, and they hereby are, appointed to appraise said real estate at its true value in money.

It is further ordered that the said Luther Nuetzel as guardian of Elizabeth Nuetzel give an additional bond in the sum of Two Hundred ($200.00) Dollars before proceeding with said sale.

L. W. Hazen - Probate Judge.
of Union County, Ohio.

Filed
Oct. 15-1936.
Application
for Private
Sale.

In the Probate Court
of Union County, Ohio.

Luther Nuetzel, as Guardian
of Elizabeth Nuetzel,
Plaintiff,
-vs-
Luther Nuetzel, Elizabeth
Nuetzel and The Citizens
Federal Savings and Loan
Association,
Defendants.

No. 13253.
Application for Private Sale.

Now comes Luther Nuetzel, as Guardian of Elizabeth Nuetzel, a minor, and respectfully represents to the court that it is necessary to sell the real estate belonging to his ward in order to support said ward and to pay the debts of said ward.

Wherefore, said Luther Nuetzel, as Guardian of Elizabeth Nuetzel, asks that he be granted an order authorizing and directing him to sell said real estate at private sale for not less than the appraised value thereof.

Luther Nuetzel.

State of Ohio, Union County, ss:

Luther Nuetzel, being first duly sworn, says that he is the guardian of Elizabeth Nuetzel, a minor, and that the facts stated and allegations contained in the foregoing application are true as he verily believes.

Luther Nuetzel.

Sworn to before me and subscribed in my presence this 14th. day of October, 1936.

Ruth Hess - Notary Public.

Filed
Oct. 15-1936.
Report of
Private
Sale.

In the Probate Court of Union County, Ohio.

Luther Nuetzel, as Guardian
of Elizabeth Nuetzel,
Plaintiff,
-vs-
Luther Nuetzel, Elizabeth
Nuetzel and The Citizens
Federal Savings and Loan
Association,
Defendants.

No. 13253.
Report of Private Sale.

THE COL. B. B. MFG. CO 73503

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On obedience to the command of the within order of sale, I did on the 14th. day of October, 1936, offer said propety, at private sale, and Herbert Mowser and Clara C. Mowser having offered therefor the sum of Eight Hundred Eighty-two and 50/100 ($882.50) Dollars, and the same being more than the appraised value of said property, I sold the same to said Herbert Mowser and Clara C. Mowser for that sum.

Luther Muetzel - Guardian of
Elizabeth Muetzel.

State of Ohio, Union County, ss:

Luther Muetzel, being duly sworn, says that the private sale of propety made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Luther Muetzel.

Sworn to before me and subscribed in my presence this 14th. day of October, 1936.

Seal

Ruth Hess - Notary Public.

Filed
Oct. 15-1936.
Order to
Guardian
for Private
Sale.

In the Probate Court, Union County, Ohio.

Luther Muetzel, as Guardian
of Elizabeth Muetzel
Plaintiff,
-vs-
Luther Muetzel, Elizabeth
Muetzel and The Citizens
Federal Savings and Loan
Association,
Defendants.

No. 13253.
Order to Guardian for
Private Sale.

To Luther Muetzel, Greeting:

Whereas, in the Probate Court of Union County, Ohio, in a certain action therein pending wherein Luther Muetzel, as guardian of Elizabeth Muetzel, is plaintiff, and Luther Muetzel, et al., are defendants, it was ordered, adjudged and decreed that you proceed to sell the real estate mentioned in the petition, at private sale, for a price not less than the appraised value thereof, agreeable to the statute regulating the sale of real estate by guardians, and that you make return of your proceedings in the premises to the said Probate Court, and bring this order with you. The said real estate is described in the petition as follows, to-wit:

Being an undivided one-half interest in the real estate situated in the County of Union, in the State of Ohio, and in the Village of Marysville.

Being part of Out Lots Nos. 6 and 7 and known as the Marion Out-Lots, to-wit:

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Filed
Oct. 15-1936.
Entry Approving
Bond and
Ordering
Private Sale.

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Beginning in the edge of the street at the southwest corner of a parcel of said Lot No. 7 sold to John Cassil by W. H. Wadham; thence 1° East with the line of said lot to the southwest corner of a lot sold by said Cassil to L. L. Burroughs and being 11-2/5 poles; thence 89° with said Burroughs' line 4 poles and 16 links to a stake in the corner of a lot sold by John Cassil to J. L. Cassil; thence South 1° West 11⅖ poles to a stake in the street, another corner of J. L. Cassil's lot; thence with said street 4 poles and 16-1/3 feet to the beginning. Containing 1/3 of an acre, more or less.

Also all of Out Lot No. 8 in the old Welsh addition and now known as Lot No. 222 of Marysville. For a more definite description refer to the recorded plat of said addition, in the Recorder's office of Union County, Ohio.

There is excepted from the above tracts of land a certain tract sold to Frank Rezeta with a frontage of 60 feet on Third Street and extending back the full length of the above described two tracts. Said tract sold to Rezeta being on the west side of the said tracts.

Witness my hand and the seal of said Court, at Marysville, Ohio, this 14th. day of October, 1936.

Seal

L. W. Hazen - Probate Judge.
of Union County, Ohio.

Filed Oct. 15-1936. Entry Approving Bond and Ordering Private Sale.

In the Probate Court

Luther Muetzel, as Guardian of Elizabeth Muetzel,

Plaintiff,

-vs-

Luther Muetzel, Elizabeth Muetzel and The Citizens Federal Savings and Loan Association,

Defendants.

No. 13253

Entry approving Bond and Ordering Private Sale.

It further appearing to the court that the plaintiff has given additional bond in the sum of Two Hundred ($200.00) Dollars with approved surety conditioned according to law, the said bond is hereby approved.

And the court further finds, upon the application of Luther Muetzel, Guardian, to sell said real estate at private sale, that it is necessary to sell said real estate in order to support said ward and to pay the debts of said ward.

It is therefore ordered, adjudged and decreed that the said Luther Muetzel, as Guardian of Elizabeth Muetzel, a minor, proceed to sell the real estate belonging to said ward, at private sale, for not less than the appraised value thereof, and to make due return of his proceedings

THE COL. G. B. MFG. CO. 73503

13253 to this court.

Filed Oct. 15- 1936. Entry Confirming Sale and Ordering Deed.

In the Probate Court of Union County, Ohio.

Luther Muetzel, as Guardian of Elizabeth Muetzel, Plaintiff,

-vs-

Luther Muetzel, Elizabeth Muetzel and The Citizens Federal Savings and Loan Association, Defendants.

L. W. Hazen - Probate Judge.

No. 13253.
Entry Confirming Sale and Ordering Deed.

This day this cause came on to be heard on the report of Luther Muetzel, Guardian of Elizabeth Muetzel, of his proceedings under the former order of this court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Elizabeth Muetzel in said real estate, to the purchasers, Herbert Mouser and Clara C. Mouser, upon receipt from the purchasers of the sum of Eight Hundred Eighty- two and 50/100 ($882.50) Dollars in cash.

It is further ordered that said Luther Muetzel, as Guardian of Elizabeth Muetzel, account for the money in his hands according to law.

L. W. Hazen - Probate Judge.

13198 Filed July 1- 1936.

Petition to Sell Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

Simon Nichols, Administrator of the estate of Mary E. Nichols, Deceased, Plaintiff,

-vs-

Thomas Rhodes, Marion, Ohio, Minnie Rhodes, if deceased her heirs, devisees, legatees, executors or administrators, Defendants.

No. 13198.
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting administrator of the estate of Mary E. Nichols, deceased, late of this County; as nearly as can be ascertained the amount of the valid debts against said deceased

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is Five Hundred Dollars.

And the costs of administering the estate will be about One Hundred Fifty Dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at none Dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts, allowance and costs aforesaid.

Said decedent did seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and further described as follows: Situated in the Village of Milford Center County of Union and in the State of Ohio.

Being all of Lot number Two hundred and fifty-five (255) in the Commercial Clubs Addition to the Village of Milford Centre, Union County, Ohio.

Petition. Said real estate was included in the inventory of the estate, pursuant to the order of this Court and appraised at Three Hundred Fifty Dollars.

Said real estate is encumbered as follows: a real estate mortgage in the sum of $250.00, dated July 22, 1931, with fifteen% thereon at the rate of 6 per cent per annum after maturity.

The decedent died leaving the defendant no surviving spouse.

The defendants, Thomas Rhodes and Minnie Rhodes and the plaintiff, are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having interest therein.

The defendant, Minnie Rhodes is believed to be dead and plaintiff therefore alleges her death leaving possible heirs, devisees, legatees, executors and administrators who are made parties defendant hereto without naming them.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

John W. Dailey - Attorney for the Plaintiff.

The State of Ohio, Union County.

Bath. Simon Nichols, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believe.

Simon Nichols.

THE COL. & E. MFG. CO. 73503

13198

Sworn to before me and signed in my presence by the said Simon Nichols, at Marysville, Ohio, this 1 day of July, 1936.

Seal

John W. Dailey - Notary Public.

Filed July 31 - 1936. Waiver of Summons and Consent to Sell.

Waiver of Summons on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Simon Nichols, administrator of estate of Mary E. Nichols, Plaintiff,

vs.

Thomas Rhodes, et al., Defendants.

No. 13198.

Proceeding to Sell Real Estate.

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.

Thomas Rhoades.

Filed Aug. 29 - 1936. Legal Notice.

Notice.

Minnie Rhodes, whose address is unknown, if deceased, her heirs, devisees, legatees, executors and administrators will take notice that Simon Nichols, administrator of the estate of Mary E. Nichols, deceased, on the 1st. day of July, 1936, filed his petition in the Probate Court within and for the County of Union and State of Ohio, alleging the personal property of said decedent's estate is insufficient to pay her debts and charges of administering her estate; that she died seized of the following described real estate in said county, to-wit; Situated in the Village of Milford Center, County of Union in the State of Ohio and being all of Lot Number Two Hundred Fifty-five (255) in the Commercial Club Addition to the Village of Milford Center, Union County, Ohio. The prayer of said petition is for the sale of said real estate for the payment of debts and charges aforesaid. The persons first above mentioned will further take notice that they have been made parties defendant to said petition and that they are required to answer, or plead, to the same on or before the 8th. day of August, 1936.

Simon Nichols - Administrator, Plaintiff.

John W. Dailey, Attorney.

The State of Ohio, Union County, ss:

Personally appeared before me J. M. 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 July 1, 1936 in the Daily Marysville Tribune, a newspaper of general circulation in the county aforesaid.

J. M. Huber.

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Filed Aug. 29 - 1936. Answer & Cross Petition.

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Sworn to before me and signed in my presence this 28 th. day of August, a. D. 1936.

Seal G. P. Huber - Notary Public.

Printer's Fees, $13.45

Filed Aug. 29-1936. Answer & Cross Petition.

Probate Court of Union County, Ohio.

Simon Nichols as Administrator of estate of Mary E. Nichols, Deceased, Plaintiff,

-vs-

Thomas Rhodes, et al., Defendants.

No. 13198.
Answer & Cross Petition.

Now comes Simon Nichols, individually, and for answer to the petition herein filed, says that the said Mary E. Nichols, on the 22 day of July, 1931, did make her certain promissory note, in writing, and did deliver the same to this defendant and thereby promise to pay to this defendant, or order, the sum of $250.00, due him one year after date, which period has expired.

The said Simon Nichols further says that, in order to secure payment of said note, the said Mary E. Nichols, by a certain mortgage deed of even date, duly executed and delivered to the said Simon Nichols, conveyed to him the said real estate described in the petition, to have and to hold the same to him, the said Simon Nichols, heirs and assigns forever, which said deed of conveyance had a condition thereunder written, whereby it provided that if the said Mary E. Nichols shall pay, or cause to be paid, unto the said Simon Nichols, his heirs or assigns, her promissory note of even date for the sum of $250.00 with interest, in accordance with the tenor and effect of the same, then these presents to be void, otherwise to be and remain in full force and virtue in law forever. Simon Nichols says that he caused said mortgage to be deposited with the recorder of Union County, Ohio, at his office on the 1st. day of August, 1931, at 2:35 P. M. for record and that the same was thereupon duly recorded in the record of mortgages of Union County, Ohio; that no part of said money mentioned in said mortgage has been paid and that the entire amount, with interest at the rate of 6 per cent per annum is due and owing.

Wherefore this answering petitioner prays that out of the proceeds of sale of the real estate described in the petition, said debts and interest may be paid in full.

Simon Nichols.

THE COL. B. B. MFG. CO 73503

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State of Ohio, Union County, ss:
Simon Nichols, being duly sworn, deposes and says the facts stated and allegations made in the foregoing answer and cross petition are true, as he verily believes.
Simon Nichols.

Sworn to before me and subscribed in my presence this the 29th. day of August, 1936.
(Seal)
John W. Dailey - Notary Public.

Filed Aug. 29- 1936. Entry.

Probate Court of Union County, Ohio.

Simon Nichols, Administrator of the estate of Mary E. Nichols, Deceased, Plaintiff,
-vs-
Thomas Rhodes, et al., Defendants.

No. 13198.
August 29- 1936.

On motion of the plaintiff leave is hereby granted by the court for Simon Nichols to file an answer and cross petition herein instanter.
L. W. Hazen - Probate Judge.

Filed Aug. 29- 1936. Journal Entry Dispensing with a new Appraisement and Ordering Bond.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Simon Nichols as Administrator of the estate of Mary E. Nichols, Plaintiff,
-vs-
Thomas Rhodes, et al., Defendants.

Dispensing with a New Appraisement and Ordering Bond.

This matter came on to be heard upon the petition of the plaintiff for authority to sell real estate of the above decedent to pay debts of her estate, and the answer and cross - petition of the defendant, Simon Nichols the mortgagee, the other defendants being in default of answer, although served with summons according to law, and such service of summons is hereby approved. The Court finds from the evidence that all necessary parties are before the Court and that the prayer of the petition should be granted; that the real estate described in the petition was appraised by the appraisers of the estate at Three Hundred Fifty Dollars, and that a further appraisement is dispensed with.
The Court further finds that the bond heretofore given by the plaintiff as administrator of the estate of Mary E. Nichols, in the amount of —— Dollars is insufficient and is ordered that he file an additional bond with sufficient sureties to be approved by this Court in the sum of Three Hundred Fifty Dollars, and this cause is continued.
L. W. Hazen - Probate Judge.

13198
Filed Aug. 29- 1936. Bond of Administrator.

Filed Aug. 29- 1936. Journal Entry Approving Additional Bond and Ordering Private Sale.

13198
Filed
Aug. 29-1936.
Bond of
Administrator.

Bond of Administrator.
On Proceeding to Sell Real Estate.

Know all Men by these Presents: That we Simon Nichols, L. W. Coughenour and Ralph Schoenleb are held and firmly bound unto the State of Ohio, in the penal sum of Three Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 29 day of August, A. D. 1936.

The condition of the above obligation is such, That whereas, the above bound Simon Nichols was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, administrator of the estate of Mary E. Nichols, Deceased.

And whereas, the said Simon Nichols as such administrator has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Mary E. Nichols described in said petition;

And whereas said Court, on the 29 day of August 1936, made an order requiring said Simon Nichols to execute a bond according to the statute in such cases made and provided.

Now, if the said Simon Nichols as administrator aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

Simon Nichols.
L. W. Coughenour.
Ralph Schoenleb.

This Bond approved in open Court, this 29 day of August, 1936.

L. W. Hazen - Probate Judge.

Filed
Aug. 29-1936.
Journal Entry
Approving
Additional
Bond and
Ordering Private
Sale.

(Seal)

Journal Entry - Proceeding to Sell Real Estate.
Probate Court,
Union County, Ohio.

Simon Nichols as administrator of the estate of Mary E. Nichols,
Plaintiff,
-vs-
Thomas Rhodes, et al,
Defendants.

Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Three Hundred Fifty Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said

THE COL. B. B. MFG. CO. 73503

13198

estate to sell the real estate described in the petition at private sale, it is now ordered that Simon Nichols as such administrator, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: cash in hand the time of sale.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed Aug. 29-1936. Order and Report of Sale.

Probate Court of Union County, Ohio.

Simon Nichols, Administrator of the estate of Mary E. Nichols, Deceased,

Plaintiff,

-vs-

Thomas Rhodes, et al.,

Defendants.

August 29-1936. Order of Sale.

To: Simon Nichols, Greetings:

Whereas, in the Probate Court of Union County, Ohio, in a certain action therein pending wherein Simon Nichols as administrator of the estate of Mary E. Nichols, is plaintiff and Thomas Rhodes, et al, are defendants, it was ordered, adjudged and decreed that you proceed to sell the real estate described in said petition, at private sale, for a price not less than the appraised value thereof and agreeable to the statute regulating sale of real estate by administrators, and that you make return of your proceedings to the Probate Court, and bring this order with you. The said real estate is described in the petition as follows, to-wit: Situated in the Village of Milford Center, County of Union and in the State of Ohio. Being all of Lot number Two Hundred and Fifty Five (255) in the Commercial Club Addition to the Village of Milford Center, Ohio.

Witness my hand and seal of said court this the 29 th. day of August, 1936.

(Seal) L. W. Hazen - Probate Judge.

In obedience to the command of the within order of sale, I did on the 29 th. day of August 1936, offer said property at private sale, and Connie L. Nichols having offered therefore the sum of $350.00 and the same being not less than the appraised value thereof, I sold the same to her for that sum.

Simon Nichols - Administrator of estate of Mary E. Nichols.

State of Ohio, Union County, ss.

Simon Nichols, being duly sworn, says that the private sale of the property made under the within order of sale, and reported above, was made after diligent

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Filed Aug. 29-1936. Order of Confirmation & Distribution

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search to obtain the best price for said property, and that the sale reported was for the highest price that could be obtained.

Simon Nichols.

Sworn to before me and subscribed in my presence this the 29th. day of August, 1936.

Seal

L. W. Hazen - Probate Judge.

Probate Court, of Union County, Ohio.

Filed Aug. 29- 1936. Order of Confirmation & Distribution

Simon Nichols, Administrator of the estate of Mary E. Nichols, Deceased, Plaintiff,

-vs-

Thomas Rhodes, et al., Defendants.

August 29- 1936. Journal Entry.

This day this cause came on for hearing on the repot of Simon Nichols, administrator, estate of Mary E. Nichols, of his proceedings under a former order of this court, and upon motion of said petitioner to confirm the sale made in obedience to said order; the court having carefully examined the report, and finding the proceedings of the petitioner in all respects comfot, and being satisfied that the sale was in all respects fairly and legally made, it is ordered that the same be hereby approved and confirmed. It is further ordered that the petitioner execute a deed of all the right, title, interest and claim of the said Mary E. Nichols in said real estate to the purchaser, —— upon said purchaser paying cash therefor in the sum of $350.00.

Now said cause coming on to be heard further upon the pleadings herein and on motion of the plaintiff to distribute the proceeds of said sale, amounting to the sum of $ 350.00.

The court finds there is no spouse and that there is due the said Simon Nichols upon the note set forth in his answer and cross petition, from the estate of the said Mary E. Nichols, the sum of $ 325.00 with interest thereon at the rate of 6 per cent per annum from this date and that the said Mary E. Nichols, to secure the payment of said note, gave her mortgage upon the premises described in the petition, which said mortgage was a valid and subsisting lien on said premises; and now upon the funds in the hands of Simon Nichols as such administrator arising from the sale of said premises. It is ordered that an entry of release and satisfaction of said mortgage lien be entered on record in the office of the Recorder of Union County, Ohio, according to law.

THE COL. B. B. MFG. CO. 73503

13188

It is further ordered that the said Simon Nichols as administrator, out of the money in his hands, pay:
First: The costs and expenses incurred in the sale of said property in the sum of $ 51.70.
Second: To Simon Nichols the residue of said funds to be applied upon the note and mortgage set forth in his answer and cross petition.

It is further ordered that this proceeding be recorded and that the petitioner pay the costs of this proceeding within ten days.

L. W. Hazen - Probate judge.

Filed Aug. 29- 1936. Certificate of Release of Mortgage.

Court Certificate of Release of Mortgage.

Court of Probate, Union County, Ohio.

Simon Nichols, administrator of the estate of Mary E. Nichols, -vs- Thomas Rhodes, et al.

August 29- 1936. No. 13188.

The mortgage given by Mary E. Nichols to Simon Nichols and recorded in Book 101 Page 33 Records of Mortgages in the Recorder's Office of Union County, Ohio is released and satisfied, by proceedings in the above entitled case in said Court, at the August 29th. Term, A. D. 1936.

L. W. Hazen - Probate judge.

13192 Filed June 25- 1936.

Petition to Sell Real Estate to Pay Debts.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, Plaintiff, -vs- Ida Mae Beaver, Jennie Patch, Fred Easterday, Wm. Sylvester Easterday, Samuel Easterday, Blossie Easterday, a minor over 14, Francis Easterday, a minor over 14, Warren Easterday, a minor under 14, Letha Easterday, a minor under 14, Viola Easterday, a minor under 14, A. J. Beaver, M. M. Patch, Dora Easterday, Heldem Easterday, The Citizens Home and Springs Co., Defendants.

Case No. 13192. Petition of Executor to Sell Real Estate to Pay Debts.

13192

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Now comes the Plaintiff and says he is the duly appointed, qualified and acting Executor of the Estate of Daniel E. Easterday, deceased, late of this County; that as near as can be ascertained, the amount of the valid debts against said decedent is the sum of Two Hundred Forty Dollars ($240); and cost of administering the estate will be about Fifty Dollars ($50).

The total value of the personal property of said decedent was fixed by the appraisers of said estate at Forty Two and 50/100 Dollars ($42.50), said appraisement not having been excepted to; and said personal property is wholly insufficient to pay debts and costs aforesaid.

Said decedent died seized in fee simple of the following described real estate, situated in the Village of Richwood, County of Union and State of Ohio, and further described as follows, to-wit:

Petition.

Being all of Lot No. 770 in John A. Cooks Second Addition to the Village of Richwood, Ohio.

For a more definite description, reference is made to the recorded plat of said addition in the Recorders Office at Marysville, Ohio.

Also another parcel, being 13 ft. off of the West side of Lot No. 771 in John A. Cooks Addition to the Village of Richwood, Union County, Ohio.

The said 13 ft. extends the full length of the lot.

For a more specific description, reference is hereby made to the recorded plat in the Recorder's Office in Marysville, Ohio.

Said real estate was included in an Inventory of the Estate pursuant to the order of this Court, and appraised at Six Hundred Seventy Five Dollars ($675).

Said real estate is subject to a mortgage held by the Defendant, the Citizens Home and Savings Company and to the best of the knowledge of Plaintiff, the balance due of said mortgage is approximately Two Hundred Dollars ($200).

The Defendants, Ida Mae Beaver, Jennie Patch, Fred Easterday and Wm. Sylvester Easterday, are the children of Daniel E. Easterday, deceased, and Samuel Easterday, Flossie Easterday, Francis Easterday, Warren Easterday, Letha Easterday and Viola Easterday, are the children of Geo. M. Easterday, deceased, Geo. M. Easterday, deceased, being a son of Daniel E. Easterday, deceased; that Flossie Easterday and Francis Easterday are minors over fourteen years of age and Warren Easterday, Letha Easterday and Viola Easterday are minors under fourteen years of age, and are all the heirs at persons entitled to the next estate of inheritance from the decedent in such real estate and having an interest therein; A. J. Beaver is the husband of Ida Mae Beaver,

THE COL. B. B. MFG. CO. 73503

13192

R. M. Patch is the husband of Jennie Patch, Dora Easterday is the wife of Wm. Sylvester Easterday and Helsem Easterday is the wife of Samuel Easterday, who may have or claim to have a dower interest in the interest of their husband or wife in the real estate herein described.

There are no other persons who have any interest in said real estate.

Wherefore, Plaintiff prays that said real estate be sold, that the rights, interests and liens of all parties be fully determined and protected; and that this Petitioner 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 to which he may be entitled.

Robert R. Allen - Attorney for Plaintiff.

State of Ohio, County of Marion, ss:

Fred Easterday, being first duly sworn, says he is the Plaintiff in the above entitled cause and that the facts set forth and allegations contained in the foregoing Petition are true as he verily believes.

Fred Easterday.

Bath.

Sworn to before me and subscribed in my presence this 20" day of June, a. D., 1936.

Seal B. F. Waples - Notary Public of Union County, Ohio.

Filed June 25-1936. Affidavit for Service by Publication.

In the Probate Court

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased,

Plaintiff,

-vs-

Ida Mae Beaver, et al.,

Defendants.

lease No. 13192.

Affidavit for Service by Publication.

State of Ohio, County of Marion, ss:

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, being first duly sworn, says he is the Plaintiff in the above entitled cause; that the residence of the Defendants Jennie Patch and R. M. Patch is unknown and cannot with reasonable diligence be ascertained, and service of summons cannot be made upon them within this State and the case is one of those mentioned in G. C. 11292.

Fred Easterday.

Sworn to before me and subscribed in my presence this 20" day of June, a. D. 1936.

Seal B. F. Waples - Notary Public.

13192. Filed June 25-1936. Entry Ordering Service by Publication.

Filed June 25-1936. Entry of appearance and Consent to Sell.

Filed June 25-1936. Entry of appearance and Consent to Sell.

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June 25-1936.
Entry Ordering
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Publication.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased,

Plaintiff,

-vs-

Ida Mae Beaver, et al.,

Defendants.

Case No. 13192.
Entry Ordering Service By Publication.

This day came the Plaintiff and filed herein an affidavit according to law, for the purpose of procuring service by publication; and it appearing to the Court that Jennie Patch and R. M. Patch are necessary parties and their residence unknown to the Plaintiff and cannot, with reasonable diligence, be ascertained and that service of Summons on such Defendants can not be made within this State; it is Ordered that 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 where it is filed and notify the persons thus to be served with summons when they are required to answer.

L. W. Hazen - Probate Judge.

Filed
June 25-1936.
Entry of
appearance
and Consent
to Sell.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased,

Plaintiff,

-vs-

Ida Mae Beaver, et al.,

Defendants.

Case No. 13192.
Entry of Appearance and
Consent to Sell.

The undersigned parties Defendant in the above entitled action, being competent adult persons, hereby waive the issuance and service of Summons upon them and each of them and voluntarily enter their appearance as such Defendants and consent to the sale of the real estate described in the Petition as therein prayed for.

Samuel R. Easterday.
Heldem Easterday.

Filed
June 25-1936.
Entry of
appearance
and Consent
to Sell.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased,

Plaintiff,

-vs-

Ida Mae Beaver, et al.,

Defendants.

Case No. 13192.
Entry of Appearance and Consent to Sell.

The undersigned party Defendant in the above entitled action, being a competent adult person, hereby waives the issuance and service of Summons upon him and

THE COL. B. B. MFG. CO. 73503

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voluntarily enters his appearance as such Defendant and consents to the sale of the real estate described in the Petition as therein prayed for.

Fred Easterday.

Filed June 25-1936. Entry of Appearance and Consent to Sell.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, Plaintiff,

-vs-

Ida Mae Beaver, et al., Defendants.

Case No. 13192.

Entry of Appearance and Consent to Sell.

The undersigned parties Defendant in the above entitled action, being competent adult persons, hereby waive the issuance and service of Summons upon them and each of them and voluntarily enter their appearance as such Defendants and consent to the sale of the real estate described in the Petition as therein prayed for.

W. S. Easterday.

Dora Easterday.

Filed June 25-1936. Application for Guardian Ad Litem.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Plaintiff

-vs-

Ida Mae Beaver, et al., Defendants.

Case No. 13192.

Application for Guardian Ad Litem.

Now comes Fred Easterday, Executor of the Estate of Daniel E. Easterday, deceased, the Plaintiff herein, and makes application for the appointment of a Guardian Ad Litem for Flossie Easterday, one of the Defendants herein, an infant of the age of eighteen years, upon whom summons was duly served according to law; for the appointment of a Guardian Ad Litem of Francis Easterday, one of the Defendants, an infant of the age of sixteen years, upon whom summons was duly served according to law; for the appointment of a Guardian Ad Litem for Letha Easterday, one of the Defendants herein, an infant of the age of twelve years; for the appointment of a Guardian Ad Litem for Warren Easterday, one of the Defendants herein, an infant of the age of thirteen years; for the appointment of a Guardian Ad Litem for Viola Easterday, one of the Defendants herein, an infant of the age of eleven years, and suggests that Richard C. Thrall who is a suitable person, be appointed as such.

Robert T. Allen,

Attorney for Plaintiff.

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Entry appointing Guardian Ad Litem.

Answer of Guardian Ad Litem.

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State of Ohio, County of Union, ss:

Robert T. Allen, being first duly sworn according to law deposes and says that he is the Attorney for Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased; that as such Attorney, he is duly authorized and empowered to make this oath; and that the facts stated in the foregoing application are true as he verily believes.

Robert T. Allen.

Sworn to before me and subscribed in my presence this 24th. day of June, A. D. 1936.

(Seal) Martha T. Parrott - Notary Public.

(Fee claimed 80¢)

Entry appointing Guardian Ad Litem.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Plaintiff,

-vs-

Ida Mae Beaver, et al., Defendants.

Case No. 13192.
Entry appointing Guardian ad Litem.

On the application of Robert T. Allen, the Council for the Plaintiff herein; and it appearing that Flossie Easterday and Francis Easterday two of the Defendants herein, were duly served with summons and minors of the ages of eighteen years and sixteen years, respectively and that Letha Easterday, Warren Easterday and Viola Easterday, Defendants herein are minors of the ages of twelve, thirteen and eleven, respectively.

It is ordered that Richard C. Thall is hereby appointed Guardian ad Litem of said Flossie Easterday, Francis Easterday, Letha Easterday, Warren Easterday and Viola Easterday.

L. W. Hagen - Probate Judge.

Answer of Guardian Ad Litem.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Plaintiff,

-vs-

Ida Mae Beaver, et al., Defendants.

Case No. 13192.
Answer of Guardian Ad Litem.

And now comes Richard C. Thall, duly appointed by the Court as Guardian ad Litem for Flossie Easterday, Francis Easterday, Letha Easterday, Warren Easterday and Viola Easterday, the minor children of Mana Easterday, and for his answer to the Petition of said Fred Easterday, Executor of the Estate of Daniel E. Easterday, deceased, says that he has not, by reason of the tender age of said Defendants, become informed as to the truth of the matters set forth in said Petition; and therefore in behalf of said minor Defendants, denies the same and submits

THE COL. B. B. MFG. CO. 73503

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the interest of said Defendants to the care and protection of the Court to order in the premises as justice and the interest of said Defendants is required.

Richard C. Thrall - Guardian ad Litem.

Filed June 25-1936. Praecipe.

In the Probate Court of Union County, Ohio.

Estate of Daniel E. Easterday, Deceased, Plaintiff,

-vs-

Ida Mae Beaver, et al., Defendants.

Case No. 13192. Praecipe.

To the Probate Court:

Please issue Summons directed to the Sheriff of Union County, Ohio, against the Minor Defendants herein, Flossie Eastpday, eighteen years of age, Francis Easterday, sixteen years of age, Warren Easterday, thirteen years of age, Letha Easterday, twelve years of age and Viola Easterday, eleven years of age, and make same returnable according to law.

Also issue summons directed to the Sheriff of Union County, Ohio, against Maud Easterday, whose address is Third St., Marysville, Ohio, the Mother of Viola Easterday and with whom she resides and make same returnable according to law.

Please issue Summons directed to the Sheriff of Union County, Ohio, against the Supt. of the Childrens Home of Union County, Ohio with whom Flossie Easterday, Francis Easterday, Warren Easterday and Letha Easterday reside, and make same returnable according to law.

You are instructed to recite in the summons, the following statement, to-wit: "You will notify the Defendant (Name of Minor), a Minor of the age of (age of Minor), by service of summons upon him and also upon his Guardian, Father, Mother or Custodian, in the order given."

Also, please issue summons directed to the Sheriff of Union County, Ohio, against the Defendants, Ida Mae Beaver and A. J. Beaver, and make same returnable according to law.

Endorse Summons: "Action to sell Real Estate to Pay Debts."

Robert R. Allen - Attorney for Plaintiff.

Filed June 29-1936. Summons.

Summons on Petition to Sell Real Estate.

Sheriff - Minors.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are commanded to notify Francis Easterday, Warren Easterday - Letha Egsterday and Flossie Easterday. all four being Minors under 19 years of age. ie; 16 yrs. - 13 yrs. - 12 yrs. and 18 years respct.

13192

Filed June 29-1936. Summons.

13192 Action - Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, Plaintiff, vs. Ida Mae Beaver, et al., Defendants. Case # 13192 - Praecipe, and the following named who are minors, to-wit: Flossie - 18 yrs. Francis - 16 yrs. Warren - 13 yrs. and Letha Easterday - 12 years; making service of this summons upon such minors as are ages given above of age, and also upon the guardian, father, mother or custodian of said minors, in the order named; that on the 25th. day of June, A. D. 1936, Fred Easterday, Executor by atty. Robert Allen of the Estate of Daniel E. Easterday, deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, and in said petition described, for the purpose of paying debts and that unless they answer by the 25th. day of July 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons on the Sixth day of July 1936.

Witness my hand and the seal of said Court, this 25th. day of June, 1936.

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

(Seal)

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees	
Service & Return, first name	$ .75
8 Additional names, at 25¢	2.00
10 Miles traveled, at 8¢	.80
Total	$ 3.55

Received this writ June 25th. 1936, at 4 o'clock P. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: June 29th. 1936, on Francis Easterday, a minor 16 years of age; Warren Easterday, a minor 13 years of age; Letha Easterday, a minor 12 years of age and Flossie Easterday, a minor 18 years of age by leaving for each of them at their usual place of residence (Union County Childrens Home) a true and certified copy of this writ.

William Rausch - Sheriff.
By - A. Grigsby - Deputy.

Filed June 29-1936. Summons on Petition to Sell Real Estate. Sheriff - Minge.

Summons: The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are Commanded to notify Mr. Chester Auer - Supt. of Union County Childrens Home.

Action - Fred Easterday, Executor of the Estate of Daniel E. Easterday, Dec. Plaintiff, vs. Ida Mae Beaver et al., Defendants. Case # 18192 - Praecipe, and the

THE COL. B. B. MFG. CO 73503

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following named who are minors, to-wit: Flossie Easterday, Francis, Warren and Letha Easterday making service of this summons upon such minors as are mentioned above, and also upon the guardian, father, mother or custodian of said minors, in the order named; that on the 25th. day of June A. D. 1936, Fred Easterday Executor of the estate of Daniel E. Easterday, deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, and in said petition described, for the purpose of paying debts and that unless they answer by the 25th. day of July, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons on the Sixth day of July 1936.

Witness my hand and the seal of said Court, this 25th. day of June, 1936.

(Seal)

L. W. Hazen- Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees.

Service & Return, first name .75

Received this writ June 25th., 1936, at 4 o'clock P. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: June 29th. 1936, on Chester Auer, Superintendent of Union County Childrens Home as Custodian of the within named minors, Francis Easterday, Flossie Easterday, Letha Easterday and Warren Easterday, said minors having no legal Guardian at this time, by leaving for him at said Union County Childrens Home a true and certified copy of this writ.

William Rausch- Sheriff.
By- A. Grigsby- Deputy.

Filed June 29- 1936. 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 Ida Mae Beaver and A. B. Beaver her Husband- Marysville, Ohio.

Action- Fred Easterday, Executor of Estate of Daniel E. Easterday, Deceased, Plaintiff, -vs- Ida Mae Beaver et al, Defendant. Case # 13192 - Praecipe; that on the 25th. day of June, A. D. 1936, Fred Easterday, Executor of the Estate of Daniel E. Easterday deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said

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Filed June 29- 1936. Summons.

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decedent, in said petition described, for the purpose of paying debts and that unless they answer by the 25th. day of July 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the Sixth day of July 1936.

Witness my hand and the seal of said Court, this 25th. day of June 1936.

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

(Seal)

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees.	
Service & Return, first name	.75
Total	.75

Received this writ June 25th. 1936, at 4 o'clock P. M., and on the 29th. day of June 1936, I served the same by delivering a copy thereof personally to the within named Ida Mae Beaver. And at the same time I served the within named A. Z. Beaver by leaving for him at his usual place of residence a true and certified copy of said writ.

William Rapp - Sheriff.
By - A. Grigsby - Deputy.

Filed June 29-1936.
Summons.

Summons on Petition to Sell Real Estate.

Sheriff - Union.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are commanded to notify Mana Easterday (Huffman) W. 3rd. St. (Nor East Fourth) St. Marysville, O. Mother of Viola Easterday a Minor Eleven years of age, residing with her Mother; and the following named who are minors, to-wit: Viola Easterday - Eleven years of age, making service of this summons upon such minor as — over fourteen years of age, and also upon the guardian, father, mother or custodian of said minor, in the order named; that on the 25th. day of June, A. D. 1936, Ted Easterday, Executor of the Estate of Daniel E. Easterday, deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, and in said petition described, for the purpose of paying debts, and that unless they answer by the 25th. day of July 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons on the Sixth day of July 1936.

Witness my hand and the seal of said Court, this 25th. day of June, 1936.

(Seal)

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

THE COL. R. B. MFG. CO 73503

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Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees	
Service & Return, first ware, .75	

Received this writ June 25th. 1936, at 4 o'clock P. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: June 29th. 1936, on Mana Easterday (Huffman), mother of Viola Easterday, a minor, and with whom said minor resides by personally handing to her a true and certified copy of this writ, and at the same time I served Viola Eastenday, a minor by leaving for her at her usual place of residence a true and certified copy of said writ.

William Rausch - Sheriff.
By- A. Grigsby - Deputy.

Filed July 24- 1936. Affidavit of Service By Publication.

In the Probate Court of Union County, Ohio.

Ted Easterday, Executor of the Estate of Daniel E. Easterday, Deceased,

Plaintiff,

-vs-

Ida Mae Beaver, et al.,

Defendants.

Case No. 13192.
Affidavit of Service By Publication.

State of Ohio, County of Union, ss:

Robert T. Allen says he is the attorney for Ted Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, the Plaintiff herein, and that since the beginning of service by publication against Jennie Patch in which it has been stated that her address is unknown, it has come to his knowledge that her address is Shotley, Minn. and as a result, he hereby certifies that a copy of the newspaper in which one of the services of publication was published, was forwarded to her on the 20th. day of July, A. D. 1936.

And further, affiant saith naught.

Robert T. Allen.

Sworn to before me and subscribed in my presence this 20th. day of July, A. D. 1936.

(Seal) Martha T. Parrott - Notary Public.

(Fee claimed 80¢)

Filed July 31- 1936. Legal Notice.

Legal Notice - By Publication.

Jennie Patch and T. M. Patch, whose address is unknown, will take notice that Ted Easterday, Executor of the estate of Daniel E. Easterday, deceased, on the 24th. day of June, 1936, filed his petition in the Probate Court within and for the County of Union and State of 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 seized in fee simple of the following described real estate, situated in said

13192

Filed Aug. 25-1936. Supp Petition of The Citizens Home and Savings Company.

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County, to-wit:

Being all of Lot No. 770 in John A. Cook's Second addition to the Village of Richwood, Ohio. For a more definite description, reference is made to the recorded plat of said addition in the Recorder's Office at Waynesville, Ohio.

Also another parcel, being 13 feet off the west side of Lot No. 771 in John A. Cook's Addition to the Village of Richwood, Union County, Ohio. The said 13 feet extends the full length of the lot.

For a more specific description, reference is hereby made to the recorded plat in the Recorder's Office in Waynesville, Ohio.

The prayer of said petition is for the sale of said premises for the payment of debts and charges aforesaid.

The persons first above mentioned will further take notice that they have been made parties defendant to said petition and that they are required to answer the same on or before the 15th. day of August, 1936.

Fred Easterday - Executor of the Estate of Daniel E. Easterday, Deceased.

Robert N. Allen - Attorney for Executor.

State of Ohio, Union County.

Personally appeared before me Lulu M. Keigley and made oath that the notice, a copy of which is hereto attached, was published for six consecutive weeks on and after June 25, 1936 in the Richwood Gazette, a newspaper of genual circulation in the county aforesaid.

Lulu M. Keigley.

Sworn to before me and signed in my presence this 30th. day of July, A. D. 1936.

Martha T. Parrott - Notary Public.

Writer's Fees $16.18

Filed Aug. 25-1936. Bros Petition of The Citizens Home and Savings Company.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, Plaintiff,

-vs-

Ida Mae Beaver, et al., Defendants.

No. 13192. Cross Petition.

Now comes The Citizens Home and Savings Company, a defendant herein, and waives the issuing and service of summons and process and voluntarily enters its appearance herein, and by way of Cross petition says:

That on the 3rd. day of April, 1929, Daniel E. Easterday executed and delivered to this defendant, The Citizens Home and Savings Company of Waynesville, Ohio, his note for the sum of Two Hundred ($200.00) Dollars,

13192 payable in equal monthly installments of Two ($2.00) Dollars, with interest at the rate of 7% per annum until paid. There is now due on said note the sum of One Hundred Twenty and 2/100 ($120.02) Dollars.

This defendant further says that at the time of the execution and delivery of said note, and to secure the payment of the same, the said Daniel E. Easterday unmarried, by his certain mortgage deed, did convey to The Citizens Home and Savings Company, its successors and assigns, all of the said real estate in the petition described. Said mortgage deed was conditioned upon the payment of the note hereinabove described. This defendant caused said mortgage to be deposited with the Recorder of Union County, Ohio, on the 3rd. day of April, 1929, at 8:40 o'clock A. M. for record, and the same was thereupon duly recorded in Volume 98, at Page 162, of the Mortgage Records of Union County, Ohio. Said mortgage then became and now is the first, best and subsisting lien upon said real estate.

Wherefore, this defendant prays that said real estate may be sold, and out of the proceeds of said sale it be paid the sum of One Hundred Twenty and 2/100 ($120.02) Dollars, and for such other and further relief in the premises as the court deems just and proper.

Hoopes + Sanders - Attorneys
for The Citizens Home and Savings Company.

State of Ohio, Union County, SS:

C. A. Hoopes, being first duly sworn, says that he is one of the attorneys for The Citizens Home and Savings Company, and that the facts stated and allegations contained in the foregoing cross petition are true as he verily believes.

C. A. Hoopes.

Sworn to before me and subscribed in my presence this 24th. day of August, 1936.

(Seal) Ruth Hess - Notary Public.

Filed Aug. 28-1936. Order for Appraisement.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased,
Plaintiff,
-vs-
Ida Mae Beaver, et al,
Defendants.

Case No. 13192.
Order for Appraisement.

This matter coming on to be heard upon the Petition and evidence, the Court finds all the Defendants herein have been duly and legally served with process

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Filed Aug. 28-1936. Order to and Report of Appraisers.

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a have voluntarily entered their appearance and consent to the sale prayed for and are properly before the Court; and that it is necessary to sell said real estate to pay debts of said estate, and the Prayer of the Petition shall be granted.

And it appearing to the Court that a new appraisement should be made of said real estate, it is ordered that S. M. Howard, Chas. B. Travel and Robt Aller, three judicious and disinterested persons of the vicinity, not next of kin of Petitioner, be and they hereby are appointed to appraise said real estate at its true value in money.

It is further ordered that said Appraisers be sworn as required by law to truly and impartially appraise said real estate, upon actual view at its fair cash value and discharge the duties required by them according to law and to make return of their proceedings in writing to this Court on or before the 10th. day of September, A. D., 1936.

L. W. Hazen - Probate Judge.

Filed
Aug. 28- 1936.
Order to
and Report
of Appraisers.

In the Probate Court of Union County, Ohio.

Ured Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, Plaintiff,

-vs-

Ida Mae Beaver, et al., Defendants.

Case No. 13192.
Order to and Report of Appraisers.

The Probate Court of this County.

To S. M. Howard, Chas. B. Travel and Robert Aller:

The Court reposing confidence in your judgment on the 28th. day of August, A. D., 1936, it is certain to sell real estate, & now pending in said Court, wherein Ured Easterday, Executor of the Estate of Daniel E. Easterday is Plaintiff and Ida Mae Beaver, et al., are Defendants, appointed, you appraisers of the following described real estate:

Being all of Lot No. 770 in John A. Cooke Second Addition to the Village of Richwood, Ohio.

For a more definite description, reference is made to the recorded plat of said addition in the Recorders Office at Marysville, Ohio.

Also, another parcel, being 13 ft. off of the West side of Lot No. 771 in John A. Cooke Addition to the Village of Richwood, Union County, Ohio.

The said 13 ft. extends the full length of the Lot.

For a more specific description, reference is hereby made to the recorded plat in the Recorders Office in Marysville, Ohio.

THE COL. O. S. MFG. CO 73503

13192

You are therefore ordered by said Court that without unnecessary delay and upon oath to proceed and appraise said real estate upon actual view at its fair cash value, and to make report of your proceedings to this Court and bring this Order with you.

Witness my hand and official seal at Marysville, Ohio, this 28 th. day of August, A. D., 1936.

L. W. Hazen - Probate Judge.

Oath of appraisers.

Oath of Appraisers.

State of Ohio, County of Union, ss:

On the 28 th. day of August, A. D., 1936, before me, personally appeared G. W. Howard, Chas. B. Travel and Rob't Aller, the within named, and made oath, that they did upon actual view, truly and impartially appraise at its fair cash value, the within described real estate, in pursuance of the within Order of the Probate Court of said County.

A. D. Parish - Justice of the Peace.

Repat of appraisers.

Report of Appraisers.

We do appraise the within described real estate on our oath aforesaid after having actually viewed the same at $300.00.

Witness our hands this 28 day of Aug. 1936.

G. W. Howard.
Chas. B. Travel.
Robt. Aller.

Filed Aug. 28-1936. Entry Confirming Appraisement and Dispensing with Additional Bond.

In the Probate Court of Union County, Ohio.

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, Plaintiff,

-vs-

Ida Mae Beard, et al., Defendants.

Case No. 13129.

Entry Confirming Appraisement and Dispensing with Additional Bond.

This day this matter came on to be further heard on the Repat of the appraisers heretofore herein appointed; and it appearing upon examination that said Repat is in all respects regular and correct; it is ordered that the same be and it hereby is approved and confirmed.

It is further ordered that said Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, is not required to give additional bond for the reason that the will of Daniel E. Easterday, Deceased, provides that said Executor shall be appointed without bond.

L. W. Hazen - Probate Judge.

13192 Filed Aug. 28-1936. Entry Ordering Private Sale.

Filed Aug. 28-1936. Order of Private Sale.

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In the Probate Court of Union County, Ohio.

Ted Easterday, Executor of the
Estate of Daniel E. Easterday,
Deceased,
Plaintiff,

-vs-

Ida Mae Beaver, et al.,
Defendants.

Case No. 13192.
Entry Ordering Private Sale.

It further appearing to the Court that the Plaintiff is not required to give additional bond because it is dispensed with in the Will of Daniel E. Easterday, Deceased.

And it appearing that private sale would be to the best interest of the estate, it is ordered that said Ted Easterday as such Executor sell said real estate at private sale for not less than Three Hundred Dollars ($300), being the appraised value thereof, on the following terms, to-wit: Cash upon delivery of a deed to the purchaser.

And it is further ordered that said Executor make return of the sale without unnecessary delay.

L. W. Hagen- Probate Judge.

Filed
Aug. 28-1936.
Order of
Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Ted Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Executor of the Estate of Daniel E. Easterday are Plaintiff and Ida Mae Beaver, et al. are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than Three Hundred Dollars ($300) the appraised value thereof, the following described premises, to-wit:

Being all of Lot No. 770 in John A. Cooks Second Addition to the Village of Richwood, Ohio.

For a more difinite description, reference is made to the recorded plat of said Addition in the Recorder's Office at Marysville, Ohio.

Also another parcel, being 13 ft. off of the West side of Lot No. 771 in John A. Cooks Addition to the Village of Richwood, Union County, Ohio.

The said 13 ft. extends the full length of the Lot.

For a more spcific discription, reference is hereby made to the recorded plat in the Recorder's Office in Marysville, Ohio.

Said sale to be upon the following terms: Cash upon delivery of deed to purchasers.

THE COL. S. B. MFG. CO 73503

13192

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 28th. day of August, 1936.

Seal L. W. Hazen - Probate Judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated this 28th. day of August, 1936.

Fred Easterday.

Repot of Private Sale.

In obedience to the command of the within order of sale, I did on the 28th. day of August 1936, offer said property, at private sale, and Ben Phelps and Fannie Phelps having offered therefor the sum of Three Hundred and no/100 Dollars ($300.00) and the same being not less than the appraised value of said property, I sold the same to said Ben Phelps and Fannie Phelps for that sum.

Repot of Private Sale.

Fred Easterday.

Affidavit to Repot of Private Sale.

The State of Ohio, Union County, ss:

Fred Easterday, being duly sworn, says that the private sale of property made under the within order and repated above, was made after diligent endeavor to obtain the best price for said property, and that the sale repated is for the highest price that could be obtained.

Affidavit to Repot of Private Sale

Fred Easterday.

Sworn to Before me and subscribed in my presence this 28th. day of August 1936.

A. D. Parish.
Justice of the Peace.
of Union County, Ohio.

Filed Aug. 28- 1936. Entry Confirming Sale and Ordering Distribution of Proceeds.

In the Probate Court

Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, Plaintiff,

-vs-

Ida Mae Beaver, et al., Defendants.

Case No. 13192.
Entry Confirming Sale.

This day this cause came on to be heard upon the Repot of Fred Easterday, Executor of the Estate of Daniel E. Easterday, Deceased, and this proceedings under the former Order of the Court and upon the Motion of

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said purchaser to confirm sale made in obedience to said Order; the Court having carefully examined said Report and finding the proceedings of said Petitioner in all respects correct and being satisfied that said sale was fairly and legally made, it is ordered that the sale 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 Daniel E. Easterday, deceased, in said real estate, to the purchasers Ben Phelps and Fannie Phelps, upon the said purchasers paying to the said Executor the sum of Three Hundred Dollars ($300) cash.

And now, this cause coming on further to be heard upon the pleadings herein and upon the Motion to distribute the proceeds of sale amounting to the sum of Three Hundred Dollars ($300), the Court finds there is due the Citizens Home and Savings Co. upon the mortgage set forth in its Answer and Cross Petition from the Estate of Daniel E. Easterday, the sum of One Hundred Twenty and 2/100th. Dollars ($120.02), with interest thereon at — % from the date of this Entry; that the said Daniel E. Easterday, to secure 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 funds in the hands of said Executor arising from the sale of said premises.

It is ordered that an Entry or Release and satisfaction of said mortgage lien be entered on the Records in the Office of the Recorder of Union County, Ohio, according to law.

It is further ordered that said Executor, out of money in his hands pay:

First: To the Treasurer of this County, representing taxes, penalties and interest thereon against said property $47.36.

Second: To the Executor as his regular compensation, $18.

Third: To Robert T. Allen, Attorney Fee, $42.79.

Fourth: To the Citizens Home and Savings Co. on the note and mortgage set forth and described in the Ans. and Cross Petition herein which the Court finds to be the amount due it, the sum of $120.02.

Fifth: It is further ordered that the balance of said proceeds, amounting to the sum of $ none be accounted for by said Executor according to Law. And it is further ordered that this proceeding be recorded and that said Petitioner pay the costs herein, out of the proceeds of said sale within ten days, taxed at $71.33.

L. W. Hazen - Probate Judge.

THE COL. B. B. MFG. CO. 73503

13168
Filed
Jan. 27-1937.

Petition to Complete Contract.
In the Probate Court, Union County, Ohio.

William J. Porter, Executor of the Estate of Jessie T. Cole, deceased, and Adelaide Fairbanks Causey, Dorothy Overstreet, Warren Fairbanks, Fredrick Fairbanks, Richard Fairbanks, Cornelia Sawyer, Elizabeth S. Douglass, Edward L. Sellers, all of the Beneficiaries under the Last Will and Testament of Jessie T. Cole, deceased,

Plaintiffs,

-vs-

M. E. Carmean,

Defendant.

No. 13168.
Petition.

The plaintiff, William J. Porter, says that on or about the 6th. day of May, 1936, the said Jessie T. Cole, late of the County of Union and State of Ohio, died testate, and that this plaintiff is the duly appointed, qualified and acting executor of her estate by virtue of an order of this court; the plaintiffs, Adelaide Fairbanks Causey, Dorothy Overstreet, Warren Fairbanks, Fredrick Fairbanks, Richard Fairbanks, Cornelia Sawyer, Elizabeth S. Douglass, Edward L. Sellers, are all of the beneficiaries under the Last Will and Testament of the said Jessie T. Cole, deceased.

Plaintiffs further say that the said Jessie T. Cole died seized and possessed of the legal title in fee simple to all of the following described real estate, to-wit:

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

Beginning at a gate post in the north margin of Third Street being the southwest corner of the lot hereby conveyed, and the southeast corner of a lot owned by A. Thompson and wife; thence northward on the division line between this lot and the said Thompson's lot about 317 feet, more or less, to the southwest corner of the Magnetic Springs Lot; thence eastward on the south line of said Magnetic Springs Lot, about 87 feet to the northwest corner of W. B. Cole's lot, known as the Turner lot; thence southward with the west line of said "Turner Lot" and the West line of W. J. Harbart's lot, about 317 feet to Third Street; thence with Third Street West about 87 feet to the place of beginning, Containing .70 of an acre, more or less.

Excepting therefrom .20 of an acre off the north end of said lot occupied by the right of way of the Toledo & Ohio Central Railway Company.

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Plaintiffs further say that during her lifetime, to-wit, on April 13, 1936, the said Jessie T. Cole entered into a contract in writing with one Nora Eaggleston to sell and convey to the said Nora Eaggleston in fee simple, by deed of general warranty, the aforesaid premises, which contract was in substance as follows:

That the said Jessie T. Cole would convey said real estate to the said Nora Eaggleston for the sum of $450.00, in cash, free of all encumbrances except unpaid taxes.

That thereafter, to-wit, on the 30th. day of September, 1936, the said Nora Eaggleston assigned and transferred all of her rights in said contract to the defendant, M. E. Carmean.

Plaintiffs further say that said contract was not completed by the said Jessie T. Cole during her lifetime, and that plaintiffs are desirous of completing the same, in accordance with its terms.

Wherefore, plaintiffs pray that William J. Porter as Executor of the Estate of Jessie T. Cole, deceased, may be authorized to complete said contract, and to execute a deed of general warranty for said real estate to the said M. E. Carmean, and for all other and proper relief.

Porter & Porter - Attorneys for Plaintiffs.

State of Ohio, Union County, ss:

William J. Porter, being first duly sworn, says that he is the duly appointed, qualified and acting Executor of the estate of Jessie T. Cole, deceased, and one of the plaintiffs herein, and that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

William J. Porter.

Sworn to before me and subscribed in my presence this 26th. day of January, 1937.

Seal

Le. A. Hooper - Notary Public.

Waiver.

Now comes the defendant, M. E. Carmean, and waives the issuing and service of summons and process and enters his appearance herein.

M. E. Carmean.

Filed Jan. 27-1937.

In the Probate Court, Union County, Ohio.

William J. Porter, Executor of the Estate of Jessie T. Cole, deceased, et al., Plaintiffs,

-vs-

M. E. Carmean, Defendant.

No. 13168. Entry.

THE COL. B. B. MFG. CO 73503

13168

This day this cause came on to be heard upon the petition of William J. Porter, Executor of the Estate of Jessie T. Cole, deceased, and Adelaide Fairbanks Causey, Dorothy Overstreet, Warren Fairbanks, Fredrick Fairbanks, Richard Fairbanks, Cornelia Sawyer, Elizabeth S. Douglass, and Edward L. Sellers, all of the Beneficiaries under the Last Will and Testament of Jessie T. Cole, deceased, for authority to complete a contract made by the said Jessie T. Cole, deceased, during her lifetime, to convey certain real property, and the same was submitted to the court upon the petition and the evidence.

Wherefore, the court finds that all parties in interest have duly waived the issuing and service of summons and process, voluntarily entered their appearances, and consented to the granting of the prayer of the petition, and that all parties having an interest in this cause are now properly before the court.

The court further finds that the allegations contained in the petition are true, and that the land contract therein set forth ought to be completed as prayed for.

It is therefore by the court ordered that the said William J. Porter, as Executor of the Estate of Jessie T. Cole, deceased, be and he hereby is, authorized to complete said contract; and to execute a proper deed of general warranty to the assignee of the purchaser, M. E. Carmean, for the real property in the petition described.

L. W. Hazen - Probate Judge.

13356
Filed
Mar. 22-1937.

Petition for Completion of Land Contract.

In the Probate Court of Union County, Ohio.

Carl B. Meddles, Administrator of the Estate of J. E. Meddles, Deceased,

Plaintiff,

-vs-

P. E. Meddles, an heir at law, and Adeline Meddles, his wife, Carl B. Meddles, an heir at law, unmarried, David Glassmeyer and Marie Glassmeyer,

Defendants.

Case No. 13356.
Petition for Completion of Land Contract.

Now comes the Plaintiff, Carl B. Meddles, and says he is the duly appointed, qualified and acting Administrator of the Estate of J. E. Meddles, deceased; that J. E. Meddles, deceased, had no surviving spouse; that Carl B. Meddles and P. E. Meddles are the only children and heirs at law of J. E. Meddles, deceased; that Carl B. Meddles is unmarried and that Adeline Meddles is the wife of P. E. Meddles;

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that the said J. E. Meddles died on o about the 6th. day of March 1937.

The Plaintiff further says said decedent died seized in fee simple of the following described real estate:

In Survey No. 6293, Beginning at a stake in the Middletown (Prospect) Pike N. W. corner to S. Walker's land; thence N. 14° W. 46.30 poles to a stake in said Walker's South line; thence S. 86° W. 15.2 poles to a stake in W. R. Hazen's South line; thence S. 14° E. 50 poles to a stake in the Middletown Pike; thence with the center of said pike N. 71° E. 15.04 poles to the place of beginning, containing four and one half (4½) acres, more or less. Being the same land conveyed to Jas. Landon by John McCombs, deed recorded in Book No. 45, Page 442.

Also part of Survey No. 6293 commencing in the center of the Middletown Pike, S. W. corner of land formerly owned by Amos Masters, running N. 12.20° W. 51 poles in George South line; thence with Davis's South line S. 88° W. 14.88 poles to a stake in the same line; thence with the center of Hollister Ditch S. 12.20° E. 55.60 poles to the center of a culvert in the Middletown Pike; thence with the center of the Pike N. 70° E. 16.48 poles to the place of beginning, containing five and one tenth acres, more or less. Being the same tract conveyed to Manuel Evans by S. V. R. Young, deed dated November 16, 1883, and recorded in Vol. 56, Page 299 Union County Records of Deeds.

Excepting from the above tract a tract of land now owned by Beverly Shoup and bounded and described as follows: Beginning in the center of a culvert crossing the Hollister Ditch and in the center of the Richwood and Prospect Pike; thence North along the center of said ditch 160 feet; thence in an easterly direction parallel with the said Richwood and Prospect Pike 170 feet; thence South 160 feet to the center of said Richwood and Prospect Pike; thence West along the center of said pike 184 feet to the place of beginning, containing three fourths (3/4) acres, more or less.

The Plaintiff further says that on o about the 25th. day of February 1937 said decedent entered into a contract in writing with the Defendants, David Glassmeyer and Marie Glassmeyer to sell and convey said premises to David Glassmeyer and Marie Glassmeyer by deed of general warranty, a copy of which contract is hereto attached marked "Exhibit A" and made a part hereof as though fully rewritten herein;

That J. E. Meddles was to convey the premises herein above described to David Glassmeyer and Marie Glassmeyer in consideration of the sum of $1650.00 and convey also by a deed of general warranty of a certain property owned

THE COL. B. B. MFG. CO. 73503

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by David Glassmeyer and Marie Glassmeyer, located on the East side of Beatty Ave. Richwood, Ohio, which transaction was to be completed on or before March 10, 1937 or as soon thereafter as David Glassmeyer and Marie Glassmeyer could obtain a loan on the premises herein above described.

The Plaintiff further says the real estate which David Glassmeyer and Marie Glassmeyer agreed to convey to J. E. Meddles then living and now deceased and herein above mentioned is specifically described as follows to-wit:

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

Being Lot No. 369 in Beattys Addition to the said Village of Richwood, excepting 10 feet off the South side thereof and excepting 15 feet off the east end thereof.

The Plaintiff further says said Contract was not completed by said decedent in his life time and the Plaintiff and heirs at law and David Glassmeyer and Marie Glassmeyer desire to complete the same.

Wherefore, Carl B. Meddles, Administrator of the Estate of J. E. Meddles, deceased, prays that he may be authorized to execute a deed of general warranty in pursuance thereof for and on behalf of said next of kin having the next estate of inheritance to said decedent, which shall be as binding on all persons interested, as if made by said decedent in his life time; that the court order payment to Carl B. Meddles as such Administrator of the sum of $1650.00 representing the cash consideration in said contract, out of which he shall be authorized and instructed to pay the debts of the estate of J. E. Meddles, deceased, and make proper distribution of the balance; that the court order the conveyance of the deed from David Glassmeyer and Marie Glassmeyer to the heirs at law of J. E. Meddles, deceased, that is P. E. Meddles and Carl B. Meddles; and for such other and further relief as the Plaintiff is entitled in law and equity.

Robert T. Allen - Attorney for Plaintiff.

State of Ohio, Union County, ss:

Robert T. Allen being duly sworn says he is the attorney for Carl B. Meddles, as Administrator of the Estate of J. E. Meddles, deceased, and as such duly authorized to make this oath; that the facts stated and the allegations herein contained are within his personal knowledge and true as he verily believes.

Robert T. Allen.

Sworn to before me and subscribed in my presence this 22 day of March 1937.

D. E. Egan - Notary Public.

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Waiver

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Mar. 22-1937.
Waiver

In the Probate Court of Union County, Ohio.

Carl B. Meddles, Administrator,
of the Estate of J. E. Meddles,
Deceased,
Plaintiff,

-vs-

P. E. Meddles, an heir at law,
and Adeline Meddles, his wife,
Carl B. Meddles, an heir at law,
unmarried, David Glassmeyer
and Marie Glassmeyer,
Defendants.

Case No. 13356.
Waiver.

The undersigned, parties Defendant herein, hereby waive the issuance and service of process upon us and voluntarily enter our appearance herein, further consenting to the completion of the land contract in conformity to its provisions and the allegations of the petition herein.

Carl B. Meddles.
P. E. Meddles.
Adaline Meddles.
of Union County, Ohio.

Filed
Mar. 22-1937.
Waiver

In the Probate Court
Carl B. Meddles, Administrator,
of the Estate of J. E. Meddles,
Deceased,
Plaintiff,

-vs-

P. E. Meddles, an heir at law,
and Adeline Meddles, his wife,
Carl B. Meddles, an heir at law,
unmarried, David Glassmeyer
and Marie Glassmeyer,
Defendants.

Case No. 13356.
Waiver.

The undersigned, parties Defendant herein, hereby waive the issuance and service of process upon us and voluntarily enter our appearance herein, further consenting to the completion of the land contract in conformity to its provisions and the allegations of the petition herein.

David Glassmeyer.
Marie Glassmeyer.
of Union County, Ohio.

Filed
Mar. 22-1937.
Journal Entry

In the Probate Court of
Carl B. Meddles, Administrator,
of the Estate of J. E. Meddles,
Deceased,
Plaintiff,

-vs-

P. E. Meddles, an heir at law,
and Adeline Meddles, his wife,
Carl B. Meddles, an heir at law,
unmarried, David Glassmeyer
and Marie Glassmeyer,
Defendants.

Case No. 13356.
Journal Entry.

THE COL. D. B. MFG. CO 73503

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This matter came on to be heard on the petition of Earl B. Meddles, Administrator of the estate of J. E. Meddles, deceased, in which said Administrator requested authority to complete a certain land contract made by and between J. E. Meddles and David Glassmeyer and Marie Glassmeyer, and the court being fully advised in the premises.

It is further found by the court that Earl B. Meddles and P. E. Meddles are the only heirs at law and next of kin entitled to the next estate of inheritance from the estate of J. E. Meddles, deceased, and that Earl B. Meddles is unmarried and Adelaide Meddles is the wife of P. E. Meddles.

It is further found by the court that J. E. Meddles entered into a certain land contract with David Glassmeyer and Marie Glassmeyer on or about the 25th. day of February 1937 in which J. E. Meddles agreed to convey the real estate herein after described in Tract No. I by a deed of general warranty to David Glassmeyer and Marie Glassmeyer in consideration of the sum of $1650.00 cash to be paid him by the said David Glassmeyer and Marie Glassmeyer and for the further consideration of their conveyance to him by a general warranty deed of the real estate hereinafter described as Tract No. II; that said contract was to be completed on or before March 10, 1937 or at such time as David Glassmeyer and Marie Glassmeyer could obtain a loan of $1650.00 upon the real estate described in Tract No. I.

It is further found by the court that Tract No. I is specifically described as follows to-wit:

Tract No. I.

In Survey No. 6293 Beginning at a stake in the Middletown (Prospect) Pike S. W. corner to S. Walker's land; thence N. 14° W. 46.30 poles to a stake in said Walker's South line; thence S. 86° W. 15.2 poles to a stake in W. R. Hazen's South line; thence S. 14° E. 50 poles to a stake in the Middletown Pike; thence with the center of said pike N. 71° E. 15.04 poles to the place of beginning, containing four and one half acres, more or less. Being the same land conveyed to Jas. Landon by John McCombe, deed recorded in Book No. 46, Page 442.

Also part of Survey No. 6293 commencing in the center of the Middletown Pike, S. W. corner of land formerly owned by Amos Masters, running N. 12.20° W. 51 poles in George South line; thence with Davis's South line S. 88° W. 14.88 poles to a stake in the same line; thence with the center of Hollister Ditch S. 12.20° E. 55.60 poles to the center of a culvert in the Middletown Pike; thence with the center of the Pike N. 70° E. 16.48 poles to the place of beginning, containing five and one tenth acres,

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more or less. Being the same tract conveyed to Manuel Evans by S. V. R. Young, deed dated November 16, 1883, and recorded in Vol. 56, Page 299, Union County Records of Deeds.

Excepting from the above tract a tract of land now owned by Beverly Thorpe and bounded and described as follows: Beginning in the center of a culvert crossing the Hollister Ditch and in the center of the Richwood and Prospect Pike; thence North along the center of said ditch 160 feet; thence in an easterly direction parallel with the said Richwood and Prospect Pike 170 feet; thence South 160 feet to the center of said Richwood and Prospect Pike; thence west along the center of said pike 184 feet to the place of beginning, containing three fourths (3/4) acres, more or less.

It is further found by the court that Tract No. II is specifically described as follows to-wit:

Tract No. II.

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

Being Lot No. 369 in Beatty's Addition to the said Village of Richwood, excepting 10 feet off the South side thereof and excepting 15 feet off the East end thereof.

It is further found by the court that Carl B. Meddles, P. E. Meddles, Adeline Meddles, David Glassmeyer and Marie Glassmeyer have waived the issuance and service of summons and voluntarily entered their appearance herein and further consented to its terms and the allegations contained in the petition herein, and that David Glassmeyer and David E. Glassmeyer are one and the same person.

It is therefore ordered, adjudged and decreed that Carl B. Meddles, Administrator of the estate of J. E. Meddles, deceased, is hereby authorized, empowered and instructed to execute and deliver a proper deed of conveyance of the real estate herein above described in Tract No. I to David Glassmeyer and Marie Glassmeyer, clear and free from incumbrances; to accept and collect from David Glassmeyer and Marie Glassmeyer upon the delivery of said deed the sum of $1650.00 in cash which sum shall be chargeable to him as such Administrator and of which he shall make proper distribution and accounting to this court.

It is further ordered, adjudged and decreed that a proper deed of conveyance shall be made by David Glassmeyer and Marie Glassmeyer of the real estate herein above described in Tract No. II, clear and free from incumbrances, to Carl B. Meddles and P. E. Meddles, as the only heirs at law and next of kin of J. E. Meddles, deceased.

L. W. Hazen - Judge.

THE COL. B. B. MFG. CO 73503

11203
Filed
Mar. 10-1937.

In the Matter of The Trusteeship of Walter C. Mullington, Deceased.
In the Probate Court of Union County, Ohio.
In the Matter of The Trusteeship of: Walter C. Mullington, Deceased. | No. 11203 - Application for an Order Authorizing the Sale of Real Estate.

Now come J. M. Lentz and R. D. Henderson, Trustees herein, and respectfully represent to the court that under the provisions of Item 5th. of the Will of said decedent the real estate hereinafter described was devised to the said J. M. Lentz and R. D. Henderson, in trust, and that under the provisions of said Item of said will said trustees were and are empowered to sell said real estate with or without an order of the court therefor, in whole or in part, at public or private sale, in such manner and upon such terms of credit as they might see fit, and were further authorized and directed to deliver to the purchaser a good and sufficient deed therefor.

That the said J. M. Lentz and R. D. Henderson, as such trustees, are the owners of the following described real estate, to-wit:

Situated in the State of Ohio, County of Union and Township of Union, and being a part of Virginia Military Surveys Nos. 4807, 7474 and 7926.

Commencing in the center of the Post Road and S.W. corner to a 29 acre tract of land owned by J. S. Gault; thence with four consecutive lines of said Gault's land North 14° 15' East 153 poles to a stone; thence South 80° 15' East 40 poles to a stone; thence N. 10° 15' E. 100 poles to a stone; thence South 64° East 39.80 poles to a stone corner to the lands of Henry J. Wolfe; thence with the said Wolf's land North 42° 45' East 170.44 poles to a stake in the line of lands owned by W. C. and Anna M. Wolf; thence with two consecutive lines of the said W. C. and Anna M. Wolf's land, North 28° 15' West 126.80 poles to an iron pipe; thence North 59° East 13.60 poles to an iron pipe in the North line of Survey #4807; thence with said Survey line North 79° 68 poles to an iron pipe; thence South 14° 15' West 169.90 poles to an iron pipe; thence North 80° 15' West 67.83 poles to an iron pipe; thence South 14° 30' West 221.20 poles to the center of the said Post Road (an iron pipe bears North 14° 13' East 30'); thence with the center of said Post Road South 82° East 122.35 poles to the place of beginning, containing 289 acres, more or less, 227 acres in Survey 4807; 30 acres in Survey 7474, and 32 acres in Survey 7926.

That said real estate is eyumbered by a mortgage for $10,000.00, and that said trustees have other debts amounting to about $ ____ that they have an offer from one E. L. Grove & Glenna M. Grove to purchase said real estate for the sum of $24,000.00; that they believe it would be for the best interests of said estate

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Consent.

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and of Jamie Tullington Fowler, the sole beneficiary thereof, to sell said real estate to the said E. L. Grope and Glenna M. Grose for said sum of $24,000.00.

That the said Jamie Tullington Fowler, the sole beneficiary of said trust, has consented and agreed to the sale of said real estate as above set forth, and these trustees do therefore ask the court for an order authorizing and directing them to sell said real estate to the said E. L. Grose and Glenna M. Grose for the sum of $24,000.00, and to make, execute and deliver to the said E. L. Grose and Glenna M. Grose, a deed of general warranty therefor.

Hooper & Sanders -
Attorneys for Trustees.

State of Ohio, Union County, ss:

J. W. Lentz, being first duly sworn, says that he is one of the Trustees herein, and that the facts stated and allegations contained in the foregoing application are true as he verily believes.

J. W. Lentz.

Sworn to before me and subscribed in my presence this 24th. day of February, 1937.

Seal E. A. Hooper - Notary Public.

Filed Mar. 10-1937. Consent.

In the Probate Court of Union County, Ohio.

In the Matter of The Trusteeship of: Walter E. Tullington, Deceased. | No. 11203. Consent.

Now comes Jamie Tullington Fowler, sole beneficiary of said trust, and does hereby consent and agree to the sale of the real estate hereinafter described, by J. W. Lentz and T. D. Henderson, Trustees herein, to E. L. Grose and Glenna M. Grose, for the sum of $24,000.00, and does hereby join with said trustees in asking this court for an order authorizing and directing said Trustees to sell said real estate as above set forth.

Said real estate is described as follows:

Situated in the State of Ohio, County of Union and Township of Union, and being a part of Virginia Military Surveys Nos. 4807, 7774 and 7926.

Commencing in the center of the Post Road and S. W. corner to a 29 acre tract of land owned by J. G. Gault; thence with four consecutive lines of said Gault's land North 14° 15' East 153 poles to a stone; thence South 80° 15' East 40 poles to a stone; thence North 10° 15' E. 100 poles to a stone; thence South 64° East 39.80 poles to a stone corner to the lands of Henry J. Wolfe; thence with the said Wolf's land North 42° 45' East 40.44 poles to a stake in the line of lands owned by W. E. and Anna M. Wolf; thence with two consecutive lines of the said W. E. and Anna M. Wolf's land, North 28° 15' West

THE COL. B. B. MFG. CO. 73503

11203

126.80 poles to an iron pipe in the North line of Survey #4807; thence with said Survey line North 79° 68 poles to an iron pipe; thence South 14° 15' West 169.90 poles to an iron pipe; thence North 80° 15' West 67.83 poles to an iron pipe; thence South 14° 30' West 221.20 poles to the center of the said Post Road (an iron pipe bears North 14° 13' East 30'); thence with the center of said Post Road South 82° East 122.35 poles to the place of beginning, containing 289 acres, more or less, 227 acres in Survey 4807; 30 acres in Survey 7474, and 32 acres in Survey 7926.

Signed in the presence of:
Florence W. Lentz.
J. M. Lentz.

Janie Pullington Fowler.

Filed
Mar. 10 - 1937.
Entry.

In the Probate Court of Union County, Ohio.
In the Matter of The Trusteeship of:
Walter C. Pullington, Deceased.
No. 11203.
Entry.

This day this cause came on to be heard upon the application of J. M. Lentz and T. D. Henderson, trustees herein, for an order authorizing and directing them to sell the real estate hereinafter described to E. L. Grove and Glenna M. Grove for $24,000.00, and upon the waiting consent to said sale by Janie Pullington Fowler, sole beneficiary of said trust, for the consideration above set forth, and was submitted to the court.

And the court being fully advised in the premises, finds that under the provisions of Item 5th. of the Will of said decedent the real estate hereinafter described was devised to the said J. M. Lentz and T. D. Henderson, in trust; and that under the provisions of said Will said trustees were and are empowered to sell said real estate with or without an order of the court therefor, in whole or in part, at public or private sale, in such manner and upon such terms of credit as they might see fit, and were further authorized and directed to deliver to the purchaser a good and sufficient deed therefor.

The court further finds that said real estate is encumbered by a mortgage for $10,000.00, and that said trustees have other debts amounting to about $ ——, and that they have an offer from one E. L. Grove and Glenna M. Grove, to purchase said real estate for the sum of $24,000.00.

The court further finds that the said J. M. Lentz and T. D. Henderson, as such trustees, are the owners of the following described real estate, to-wit:

Situated in the State of Ohio, County of Union and Township of Union, and being a part of Virginia Military Surveys Nos. 4807, 7474 and 7926.

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Attorneys.

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Commencing in the center of the Post Road and S. W. corner to a 29 acre tract of land owned by J. S. Gault; thence with four consecutive lines of said Gault's land North 14° 15' East 103 poles to a stone; thence South 80° 15' East 40 poles to a stone; thence N. 10° 15' E. 100 poles to a stone; thence South 64° East 39.80 poles to a stone corner to the lands of Henry J. Wolfe; thence with the said Wolf's land North 42° 45' East 40.44 poles to a stake in the line of lands owned by W. E. and Anna M. Wolf; thence with two consecutive lines of the said W. E. and Anna M. Wolf's land, North 28° 15' West 126.80 poles to an iron pipe; thence North 59° East 13.60 poles to an iron pipe in the North line of Survey # 4807; thence with said Survey line North 79° 68 poles to an iron pipe; thence South 14° 15' West 169.90 poles to an iron pipe; thence North 80° 15' West 67.83 poles to an iron pipe; thence South 14° 30' West 221.20 poles to the center of the said Post Road (an iron pipe bears North 14° 13' East 30'); thence with the center of said Post Road South 82° East 122.35 poles to the place of beginning, containing 289 acres, more or less, 227 acres in Survey 4807; 30 acres in Survey 7474, and 32 acres in Survey 7926.

And the Court therefore finds that it would be for the best interests of said trust and of said beneficiary thereof to sell said real estate to said E. L. Grove and Glenna M. Grove for the sum of $24,000.00, and the said J. W. Lentz and R. D. Henderson, as trustees, are hereby authorized and directed to sell said real estate to the said E. L. Grove, Glenna M. Grove for said sum of $24,000.00, and to execute a deed of general warranty therefor to the purchaser.

L. W. Hazen - Probate judge.

13082
Filed
Feb. 24-1936. T. K. McDaniel, as Administrator
Hume & McAlister of the estate of Josephine McDaniel,
Attorneys. Deceased, Plaintiff,

-vs-

T. K. McDaniel & Leah McDaniel, his wife;
E. E. McDaniel & Wanda McDaniel, his wife;
L. W. McDaniel & Doris K. McDaniel, his wife;
M. L. McDaniel & Irma G. McDaniel, his wife;
J. A. McDaniel & Ada L. McDaniel, his wife;
John Allen McDaniel & Elva G. McDaniel, his wife;
Almeda M. Hopworth & William J. Hopworth, her husband; Leila M. Volk & Samuel B. Volk, her husband; and Letta B. Brobeck,
Defendants.

Petition to Sell Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

No. 13082,
Civil Action.
Petition to Sell Real Estate.
Petition.

THE COL. B. B. MFG. CO. 73503

13082

The plaintiff is the duly appointed, qualified and acting Administrator of the estate of Josephine McDaniel, deceased, late of this County; as near as can be ascertained the amount of the valid debts against said deceased is Five Thousand Dollars and the costs of administering the estate will be about Two Hundred Dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at Two Thousand Four Hundred Eighty One Dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts, allowance and costs aforesaid.

Said decedent died seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and further described as follows:

Situated in the County of Union, in the State of Ohio, and in the Village of Richwood, and part of Survey No. 6307, bounded and described as follows:

Being all of the Lot No. One Hundred Forty Two (142) in said Village of Richwood, excepting the west twenty four (24) feet throughout of said Lot conveyed by Josephine Mc Daniel, to Arthur S. Baker, by deed of record in Vol. 98, Page 473, Deed Records of Union County, Ohio, and further excepting the east eight (8) feet throughout of said Lot conveyed by Josephine Mc Daniel to Payton M. Welch by deed of record in Vol. 110, Page 427, Deed Records of said Union County.

Said real estate was included in the inventory of the estate, pursuant to the order of this Court and appraised at Two Thousand Fifty Dollars.

Said real estate is encumbered as follows: None.

The defendants, T. K. Mc Daniel, E. E. Mc Daniel, L. W. Mc Daniel, M. L. Mc Daniel, J. A. Mc Daniel, John Allen Mc Daniel, Almeda M. Hayworth, Leila M. Volk and Letta B. Brobeck, are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having interest therein.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

Humes & McAllister,
Attorney for the Plaintiff.

13082

Filed Feb. 24-1936. Waiver of Summons and Consent to Sell.

13082

Filed Feb. 24-1936. Waiver of Summons and Consent to Sell.

13082

The State of Ohio Union County.

T. K. Mc Daniel, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

T. K. Mc Daniel.

Sworn to before me and signed in my presence by the said T. K. Mc Daniel, at Richwood, Ohio, this 17th. day of February, 1936.

Fred T. A. Mc Allister - Notary Public.

Filed Feb. 24-1936. Waiver of Summons and Consent to Sell.

Waiver of Summons on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

T. K. Mc Daniel, as Administrator of the estate of Josephine Mc Daniel, Deceased, Plaintiff,

-vs-

T. K. Mc Daniel, et al., Defendants.

No. 13082.
Proceeding to Sell Real Estate.
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.

February 24th. A.D. 1936.

Almeda M. Hopworth.
William I. Hopworth.
Leila M. Volk.
Samuel B. Volk.
Letta B. Brobeck.

Filed Feb. 24-1936. Waiver of Summons and Consent to Sell.

Waiver of Summons on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

T. K. Mc Daniel, as Administrator of the estate of Josephine Mc Daniel, Deceased, Plaintiff,

-vs-

T. K. Mc Daniel, et al., Defendants.

No. 13082.
Proceeding to Sell Real Estate.
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.

February 24th. A.D. 1936.

THE COL. A. B. MFG. CO. 73503

13082

Filed Feb. 24-1936. Journal Entry Dispensing with a New Appraisement and Ordering Bond.

E. E. Mc Daniel, Wanda Mc Daniel, L. W. Mc Daniel,
Doris K. Mc Daniel, M. L. Mc Daniel, Truca G. Mc Daniel,
J. A. Mc Daniel, Ada L. Mc Daniel, T. K. Mc Daniel,
Leah Mc Daniel, John Allen Mc Daniel, Elva G. Mc Daniel.

Journal Entry / Proceeding to Sell Real Estate.

Probate Court, Union County, Ohio.

T. K. Mc Daniel, as Administrator of the estate of Josephine Mc Daniel, Deceased, Plaintiff,

-vs-

T. K. Mc Daniel, et al. Defendants.

Feb. 24th. 1936. Dispensing with a New Appraisement and Ordering Bond.

This day T. K. Mc Daniel, Administrator of the estate of Josephine Mc Daniel, deceased, filed in this Court his petition praying for the sale of the real estate therein described, to pay the debts of said estate and it appearing that all of the defendants, have waived the issuance and service of summons and entered their appearance as such defendants and consented to the sale of the real estate described in the petition, according to the prayer of the same; thereupon this matter came on to be heard upon the petition of plaintiff and the evidence; The Court finds from the evidence that all necessary parties are before the Court and that the prayer of the petition should be granted; that the real estate described in the petition was appraised by the appraisers of the estate at Two Thousand Fifty Dollars, and that a further appraisement is dispensed with.

The Court further finds that the bond heretofore given by the plaintiff as Administrator of the estate of Josephine Mc Daniel, in the amount of Four Thousand Dollars is insufficient and is ordered that he file an additional bond with sufficient sureties to be approved by this Court in the sum of Forty Three Hundred Dollars, and this cause is continued.

L. W. Hazen- Probate Judge.

Filed Feb. 24-1936. Bond of Administrator.

Bond of Administrator.

Know All Men by these Presents; That we, T. K. Mc Daniel, T. E. Riley, A. D. Papich and J. E. Langstaff are held and firmly bound unto the State of Ohio, in the penal sum of Forty Three Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Richwood, Ohio, this 24th. day of February, A. D. 1936.

The condition of the above obligation is such, that whereas, the above bound T. K. Mc Daniel was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Administrator of the estate of Josephine Mc Daniel, Deceased.

13082

Filed Feb. 24-1936. Journal Entry. Approving Additional Bond and Ordering Private Sale.

13082

And whereas, the said T. K. Mc Daniel as such Administrator has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Josephine Mc Daniel described in said petition;

And whereas said Court, on the — day of February 1936, made an order requiring said Administrator to execute a bond according to the statute in such cases made and provided.

Now, if the said T. K. Mc Daniel, as Administrator aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

T. K. Mc Daniel.
T. E. Riley.
A. D. Parish.
J. E. Langstaff.

This Bond approved in open Court, this 24 day of Feby. 1936.

L. W. Hazen - Probate Judge.

Journal Entry - Proceeding to Sell Real Estate. Probate Court, Union County, Ohio.

T. K. Mc Daniel, as Administrator of the estate of Josephine Mc Daniel, Deceased,

Plaintiff,

-vs-

T. K. Mc Daniel, et al.

Defendants.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Forty Three Hundred Dollars, with approved sureties conditioned according to Law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said estate to sell the real estate described in the petition at private sale, it is now ordered that T. K. McDaniel as such Administrator, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash in hand.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed Feb. 24-1936. Journal Entry. Approving Additional Bond and Ordering Private Sale.

Feb. 24-1936. Approving Additional Bond and Ordering Private Sale

THE COL. B. B. MFG. CO. 73503

13082
Filed
Feb. 24- 1936.
Order of
Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To T. K. McDaniel, Administrator of the estate of Josephine McDaniel, deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Administrator of the Estate of Josephine Mc Daniel, dec'd., are Plaintiff, and T. K. McDaniel, et. al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than the appraised value thereof the following described premises to-wit: Situated in the County of Union, in the State of Ohio, and in the Village of Richwood, and part of Survey No. 6307, bounded and described as follows:-

Being all of Out Lot No. One Hundred Forty Two (142) in said Village of Richwood, excepting the west twenty four (24) feet throughout of said lot conveyed by Josephine Mc Daniel to Arthur E. Baker, by deed of record in Vol. 98, Page 493, Deed Records of Union County, Ohio, and further excepting the east eight (8) feet throughout of said lot conveyed by Josephine Mc Daniel to Payden M. Welch by deed of record in Vol. 110, Page 427, Deed Records of said Union County.

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 24th. day of February, A. D. 1936.

Seal

L. W. Hazen- 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.

Return.

Dated the 24th. day of February, 1936.

T. K. Mc Daniel- Administrator.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the — day of February 1936, offer said property, at private sale, and J. Lorrell Miller having offered therefor the sum of Twenty One Hundred Fifty Dollars ($2150.00) and the same being not less than the appraised value of said property, I sold the same to said J. Lorrell Miller for that sum.

Report of Private Sale.

T. K. Mc Daniel.

13082

affidavit to Report of Private Sale.

Filed
Feb. 24- 1936.
Journal Entry.
Confirming Sale,
Ordering Deed
and Distribution.

13082

Affidavit to Repot of Private Sale.

State of Ohio, Union County, ss.

T. K. McDaniel, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

T. K. McDaniel - Administrator.

Subscribed in my presence and sworn to before me this 24th. day of February 1936.

Seal

T. A. McAllister - Notary Public.

Affidavit to Repot of Private Sale.

Filed Feb. 24 - 1936. Journal Entry. Confirming Sale, Ordering Deed and Distribution.

Journal Entry - Proceeding to Sell Real Estate.

Probate Court, Union County, Ohio.

T. K. McDaniel, as Administrator of the estate of Josephine McDaniel, Plaintiff,

-vs-

T. K. McDaniel, et. al., Defendants.

Feb. 24 - 1936. Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the repot of T. K. McDaniel, Administrator of the estate of Josephine McDaniel, dec'd., of this 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; the Court having carefully examined said repot, 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 Josephine McDaniel in said real estate, to the purchaser, J. Lorell Miller, upon the said purchaser paying the said purchase price in full. And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Twenty One Hundred and fifty ($2150.00) Dollars.

It is further ordered that said Administrator, pay out the money in his hands, according to law.

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

L. W. Hazen - Probate judge.

THE COL. B. B. MFG. CO 73503

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Filed
Mar. 15-1937.
Richard C. Thall
Attorney.

Petition to Sell Real Estate.

In the Probate Court of Union County, Ohio.

Lutrelle Aumine, Administrator of the Estate of Josiah W. Aumine, deceased,

Plaintiff,

-vs-

Grover C. Aumine, Lottie Aumine, Lutrelle Aumine, Mae Aumine, Donald Aumine, Lola Aumine, Gertrude Rogers, Frank Rogers, Byron Aumine and Addison J. Lee,

Defendants.

Case No. 13361.
Petition.

The plaintiff is the duly appointed, qualified and acting Administrator of the estate of Josiah Aumine, deceased, late of this county; as near as can be ascertained the amount of valid debts against said deceased is One Thousand Dollars. The costs of administering the estate will be about two hundred dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at fifteen dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts and costs aforesaid.

That the said Josiah W. Aumine was married to one Emma C. Aumine who died on July 21, 1932. That the said Josiah W. Aumine and Emma C. Aumine were the owners, in fee simple of an undivided one half interest each, in the following described real estate, situated in the County of Union, State of Ohio, and further described as follows:

Being located in Paris Township and a part of Survey No. 5390.

Beginning at a stake in the center of the Marysville and Marion Approved Road where the north line of said Survey crosses said road; thence S. 82½ W. 30 poles to a stake; thence S. 40° W. 30 poles to a stone; thence S. 40° E. 28 poles to a stone in the center of said Road and 28.40 poles from the beginning corner; thence with the center of said Road S. 25½° W. 39 poles to a stake, corner to a tract of land conveyed by D. C. Bothins to E. J. Evans on April 15, 1884; thence with two consecutive lines of said land S. 82° E. 27.40 poles to a stone and thence N. 82° E. 45.56 poles to a stake and stone, a corner to said Evans land and in the west line of the W. S. Lee land; thence with said line N. 7½° W. 68 poles to a stone in the north line of said Survey No. 5390; thence with said line S. 82½ W. 30.84 poles to the place of beginning.

Containing 23 acres, more or less.

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That at the time of her decease said Emma C. Aurine left as her heirs at law and next of kin the following persons; Josiah W. Aurine, her husband; Luthelle Aurine and Grover C. Aurine who were her sons and Donald Aurine; Byron Aurine and Gertrude Rogers children of a deceased child. That said Emma C. Aurine died intestate and that there was no administration of her estate.

That because of the inheritance by them said parties were the owners of the following respective shares and interests in the above described real estate:

Josiah W. Aurine, husband, owned an undivided two-thirds.
Luthelle Aurine owned an undivided one-ninth.
Grover C. Aurine owned an undivided one-ninth.
Donald Aurine owned an undivided one-twenty-seventh.
Byron Aurine owned an undivided one-twenty-seventh.
Gertrude Aurine Rogers owned an undivided one-twenty-seventh.

That it is not possible to sell the two-thirds interest of said Josiah W. Aurine to pay his debts without grave and manifest injury to his estate, and to his creditors.

That during their lifetime said Josiah W. Aurine and Emma C. Aurine executed and delivered to the defendant, Addison J. Lee, their promissory note dated April 26, 1930 for $500.00 at 6% interest and secured by a mortgage upon the real estate above described, which mortgage is unpaid.

That said real estate was included in the inventory of the estate, pursuant to the order of this court and the interest of said Josiah Aurine was appraised at $1167.00; - the appraisal of the entire property being $1700.00.

The defendants, Luthelle Aurine; Grover C. Aurine; Donald Aurine; Byron Aurine and Gertrude Rogers are all the heirs or persons entitled to the next estate of inheritance from the decedent in said real estate and having interest therein. That the defendant Mae Aurine is the wife of Luthelle Aurine; the defendant Lottie Aurine is the wife of Grover C. Aurine and the defendant Frank Rogers is the husband of Gertrude Rogers, while the defendant Lola Aurine is the wife of Donald Aurine.

That the defendant Addison J. Lee claims some interest in said real estate by virtue of said mortgage above mentioned.

That no other persons have any interest in said real estate.

Wherefore plaintiff prays that said real estate be sold, including the fractional interests of the heirs of Emma C. Aurine, whose interests be transferred to the proceeds of such sale; that the rights, titles, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and

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ordered to sell said real estate according to the statutes in such case made and provided and for such other and further relief as may be just and proper.

Richard C. Thrall - Attorney for Plaintiff.

The State of Ohio, Union County, ss.

Lutrelle Aurine, being first duly sworn, says that he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he freely believes.

Lutrelle Aurine.

Sworn to and signed before me, this 15th. day of March 1937.

Seal

Richard C. Thrall - Notary Public.

Filed Mar. 15-1937. Waiver of Summons and Consent to Sell.

Waiver of Summons on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Lutrelle Aurine, Administrator of the Estate of Josiah Aurine. | No. 13361 | Proceeding to Sell Real Estate. | 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.

March 15th. A. D. 1937.

Lutrelle H. Aurine.
Mae Aurine.
Gertrude S. Rodgers.
T. M. Rodgers.
Byron H. Aurine.
Zola Aurine.
Donald L. Aurine.
Grover C. Aurine.
Lottie Aurine.
A. J. Lee.

Filed Mar. 20-1937. Entry Dispensing with Appraisement and Ordering New Bond

In the Probate Court of Union County, Ohio.

Lutrelle Aurine, Administrator of the Estate of Josiah Aurine, Deceased, Plaintiff, -vs- Grover C. Aurine, et. al., Defendants.

Case No. 13861. Entry.

This matter came on to be heard on the petition of the plaintiff to sell real estate of the above decedent to pay his debts and also showing that said real estate is a fractional interest and praying that the entire estate be

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Filed Mar. 20-1937. Bond of Administrator.

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sold, and all parties defendant having waived the issuance and service of summons and consenting to such sale, the Court hereby finds:

That all necessary parties are before the Court and that the prayer of the petition should be granted. That the said Josiah Aumine owned an undivided two-thirds interest in the real estate described in the petition and that the heirs of Emma C. Aumine, former wife of said Josiah Aumine own the remaining one-third; that all of such heirs are parties hereto and have consented to the sale of the entire interest in said real estate and asked that their interests therein be transferred to the proceeds of such sale.

It is therefore ordered that the entire interest in said real estate be sold and not merely the fractional interest of the said Josiah Aumine.

That the real estate described in the petition having been appraised at $1700.00 a further appraisement is dispensed with.

It is further ordered That said Administrator file an additional bond with sufficient sureties in the sum of $2000.00 and this cause is hereby continued.

L. W. Hazen - Probate Judge.

Filed Mar. 20-1937. Bond of Administrator.

Bond of Administrator.

Know all Men by these Presents: That we, Lutrelle Aumine; Mae Aumine and Richard C. Thrall are held and firmly bound unto the State of Ohio, in the penal sum of Two Thousand Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 20th. day of March, A. D. 1937.

The condition of the above obligation is such, That whereas, the above bound Lutrelle Aumine was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Administrator of the estate of Josiah Aumine, Deceased.

And, whereas, the said Lutrelle Aumine as such Administrator has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Josiah Aumine described in said petition;

And whereas said Court, on the 20th. day of March 1937, made an order requiring said Administrator to execute a bond according to the statute in such cases made and provided;

Now, if the said Lutrelle Aumine as Administrator aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

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Lutrelle Aumine.
Mae Aumine.
Richard C. Thrall.

This Bond approved in open Court, this 20th. day of March, 1937.

L. W. Hazen- Probate Judge.

Filed Mar. 20-1937. Journal Entry approving Additional Bond and Ordering Private Sale.

Bond

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Lutrelle Aumine, Administrator of the Estate of Josiah Aumine
Plaintiff,
-vs-
Grover C. Aumine, et. al.,
Defendants.

March 20 - 1937.
Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Two Thousand Dollars, with approved sureties, conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said estate to sell the real estate described in the petition at private sale, it is now ordered that Lutrelle Aumine as such Administrator, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash in hand. And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen- Probate Judge.

Filed Mar. 20-1937. Application to Sell at Private Sale.

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

Lutrelle Aumine, Administrator of the estate of Josiah Aumine,
Plaintiff,
-vs-
Grover C. Aumine, et. al.,
Defendants.

No. 13861.
Application.

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:

1. The expense and delay of public sale can be avoided.
2. The property must sell for the appraised value instead of two-thirds thereof as might happen at public sale.
3. A purchaser has been found who will pay such appraised value.

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

Lutrelle Aumine - Administrator of the estate of Josiah Aumine, Deceased.

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The State of Ohio, Union County.

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

Lutrelle Aumine.

Sworn to before me and signed in my presence this 19th. day of March, A. D. 1937.

Seal Richard C. Thrall - Notary Public.

Affidavit of Disinterested Person.

The State of Ohio, Union County.

Clifton L. Caryl and Mary D. Rupright, 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 refered 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.

Clifton L. Caryl.
Mary D. Rupright.

Sworn to before me and signed in my presence this 19th. day of March, 1937.

Seal Richard C. Thrall - Notary Public.

Filed Mar. 20-1937. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Lutrelle Aumine, Administrator of the Estate of Josiah Aumine, Deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Administrator are Plaintiff and Grover C. Aumine, et al. are Defendants, you are commanded to proceed according to law to sell at Private Sale, for not less than the appraised value thereof, the following described premises, to-wit:

Situated in the County of Union, State of Ohio, Township of Paris and a part of Survey No. 5390.

Beginning at a stake in the center of the Marysville and Marion Improved Road where the north line of said Survey crosses the said road; thence S. 82½ W. 30 poles to a stake; thence S. 40° W. 30 poles to a stake; thence S. 40° E. 28 poles to a stone in the center of said Road and 28.40 poles from the beginning corner; thence with the center of said road S. 25½ W. 39 poles to a stake, corner to a tract of land conveyed by D. C. Bothens to E. J. Evans on April 15, 1884; thence with two consecutive lines of said land S. 82° E. 27.40 poles to a stone and thence N. 82° E. 45.66 poles to a stake and stone, a corner to said Evans land and in the west line of the W. S. Lee land; thence with said land line N. 7½° W. 65 poles to a stone in the north

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line of said Survey No. 5890; thence with said line S. 82½° W. 30.84 poles to the place of beginning.

Containing 28 acres, more or less.

Said sale to be upon the following terms: Cash in hand at time of sale.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 20th. day of March 1937.

Seal

L. W. Hazen - Probate Judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 20th. day of March 1937.

Lutrelle Aumine -
Administrator as aforesaid.

Repat of Private Sale.

In obedience to the command of the within order of sale, I did on the 20th. day of March 1937, offer said property, at private sale, and P. M. Fox having offered therefor the sum of Seventeen hundred Dollars ($1700.00) and the same being not less than the appraised value of said property, I sold the same to said P. M. Fox for that sum.

Repat of Private Sale.

Lutrelle Aumine.

Affidavit to Repat of Private Sale.

The State of Ohio, Union County, ss.

Lutrelle Aumine, being duly sworn, says that the private sale of property made under the within order and repated above, was made after diligent endeavor to obtain the best price for said property, and that the sale repated is for the highest price that could be obtained.

Affidavit to Repat of Private Sale.

Lutrelle Aumine.

Sworne to before me and subscribed in my presence, this — day of March, 1937.

Richard C. Thrall - Notary Public.

Seal

Filed Mar. 20-1937. Journal Entry Confirming Sale Ordering Deed and Distribution.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court
Union County, Ohio.

Lutrelle Aumine as Administrator of the Estate of Josiah Aumine, Plaintiff,

-vs-

Grover C. Aumine, et al, Defendants.

Mar. 20 - 1937.
Confirming Sale, Ordering Deed and Distribution.

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This day this cause came on to be heard on the report of Lutrelle Aurine, Administrator of the estate of Josiah Aurine, & his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Josiah Aurine and the heirs of Emma C. Aurine in said real estate, to the purchaser, P. M. Fox. 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 Seventeen hundred & no/100 Dollars &. The Court finds that there is due to the said Addison J. Lee upon note, from the estate of said Josiah Aurine and Emma C. Aurine the sum of Six hundred and twenty-six & 21/100 Dollars, with interest thereon at 8 per centum from the date of this entry; that the said Josiah Aurine, and said Emma C. Aurine spouse, 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 funds in the hands of said administrator arising from the sale of said premises. It is ordered that an entry of release and satisfaction of said mortgage lien be entered on record in the office of the recorder of Union County, Ohio, according to law.

It is further ordered that said administrator out of the money in his hands, pay:

First, the costs and expenses of the sale, including an Attorney fee of $88.00 to Richard C. Thrall for services performed for the fiduciary in connection with the sale and the sum of $88.00 to the fiduciary for his services in connection with the sale, which costs, expenses, fees and compensation shall be paid prior to any liens upon the real estate sold and notwithstanding the purchase of such real estate by a lien holder.

Second, to the payment of taxes, penalties, and assessments then due, against such real estate and to the payment of mortgages and judgments against the ward or deceased person, according to their respective priorities of lien, so far as they operated as a lien on the real estate of the deceased at the time

THE COL. B. B. MFG. CO. 73503

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of the sale or on the estate of the ward at the time of the sale; which shall be apportioned and determined by the Court, or on reference to a master or otherwise.

Third, the remaining proceeds of sale to be applied as follows:

(a) If the action be to sell real estate to pay legacies to the payment of legacies with which the real estate of the deceased was charged;

(b) To discharge the claims and debts of the estate, in the order provided by law;

(c) Whether such executor or administrator was appointed in this state or elsewhere, the surplus of the proceeds of sale must be considered as real estate and be disposed of accordingly.

Fourth, in case of a guardian, in the manner and upon the terms approved by the Court where he was appointed. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $ ——, out of the proceeds of said sale, within ten days.

L. W. Hazen - Probate Judge.

13179
Filed
June 22-1934.
Hooper & Sanders
Attorneys.

Petition to Sell Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

Paul W. Warren, Executor of the Estate of Zellah M. Warren, Deceased, Plaintiff,

-vs-

Paul W. Warren, Ina H. Warren, his wife, and the Richwood Public Library, and The Division of Aid for the Aged in the Dept. of Public Welfare of the State of Ohio, as Trustee, Defendants.

No. 13179.
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting Executor of the estate of Zellah M. Warren deceased, late of this County; as near as can be ascertained the amount of the valid debts against said deceased is six Hundred Dollars.

An allowance of — Dollars was made by the appraisers of the above estate to the widow and children for twelve months.

And the costs of administering the estate will be about One Hundred Dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at Fifty Dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to

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pay the debts, allowance and costs aforesaid.

Said deadent did seized in fee simple of the following described real estate, situated in the County of Union, State of Ohio, and further described as follows:

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

Being Lots Number 177 and part of Lot 178 in Hugh T. Hogan's addition to the said Village of Richwood.

Said real estate was included in the inventory of the estate, pursuant to the order of this Court and appraised at Five Hundred Dollars.

Said real estate is encumbered as follows:

The Division of Aid for the Aged in the Dept. of Public Welfare of the State of Ohio, as trustee holds a lien on the real estate by virtue of a Trust Deed.

The decedent did leaving no surviving Spouse.

The defendants, Paul W. Warren, Thos H. Warren, and the Richwood Public Library are the only devisees and legatees named in the last Will and testament.

Thos H. Warren is the wife of Paul W. Warren.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold; that the rights, interests and liens of all parties may be fully determined, adjusted and protected, and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

Hooper & Sanders
Attorney for the Plaintiff.

The State of Ohio, Union County.

Paul W. Warren, Executor, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

Paul W. Warren.

Sworn to before me and signed in my presence by the said Paul W. Warren, at Marysville, Ohio, this 22 nd. day of June, 1936.

Seal

Ruth Huss - Notary Public.

Now comes the defendant, The Division of Aid for the Aged in the Welfare Department of the State of Ohio, and waives the issuing and service of summons and process and enters its appearance herein.

The Division of Aid for the Aged.
Per- H. E. Leppert, Admr.
Union County.

THE COL. & B. MFG. CO. 73503

13179
Filed
June 22-1936.
Waiver.

In the Probate Court,
Paul M. Warren, Executor of the Estate of Zella M. Warren, Deceased, Plaintiff,
-vs-
Paul M. Warren, Ino H. Warren, his wife, The Richwood Public Library, and The Division of Aid for the Aged in the Dept. of Public Welfare of the State of Ohio, as trustees, Defendants.

Union County, Ohio.

No. 13179.
Waiver of Service of Summons.

Paul M. Warren, Ino H. Warren and The Richwood Public Library hereby waive the issuing and service of summons in this cause and voluntarily enter their appearance herein.

Paul M. Warren.
Ino H. Warren.
The Richwood Public Library
By- Flora Lake, Secy.

Filed
July 3- 1936.
Answer & Cross Petition of The Division of Aid for the Aged, in the Department of Public Welfare of The State of Ohio, as Trustee.

In the Probate Court of Union County, Ohio.
Paul M. Warren, Executor of the Estate of Zella M. Warren, Plaintiff,
-vs-
Paul M. Warren, Ino H. Warren, his wife, and the Richwood Public Library, and the Division of Aid for the Aged in the Department of Public Welfare of the State of Ohio, as Trustees.

No. 13179.
Answer and Cross Petition of the Division of Aid for the Aged, in the Department of Public Welfare of the State of Ohio, as Trustee.

Now comes the defendant, the Division of Aid for the Aged, in the Department of Public Welfare of the State of Ohio, as trustee, and for want of knowledge of the facts stated within the petition, herein filed, denies each and every allegation therein not specifically admitted to be true.

Cross Petition.

By way of cross petition, the Division of Aid for the Aged, in the Department of Public Welfare of the State of Ohio, as Trustee, for its cause of action herein says that on or about September 29, 1934, Zella M. Warren, now deceased, made application for an old age pension to the Board of Aid for the Aged of Union County, which board allowed said application and executed a "Certificate of Aid" and forwarded such application and such certificate and a report of its findings to the Division of Aid for the Aged, in the Depart-

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ment of Public Welfare of the State of Ohio. That in pursuance of Section 1359-6, General Code, the Division of Aid for the Aged, in the Department of Public Welfare of the State of Ohio required as a condition precedent and as security for the payment of such aid, a conveyance in trust to the Division of Aid for the Aged of Zella M. Warren's real property which is described in plaintiff's petition, situated in the Village of Richwood, County of Union, State of Ohio and described as follows:

"Being Lots No. 177 and part of Lot 178 in Hugh T. Hogan's Addition to the said Village of Richwood."

Cross petitioner further alleges that Zella M. Warren, now deceased, did on October 2, 1934 convey said real property in trust to the Division of Aid for the Aged, in the Department of Public Welfare of the State of Ohio, such conveyance being duly received for record in the office of the recorder of Union County on November 26, 1934 and duly recorded in the office of the recorder of Union County on November 26, 1934 in the record of deeds, Volume 147, page 562. Whereupon, said Division of Aid for the Aged, in the Department of Public Welfare of the State of Ohio approved said certificate and findings of the Board of Aid for the Aged of Union County in accordance with Section 1359-14, General Code.

Defendant cross petitioner further pleads that Zella M. Warren, now deceased, was granted a monthly pension in the sum of $14.00 per month, the first warrant of $14.00 having been paid December 19, 1934, the second warrant of $14.00 having been paid January 28, 1935, the third warrant of $14.00 having been paid February 20, 1935, the fourth warrant of $14.00 having been paid March 18, 1935, the fifth warrant of $14.00 having been paid April 13, 1935, the sixth warrant of $14.00 having been paid May 15, 1935, the seventh warrant of $14.00 having been paid June 15, 1935, the eighth warrant of $14.00 having been paid July 13, 1935, the ninth warrant of $14.00 having been paid August 13, 1935, the tenth warrant of $14.00 having been paid September 16, 1935, the eleventh warrant of $14.00 having been paid October 16, 1935, and a twelfth warrant of $14.00 having been paid November 16, 1935.

Whereupon, the monthly pension of Zella M. Warren, now deceased, was increased to $16.00 per month, the first warrant of $16.00 having been paid January 23, 1936, the second warrant of $16.00 having been paid February 17, 1936, the third warrant of $16.00, having been paid March 14, 1936 and a fourth warrant of $16.00 having been paid April 14, 1936.

THE COL. B. B. MFG. CO. 73503

13179

Wherefore, defendant cross petitioner prays that on the sale of such premises that any and all proceeds in excess of the liens prior to that of the Division of Aid for the Aged, in the Department of Public Welfare, be granted to the Division of Aid for the Aged in the amount of $232.00 with intrest at 4 per centum per annum on each monthly payment from the date of the issuance of each warrant and for such other relief as the cross petitioner may be entitled.

John W. Bricker - Attorney General.
John K. Evans - Assistant Attorney General.

Verification not required:
§ 848, G. C.

Filed
Mar. 25- 1937.
Answer & Claim of the Defendant, Division of Aid for the Aged of the Department of Public Welfare of The State of Ohio.

In the Probate Court, Union County, Ohio.

In the Matter of Zillah M. Warren, deceased.

Affidavit to Claim Against Estate.

The State of Ohio, Franklin County, ss:

Ira M. La Moreaux, being first duly sworn, depose and says that he is the agent of the duly appointed, qualified, and acting Chief of the Division of Aid for the Aged in the Department of Public Welfare of the State of Ohio, and that the claim hereto attached is justly due, that no payments have been made thereon, and that there are no set-offs against it to his knowledge.

Ira M. La Moreaux.

Sworn to before me and subscribed in my presence this 22 day of June 1936.

Local
State of Ohio.

H. R. Davis - Notary Public.
80-3350

Mrs. Margaret M. Allman
Dictator.

H. J. Berrodin, Chief.
Division Aid for the Aged.
Department of Public Welfare
Division of Aid for the Aged.
12th. Floor State Office Bldg.
Columbus - App. 80-211.

Estate of Zillah M. Warren, Dec'd., Richwood, Ohio - Dr.

Date - June 1 - 1936.
Certificate No. 80-2
County - Union.

Nov.	1934	For Aid Paid	$ 14.00
Dec.	"	" " "	14.00
Jan.	"	" " "	14.00
Feb.	"	" " "	14.00
Mar.	"	" " "	14.00
Apr.	"	" " "	14.00
May	"	" " "	14.00
June	"	" " "	14.00
July	"	" " "	14.00
Aug.	"	" " "	14.00
Sept.	"	" " "	14.00

13179

Filed
Mar. 25- 1937.
Additional Bond.

13179	Oct.	1934	For aid Paid	14.00	
	Nov.	"	Missed this check		
	Dec.	"	" " "	16.00	
	Jan.	1936	" " "	16.00	
	Feb.	"	" " "	16.00	
	Mar.	"	" " "	16.00	
			Total aid Paid	$232.00	
			Plus 4% Int.	7.64	
			Total		$239.64
			Add 77¢ per month		
			until bill is paid		
			in full.		

Filed Mar. 25- 1937. Additional Bond.

In the Probate Court of Union County, Ohio.

Paul U. Warren, Executor of the Estate of Zellah U. Warren, Deceased,

Plaintiff,

-vs-

Paul U. Warren, et. al.,

Defendants.

No. 13179. Additional Bond.

Know all men by these presents: That we, Paul U. Warren, principal, and Dan H. Warren and — as sureties, are firmly bound under the State of Ohio in the penal sum of Seven Hundred ($700.00) Dollars to the payment of which we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

The condition of this obligation is such, that whereas in a certain cause pending in the Probate Court of Union County, Ohio, wherein Paul U. Warren, Executor of the Estate of Zellah U. Warren, deceased, is plaintiff, and Paul U. Warren, et al., are defendants, the said Paul U. Warren has been ordered by said court to sell certain real estate of said decedent to pay debts.

Now, if the said Paul U. Warren, Executor as aforesaid, shall faithfully discharge his duties in the premises and full account for all moneys arising from such sale according to law, then this obligation to be void, otherwise to be in full force and effect.

Dated March 24, 1937.

Paul U. Warren.
Dan H. Warren.

The above Bond approved and accepted on this the 25th. day of Mch., 1937.

(Seal) L. W. Hazen - P. J.

THE COL. B. & BTG. CO 73503

13179
Filed
Mar. 25- 1937.
Entry.

In the Probate Court of Union County, Ohio.

Paul M. Warren, Executor of the Estate of Zellah M. Warren, Deceased,

Plaintiff,

-vs-

Paul M. Warren, et. al.,

Defendants.

No. 13179.
Entry.

This day this cause came on to be heard upon the filing of an additional bond by Paul M. Warren, as Executor of the Estate of Zellah M. Warren, deceased, in the above mentioned cause, in compliance with the former order of this court.

Upon examination of said bond, the court finds the same to be in conformity to law and with approved sureties conditioned according to law, and said bond is hereby approved and confirmed.

L. W. Hazen- Probate Judge.
of Union County, Ohio.

Filed
Mar. 25- 1937.
Entry.

In the Probate Court

Paul M. Warren, Executor of the Estate of Zellah M. Warren, Deceased,

Plaintiff,

-vs-

Paul M. Warren, et. al.,

Defendants.

No. 13179.
Entry.

This day this cause came on to be heard on the petition of the plaintiff, Paul M. Warren, as Executor of the Estate of Zellah M. Warren, deceased, the answer and cross petition and claim of the Division of Aid for the Aged of the Department of Public Welfare of the State of Ohio, and the evidence.

The court, being duly advised in the premises, finds that the defendants (having have voluntarily entered their appearances and consented to a sale of the real estate as prayed for, and that all necessary parties are properly before the court, and that the real estate described in the petition should be sold as therein prayed for.

The court further finds that the real estate described in the petition was appraised by the appraisers of the estate for the sum of $475.00, and orders that a further appraisement be dispensed with.

The court further finds that the bond heretofore given by the plaintiff as Executor of the Estate of Zellah M. Warren, deceased, is insufficient, and it is ordered that he file an additional bond with sufficient sureties to be approved by this court in the sum of $700.00.

And it appearing that a private sale would be to the best interests of the estate, it is ordered that the said

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Filed
Mar. 25- 1937.
Order for
Private Sale.

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Paul W. Warren, as such Executor, sell said real estate at private sale, for not less than $475.00, that being the appraised value thereof, and that said sale be made for cash.

The court further finds that Ina H. Warren is the wife of the defendant, Paul W. Warren, and that the said Paul W. Warren has no children, and no issue of his body.

The court further finds that the Division of Aid for the Aged of the Department of Public Welfare of the State of Ohio is the owner and holder of a trust deed on said real estate, and that said trust deed is a valid and subsisting lien against said real estate, and that there is due thereon the sum of $ 249.65.

It is further ordered that said Epcutor make return of sale without unnecessary delay.

L. W. Hazen - Probate Judge.
of Union County, Ohio.

Filed
Mar. 25-1937
Order for
Private Sale.

In the Probate Court

Paul W. Warren, Epcutor of the Estate of Zellah W. Warren, Deceased,

Plaintiff,

-vs-

Paul W. Warren, et. al.,

Defendants.

No. 18179.
Order for Private Sale.

To Paul W. Warren, Greeting:

Whereas, on March 24, 1937, in a certain action therein pending wherein Paul W. Warren, Epcutor of the Estate of Zellah W. Warren, deceased, is plaintiff, and Paul W. Warren, et al, are defendants, it was ordered, adjudged and decreed that you proceed to sell the real estate mentioned in the petition, at private sale, for a price not less than the appraised value thereof, agreeable to the statute regulating the sale of real estate by epcutors, and that you make return of your proceedings in the premises to the said Probate Court, and bring this order with you. The said real estate is described in the petition as follows, to-wit:

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

Being Lots Number 177 and part of Lot 178 in Hugh A. Hogan's Addition to the said Village of Richwood.

Witness my hand and the seal of said Court, at Marysville, Ohio, this 24th. day of March, 1937.

L. W. Hazen - Probate Judge.

Seal

THE COL. B. B. MFG. CO. 73503

13179
Filed
Mar. 25 - 1937.
Repat & Private Sale.

In the Probate Court of Union County, Ohio.

Paul M. Warren, Executor of the Estate of Zellah M. Warren, Deceased,
Plaintiff,
-vs-
Paul M. Warren, et. al.,
Defendants.

No. 13179.
Repat of Private Sale.

In obedience to the command of the within order of sale, I did on the 24th. day of March, 1937, offer said property, at private sale, and Claud Swartz and Arilla Swartz having offered therefor the sum of Seven Hundred ($700.00) Dollars, and the same being not less than the appraised value of said property, I sold the same to said Claud Swartz and Arilla Swartz for that sum.

Paul M. Warren - Executor of the Estate of Zellah M. Warren, Deceased.

State of Ohio, Union County, ss:

Paul M. Warren, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Paul M. Warren.

Subscribed in my presence and sworn to before me this 24th. day of March, 1937.

Guyon Sanders - Notary Public.
Union County, Ohio.

Filed
Mar. 25 - 1937.
Entry.

In the Probate Court, Union County, Ohio.

Paul M. Warren, Executor of the Estate of Zellah M. Warren, Deceased,
Plaintiff,
-vs-
Paul M. Warren, et. al.,
Defendants.

No. 13179.
Entry.

This day this cause came on to be heard upon the report of Paul M. Warren, as Executor of the Estate of Zellah M. Warren, deceased, of his proceedings under the former order of this court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; and the court, having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made, it is ordered that the same be, and it 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 Zellah M. Warren in and to said real estate to the purchaser, Claude Swartz and Arilla Swartz, upon

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[illegible]
[illegible]
[illegible]
[illegible]

13057
Filed
Dec. 3-1935.
Clifton L. Cayl,
Attorney.

13179 said purchaser paying to the said Paul M. Warren, Executor as aforesaid, the sum of Seven Hundred ($700.00) Dollars.

It is further ordered that the said Executor, out of the money in his hands, pay:

First: To the treasurer of Union County, the sum of $ 27.94, being the taxes, penalty and interest thereon against said property, $ 27.94

Second: The costs and expenses incurred in the sale of said property, including an attorney fee of $ 50.00 to Hooper and Saunders, amounting in all to the sum of $ 100.55

Third: To the Division of Aid for the Aged of the Department of Public Welfare of the State of Ohio, the sum of $ 249.65, in complete payment of the lien held by said Department against said real estate. $ 249.65

And it is further ordered that a cancellation of said trust deed issue to the Recorder of Union County, Ohio, for the cancellation of said lien.

It is further ordered that the balance of said proceeds, amounting to the sum of $ 331.86 be accounted for by the said Paul M. Warren, Executor aforesaid, according to Law.

L. W. Hazen - Probate Judge.

13057 Filed Dec. 3-1935. Clifton L. Cayl, Attorney.

Guardian's Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

William J. Reams, Guardian of Ella Joliff, an Incompetent person,

Plaintiff,

-vs-

Ella Joliff, Dana Palm, and Harry Palm,

Defendants.

Case No. 13057. Guardian's Petition to Sell Real Estate.

The plaintiff represents that he is the duly appointed and qualified and acting guardian of Ella Joliff, an incompetent person, by reason of mental and physical defomities, and that said Ella Joliff resides in Claibourne Township, Union County, Ohio.

That said ward, Ella Joliff, 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 Claibourne, Claibourne Township, Union County, Ohio, and described as follows, to-wit:

Being all of Lot No. 6 in the Village of Claibourne, Union County, Ohio; also 40 feet off of the north

THE COL. B. B. MFG. CO 73503

13057

side of Lot No. 7 in the said Village of Claibourne, Union Co., Ohio. For a further description of the above mentioned lots, see the recorded plat of said Village of Claibourne, recorded in the office of the Recorder at Marysville, Ohio.

Said real estate is worth $300.00; and that said plaintiff has received no rents or profits from said real estate for the benefit of his ward.

That the sale of said real estate is necessary for the reason that the physical condition of said ward is such that it is necessary that the proceeds from sale of same be used for the purpose of paying her necessary expenses and providing her with sufficient provisions and necessaries of livelihood, and for the general support and payment of the just debts of said ward.

The plaintiff, therefore, prays that said Ella Joliff, Harry Palen, and Dana Palen, may be made defendants to this petition and notified of the pendency hereof according to Law; that the plaintiff may be ordered to sell said real estate for the reasons and purposes hereinbefore proposed, and for other proper relief.

William J. Reams.
Guardian of Ella Joliff.

State of Ohio, Union County, ss:

William J. Reams, being first duly sworn, says that he is the duly appointed, qualified, and acting guardian of Ella Joliff and that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

William J. Reams.

Sworn to before me and subscribed in my presence this eighteenth day of November, 1935.

Clifton L. Caryl- Notary Public.
Union County, O.

Filed
Dec. 3-1935.
Petition for
Summary
Sale of
Real Estate.

Probate Court, Union County, Ohio.

William J. Reams, Guardian of Ella Joliff, an Incompetent person,

Plaintiff,

-vs-

Ella Joliff, Dana Palen, and Harry Palen,

Defendants.

Case No. 13057.
Petition for Summary Sale of Real Estate.

Your petitioner represents that he is the duly appointed, qualified, and acting guardian of the person and estate of Ella Joliff, an incompetent person of this county.

The amount of the valid debts against said estate are approximately $20.00, and the costs of providing necessaries for the support and maintenance of said ward and expenses of administration of said estate are

13057

13057

Filed
Jan. 10-1936.
Waiver

13057

of uncertain terms to plaintiff. Said ward is entitled to the entire interest in fee simple of the following described real estate, situated in the County of Union, State of Ohio, and in the Village of Claibourne, Claibourne Township, Union County, Ohio, and described as follows, to-wit:

Being all of Lot No. 6 in the Village of Claibourne, Union County, Ohio; also 40 feet off of the north side of Lot No. 7 in the said Village of Claibourne, Union Co., O. For a further description of the above mentioned lots, see the recorded plat of said Village of Claibourne, recorded in the office of the Recorder at Marysville, Ohio.

Said real estate is not encumbered with liens.

The petitioner represents that it would be for the best interests of said ward that a summary order of sale issue without issuing summons to interested parties.

Wherefore, the petitioner prays that said real estate may be sold by summary order according to the statute in such cases made and provided, and for such other relief as is proper in the premises.

William J. Reaume.
Guardian of Ella Joliff.

State of Ohio, Union County, ss.

William J. Reaume, being first duly sworn, says that he is the duly appointed, qualified, and acting guardian of Ella Joliff, an incompetent person, and the facts stated and allegations contained in the foregoing petition are true as he verily believes.

William J. Reaume.

Sworn to before me and subscribed in my presence this eighteenth day of November, 1935.

Clifton L. Caryl, Notary Public,
Union County, O.

Probate Court, Union County, Ohio.

Filed
Jan. 10-1936.
Waiver

William J. Reaume, Guardian of Ella Joliff, an Incompetent person,

Plaintiff,

-vs-

Ella Joliff, Dana Palen, and Harry Palen,

Defendants.

Case No. 13057.
Waiver of Guardian's Petition to Sell Real Estate.

I, the undersigned, hereby waive service of summons in the above cause of action, and enter my appearance herein and thus consent to the prayer of the petition filed in this cause to sell real estate.

Hilda Phelps.
Lowe Phelps.

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13057
Filed
Dec. 3- 1935.
Journal Entry on Filing Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

William J. Reams, Guardian of Ella Joliff, an Incompetent person,
Plaintiff,
-vs-
Ella Joliff, Dana Palen, and Harry Palen,
Defendants.

Case No. 13057.
Journal Entry on Filing Petition to Sell Real Estate.

This day came the plaintiff and filed herein his petition praying for an order to sell real estate of said Ella Joliff, an incompetent person, therein described, for the reason that said sale is necessary for the purpose of providing means for payment of the necessary expenses and support of his ward.

The following named defendants in this case are to be served with summons of the pendency of this suit, or to waive summons and consent to its sale, to-wit: Ella Joliff, Harry Palen, and Dana Palen.

Whereupon, it is ordered by this Court that this cause be heard on the Fourth, 4th. January, 1936, at 10:00 A. M., and that to each and all of the remaining defendants, to-wit: Ella Joliff, Harry Palen, and Dana Palen, 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 to same, be given by summons as provided by law, excepting those who shall yet enter their appearance; and this cause is continued.

L. W. Hazen - Probate Judge.

Summons.

Probate Court, Union County, Ohio.

William J. Reams, Guardian of Ella Joliff, an Incompetent person,
Plaintiff,
-vs-
Ella Joliff, Dana Palen, and Harry Palen,
Defendants.

Case No. 13057.
Summons on Petition to Sell Real Estate.

State of Ohio, Union County, ss.
To the Sheriff of said County:

You are hereby commanded to notify Harry Palen, Dana Palen, and Ella Joliff, that on the 3rd. day of December, 1935, William J. Reams, Guardian of the person and estate of Ella Joliff, an incompetent person, filed his petition in the Probate Court of said Union County, Ohio, against them and others praying for an order of sale of certain real estate belonging to said ward, in said petition described, for the purpose of paying debts and providing for the general maintenance of Ella Joliff,

13057

Filed
Jan. 10-1936.
Journal Entry
Ordering
Summary Sale.

13057

and unless they answer by the 4th. day of January, 1936, said petition will be taken as true, and an order granted accordingly. Said Sheriff will make due return on this writ on the 16th. day of December, 1935.

Witness my hand and the seal of said Court this third day of December, 1935.

L. W. Hazen- Probate judge.

Sheriff's Return.

Sheriff's Office, Union County, Ohio. December 9, 1935.

Recieved this writ on the 3rd. day of December, 1935, at three o'clock, P. M., and pursuant to its command, I served the same on the fifth day of December, 1935, by personally leaving a true copy of it, with the endorsements thereon, to the within named Ella Joliff, Dana Palen and Harry Palen.

Sheriff Fees.

Service & Return $1.25
Mileage 29 mi. $2.61
Total $3.86

William Rausch- Sheriff.
By- A. Grigsby - Deputy.

Filed Jan. 10-1936. Journal Entry Ordering Summary Sale.

Probate Court, Union County, Ohio.

William J. Ream, Guardian of Ella Joliff, an Incompetent Person,

Plaintiff,

-vs-

Ella Joliff, Harry Palen, and Dana Palen,

Defendants.

Case No. 13057.
Journal Entry Ordering Summary Sale.

This day this matter came on for hearing. The Court, being satisfied that it is necessary to sell the real estate of said ward, as described in the petition, for the reason that it is necessary for the proceeds to be applied to the support and payment of just debts of said ward, and it appearing to the satisfaction of the Court that said real estate is worth less in value than $500.00, it is ordered that said William J. Ream, Guardian of Ella Joliff, an incompetent person, proceed to sell said real estate at private sale, for not less than $300.00, on the following terms and conditions, to-wit: cash upon delivery of deed.

It is further ordered by this Court that when sale is consummated, due return of same shall be made to this court.

L. W. Hazen - Probate judge.

THE COL. B. B. MFG. CO 73503

13248
Filed
Sept. 28-1936.
Porter & Porter
Attorneys.

Petition to Sell Real Estate to Pay Debts.

Probate Court, Union County, Ohio.

W. P. O'Brien, Administrator
of the Estate of James O'Brien,
Deceased,

Plaintiff,

-vs-

Mary C. O'Brien, John H. O'Brien,
Edward O'Brien, Mary O'Brien,
James O'Brien, Robert O'Brien,
Thomas O'Brien, Louise Harrington,
Patricia O'Brien, Christal O'Brien,
Marguerite O'Brien, Catherine Brown,
Helen O'Brien, Charlotte Green,
W. P. O'Brien and Anna Dolan,

Defendants.

No. 13248.
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting administrator of the estate of James O'Brien deceased, late of this County, as near as can be ascertained the amount of the valid debts against said deceased is Twenty Seven Hundred and sixty five Dollars.

And the costs of administering the estate will be about Five hundred and no/100 Dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at no Dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts, allowance and costs aforesaid.

Said decedent did seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and further described as follows:

Being in Liberty Township, and being parts of Surveys Nos. 12472 and 13480, and described as follows:-

Beginning at a stone in the center of the Dean Road and Southeast corner to Thomas Underhill's land; thence with the west line of said land and the west line of William Roads land, N. 10° E. 137.40 poles to a stone northwest corner to said William Rhoads land in the north line of Survey No. 12472; thence with the said line N. 80° W. 24 poles to a stake; southwest corner to D. S. Argo's land; thence with the west line of said land N. 10° E. 35.60 poles to a stone, southeast corner to Nelson Harrington's land; thence with the south line of said land N. 80¼° W. 69.60 poles to a stake, southwest corner to said land and in the east line of Isaac Shinks land; thence with said line S. 9¾° W. 33.20 poles to a stake southeast corner to said Isaac Shinks land in the North line of said Survey No. 12472; thence with said line N. 80° W. 22.52 poles to a stake, corner to said Isaac Shinks

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land; thence with another line of said land S. 10° W. 23.40 poles to a stake, another corner of said Isaac Chiles land; thence S. 81° E. 23.64 poles to a stake; thence S. 10° W. 107.36 poles to a stake in the center of said Dean Road; thence with said road S. 80° E. 92.32 poles to the beginning. Containing 100 acres 60 poles, more or less.

Being the same premises conveyed by William Milligan and Wife to James O'Brien by deed dated March 20th. 1882, and recorded in Vol. of Deeds No. 62 page 405.

Also the following described real estate situated in the Township of Liberty, County of Union and State of Ohio, and being part of Survey No. 12472, and described as follows:-

Beginning at a stone in the center of the Dean Road and southeast corner to James O'Brien land; thence N. 9½° E. 69.60 poles to a stake; thence S. 80½° E. 57.52 poles to a stake; thence S. 9½° W. 69.52 poles to a stake in the center of the Dean Road; thence with the center of said road N. 80½° W. 57.52 poles to the place of beginning. Containing 25 acres, more or less. Being the same premises conveyed by T. C. Underhill and wife to James O'Brien by deed dated August 8th. 1890, and recorded in Vol. of Deeds No. 62 page 277.

Also the following described real estate situated in the same Township, County, State and Survey, and bounded and described as follows:-

Beginning at an iron rod in the center of the Marysville and Bellefontaine Gravel Road and at the easterly corner of Mary C. O'Brien's land; thence with two consecutive lines of said land N. 42° 30' E. 10 poles to a stone and thence S. 47° 30' E. 11½ poles to a stone at the westerly corner of William H. Winter's lot; thence with the westerly line of said lot S. 42° 30' W. 10 poles to the center of said road; thence with the center of said road N. 47° 30' W. 11½ poles to the beginning. Containing 60/100 of an acre, more or less. Being the same premises conveyed by David H. Henderson to James O'Brien by deed dated August 4th. 1902, recorded in Vol. 86 page 330.

Said real estate was included in the inventory of the estate, pursuant to the order of this Court and appraised at Three Thousand and no/100 Dollars.

The defendants, Mary C. O'Brien, John H. O'Brien, Edward O'Brien, Mary O'Brien, James O'Brien, Robert O'Brien, Thomas O'Brien, Louise Harrington, Patricia O'Brien, Christal O'Brien, Marguerite O'Brien, Catherine Brown, Helen O'Brien, Charlotte Green, W. P. O'Brien and Anna Dolan, are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having interest therein.

There are no other persons who have any interest in

THE COL. P. E. MFG. CO. 73503

13248

said real estate.

Wherefore, plaintiff prays that said real estate be sold; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

Porter & Porter - Attorney for the Plaintiff.

The State of Ohio, Union County.

W. P. O'Brien, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

W. P. O'Brien.

Sworn to before me and signed in my presence by the said W. P. O'Brien, at Marysville, Ohio, this 28 day of September, 1936.

William J. Porter.
Notary Public.

Lucipe

To the Probate Judge:

Issue summons in this proceeding, for said John O'Brien, 339 Shortle St., Dayton, Ohio; Anna Dolan, East North St., Springfield, Ohio; Charlotte Grigg, 327-17th. Ave., Col. Ohio; Edward O'Brien, 602 Townsend Ave., Col. Ohio; James O'Brien, Louise Harrington, Robert O'Brien, 331 Hanford St., Col. Ohio; Thomas O'Brien, Urbana, Ohio; Patricia O'Brien, Sidney, Ohio; Crystal O'Brien, 278 Argle Rd. Rocky River, Ohio; Marguerite and Helen O'Brien, 278 Argle Rd. Rocky River, Ohio; Also issue summons directed to Sheriff of Franklin County, Ohio, on Mary O'Brien an incompetent and Dr. Pritchard of Columbus, Ohio. Endorse on all of the above "Action to Sell Real Estate to Pay Debts". Defendants directed to the Sheriff of said County, returnable according to law.

Porter & Porter - Plaintiff's Attorney.

Filed Sept. 28-1936. Journal Entry. Order Fixing Time of Hearing and for Notice.

Journal Entry - Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

W. P. O'Brien, as Administrator of the Estate of James O'Brien, Deceased,

Plaintiff,

-vs-

Mary C. O'Brien, et al.,

Defendants.

September 28 - 1936.
Order Fixing Time for Hearing and for Notice.

This day W. P. O'Brien, Administrator of the Estate of James O'Brien deceased, filed in this court his petition praying for an order to sell the real estate therein described, belonging to the estate of said decedent, to pay debts.

13248

Filed Jan. 16-1937. Waiver of Summons and Consent to Sell.

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Filed Jan. 16-1937. Waiver of Summons and Consent to Sell.

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13248 It is ordered that said petition be heard on the 19th. day of Jan. 1937, at 1 o'clock P. M., and that summons for defendants issue to the Sheriff of this County, returnable according to law.

L. W. Hazen - Probate Judge.

Filed Jan. 16-1937. Waiver of Summons and Consent to Sell.

Waiver of Summons on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

In the Matter of the Estate of James O'Brien, Deceased, Plaintiff,

-vs-

W. P. O'Brien, et. al., Defendants.

No. 13248.
Proceeding to Sell Real Estate.
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.

January 16, A. D. 1937.

Mrs. Crystal O'Brien.
Mrs. Catherine Brown.
Mrs. Helen (O'Brien) Collister.
Mrs. Marguerite (O'Brien) Hartman.
Anna Nolan.

Filed Jan. 16-1937. Waiver of Summons and Consent to Sell.

Waiver of Summons on Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

In the Matter of the Estate of James O'Brien, Deceased, Plaintiff,

-vs-

W. P. O'Brien, et. al., Defendants.

No. 13248.
Proceeding to Sell Real Estate.
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.

Mrs. Crystal O'Brien.
Mrs. Catherine Brown.
Mrs. Helen (O'Brien) Collister.
Mrs. Marguerite (O'Brien) Hartman.
John H. O'Brien.

THE COL. B. B. MFG. CO. 73503

13248
Filed
Oct. 14-1936.
Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: ie; George W. Benham - Clark County.

You are commanded to notify Anna Dolan, East Va. St. of Springfield, O.

Civil Action as follows:

W. P. O'Brien, Administrator of the Estate of James O'Brien, Plaintiff, -vs- Mary C. O'Brien, John H. O'Brien, Edward O'Brien, Mary O'Brien, James O'Brien, Robert O'Brien, Thomas O'Brien, Louise Harrington, Patricia O'Brien, Christal O'Brien, Marguerite O'Brien, Catherine Brown, Helen O'Brien, Charlotte Green, W. P. O'Brien, and Anna Dolan. "Action to sell Real Estate to pay Debts." that on the 28th. day of September A. D. 1936, W. P. O'Brien Administrator of the Estate of James O'Brien 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 existing debts and that unless they answer by the 31st. day of October, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

Witness my hand and the seal of said Court, this 28th. day of September 1936.

Seal

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Clark County

Sheriff Fees.	
Service + Return, first name	$ .75
3 miles traveled at 8¢	.24
Postage	.03
Total	$ 1.02

Received this writ September 30th. 1936, at 3:00 o'clock P. M. The within named Anna Dolan, not found in my county.

George W. Benham - Sheriff.
By - Ben W. Hawley - Deputy.

Filed
Oct. 10-1936.
Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: Rose E. Anderson - Sheriff of Franklin Co.

You are commanded to notify Superintendent C. H. Pritchard, Columbus State Hospital, who has the care and custody of Mary O'Brien, insane.

Civil Action as follows:

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. -vs- Mary C. - John. - Edward. - Mary. - James. - Robert. - Thomas. - Patricia. - Christal. - Marguerite. - Helen. - and W. P. O'Brien also Louise Harrington and Charlotte Green. - Catherine O'Brien - Anna Dolan. "Action to Sell Real Estate to Pay Debts", that on the 28th. day of September, A. D. 1936,

13248

W. P. O'Brien, Administrator of the Estate of James O'Brien, deceased, -vs- Mary C. O'Brien, John H. O'Brien, Edward O'Brien, Mary O'Brien, James O'Brien, Robert O'Brien, Thomas O'Brien, Louise Harrington, Patricia O'Brien, Christal O'Brien, Marguerite O'Brien, Catherine Brown, Helen O'Brien, Charlotte Green, W. P. O'Brien, and Anna Dolan. "Action to sell Real Estate to pay Debts." that on the 28th. day of September A. D. 1936, W. P. O'Brien Administrator of the Estate of James O'Brien 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 existing debts and that unless they answer by the 31st. day of October, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

Witness my hand and the seal of said Court, this 28th. day of September 1936.

Seal

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Filed.
Oct. 10-1936.
Summons.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: Rose E. Anderson - Sheriff of Franklin Co. O.

You are commanded to notify Superintendent C. H. Pritchard, Columbus State Hospital, who has the care and custody of Mary O'Brien, insane.

Civil Action as follows:

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. -vs- Mary C. - John. - Edward. - Mary. - James. - Robert. - Thomas. - Patricia. - Christal. - Marguerite. - Helen. - and W. P. O'Brien also Louise Harrington and Charlotte Green. - Catherine O'Brien - Anna Dolan. "Action to Sell Real Estate to Pay Debts", that on the 28th. day of September, A. D. 1936,

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W. P. O'Brien, Administrator of the Estate of James O'Brien, 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 existing debts and that unless they answer by the 31st. day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

Witness my hand and the seal of said Court, this 28th. day of September, 1936.

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

(Seal)

Sheriff's Return.

The State of Ohio, Franklin County.

Sheriff Fees	
Service & Return, first name	$ .75
Total	$ .75

Received this writ September 30, 1936, at 9 o'clock A.M., and on the 1 day of October 1936 I served the same by delivering a copy thereof personally to the within named Superintendent W. H. Pritchard, Columbus State Hospital.

Ross E. Anderson - Sheriff of Franklin Co. O.
L. A. Donovan - Deputy.

Filed. Oct. 10-1936. Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: GREETING: Ross E. Anderson - Sheriff - Franklin Co.

You are commanded to notify Mary O'Brien - State Hospital, & Supt. Wm. Pritchard.

Civil Action as follows;

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. Plaintiff -vs- Mary C. O'Brien, John H. O'Brien, Edward O'Brien, Mary O'Brien, James O'Brien, Robert O'Brien, Thomas O'Brien, Louise Harrington, Patricia O'Brien, Christal O'Brien, Marguerite O'Brien, Catherine Brown, Helen O'Brien, Charlotte Green and W. P. O'Brien, Anna Dolan, "Action to Sell Real Estate to Pay Debts", that on the 28th. day of September, A.D. 1936, W. P. O'Brien, Administrator of the Estate of James O'Brien 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 existing debts and that unless they answer by the 31st. day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

THE COL. B. B. MFG. CO. 73503

13248

Witness my hand and the seal of said Court, this 28th. day of September 1936.

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Seal

Sheriff's Return.

The State of Ohio, Franklin County.

Sheriff Fees	
Service & Return, first name,	$.75
— miles traveled at 8¢	.80
Total	$1.55

Received this writ September 30, 1936, at 9 o'clock A. M., and on the 1st. day of October 1936. I served the same by delivering a copy thereof personally to the within named Mary O'Brien.

Ross E. Anderson - Sheriff of Franklin Co., O.
L. A. Donovan - Deputy.

Filed Oct. 10-1936 Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: ie: Ross E. Anderson - Franklin County.

You are commanded to notify Edward O'Brien, #602 Townsend Ave. Col.

Civil action as follows:

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. -vs- Mary C. + Mary - John Edward - James Robert Thomas - Patricia - Chfistal - Marquette - and Helen O'Brien also Charlotte Green, Louise Harrington and Catherine Brown and W. P. O'Brien and Anna Dolan. "Action to Sell Real Estate, to Pay Debts," that on the 28th. day of September A. D. 1936, W. P. O'Brien, Administrator of the Estate of James O'Brien 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 existing debts and that unless they answer by the 31st. day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

Witness my hand and the seal of said Court, this 28th. day of September, 1936.

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Seal

Sheriff's Return.

The State of Ohio, Franklin County.

Sheriff Fees	
Service & Return, first name	$.75
— miles traveled at 8¢	.40
Total	$1.15

Received this writ Sept. 30, 1936, at 9 o'clock a. M., and on the 1st. day of October 1936. I served the same by delivering a copy thereof personally to the within named leaving a true and certified copy of this writ with all the endorsements thereon at the usual place of residence of the

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Filed Oct. 10-1936. Summons.

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13248 within named Edward O'Brien.

Ross E. Anderson - Sheriff of Franklin Co., O.
L. A. Donovan - Deputy.

Filed Oct. 10-1936. Summons. Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: Greeting: Sheriff John M. Sulzmann, Cuyahoga County, O.

You are commanded to notify Crystal (or Christal) O'Brien #278 Bagle Road, Rocky River, Ohio, also Marguerite and Helen O'Brien, same add.

Civil Action as follows:

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. -vs- Mary C. - John - Edward - Mary - James - Robert - Thomas - Patricia - Christal - Marguerite - Helen and W. P. O'Brien (O'Brien's) and Louise Harrington and Charlotte Green - Catherine O'Brien - Anna Dolan, "Action to Sell Real Estate to Pay Debts", that on the 28th. day of September, A. D. 1936, W. P. O'Brien, Administrator of the Estate of James O'Brien deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said deceased, in said petition described, for the purpose of paying existing debts, and that unless they answer by the 31st. day of October 1936, said petition will be taken as true, and sale order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

Witness my hand and the seal of said Court, this 28th. day of September, 1936.

L. W. Hazen - Judge and ex-officio
Clerk of the Probate Court of said County.

Seal

Sheriff's Return.

The State of Ohio, Cuyahoga County.

Sheriff Fees	
Service & Return, first name	$ .75
— Additional names, at 25¢	.50
— miles traveled at 8¢	2.06
Postage	.03
Total	$ 3.84

The within named Crystal (or Christal) O'Brien, Marguerite O'Brien & Helen O'Brien not found in my County.

John M. Sulzmann - Sheriff.
By - C. M. Vettenger - Deputy.

Filed Oct. 10-1936. Summons. Summons on Petition to Sell Real Estate. Probate Court.

The State of Ohio, Union County. Franklin Co.

To the Sheriff of said County: Greeting: You are commanded to notify Charlotte Green, #397-17th. Ave. Columbus, O.

Civil Action as follows:

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. -vs- Mary C. & Mary - John - Edward - James - Robert Thomas -

THE COL. B. B. MFG. CO 73503

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Patricia - Christal - Marguerite - and Helen O'Brien also Charlotte Green, Louise Harrington and Catherine Brown and W. P. O'Brien and Anna Dolan, "Action to Sell Real Estate to Pay Debts", that on the 28th. day of September, A. D. 1936, W. P. O'Brien, Administrator of the Estate of James O'Brien 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 existing debts, and that unless they answer by the 31st. day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

Witness my hand and the seal of said Court, this 28th. day of September 1936.

Seal

L. W. Hazen - Judge and ex officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Franklin County.

Sheriff Fees	
Service + Return, first name,	$ .75
— miles traveled at 8¢	.40
Postage	.03
Total	$1.18

Received this writ September 30, 1936, at 9 o'clock, a. m., and on the 30 day of Sept. 1936 I served the same by delivering a copy thereof personally to the within named Charlotte Green.

Rose E. Anderson - Sheriff of Franklin County, O.

By - J. W. Mathews - Deputy.

Filed Oct. 7-1936. Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: Ie; Wm. Rausch.

You are commanded to notify W. P. O'Brien and Mary C. O'Brien, Raymond, O. Union County, O.

Civil Action as follows:

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. -vs- Mary C. - John. - Edward. - Mary. - James. - Robert. - Thomas. - Patricia. - Christal. - Marguerite + Helen. - and W. P. O'Brien also Louise Harrington and Charlotte Green. Also Catharine Brown - Anna Dolan. "Action to Sell Real Estate to Pay Debts"; that on the 28th. day of September, A. D. 1936, W. P. O'Brien, Administrator of the Estate of James O'Brien 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 existing debts; and that unless they answer by the 31st. day of October 1936, said petition will be taken as true, and an order granted accordingly.

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Filed Oct. 10-1936. Summons.

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- Sheriff of
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13248

Said Sheriff will make due return of this writ on the 12th. day of October, 1936.

Witness my hand and the seal of said Court, this 28th. day of September 1986.

Seal

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees	
Service & Return, first name,	$ .75
1 Additional name, at 25¢	.25
20 miles traveled at 8¢	1.60
Total	$ 2.60

Received this writ Sept. 28th. 1936, at 3 o'clock P.M. and on the 6th. day of October 1936, I served the same by delivering a copy thereof personally to the within named Mary C. O'Brien and on the same day I served the same by leaving a true and certified copy of this writ at the usual place of residence of the within named W. P. O'Brien.

William Rausch - Sheriff.
By A. Grigsby - Deputy.

Filed Oct. 10-1936. Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: Viz: Franklin Co.

You are commanded to notify James O'Brien - Robert O'Brien & Louise Harrington - #331 Hanford St. Col. O.

Civil Action as follows;

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. -vs- Mary C. & Mary - John - Edward - James - Robert - Thomas - Patricia - Christal - Marguerite - and Helen O'Brien also Charlotte Green and Louise Harrington and Catherine Brown and W. P. O'Brien - Anna Dolan; "Action to Sell Real Estate to Pay Debts"; that on the 28th. day of September A.D. 1936, W. P. O'Brien, Administrator of the Estate of James O'Brien 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 existing debts; and that unless they answer by the 31st. day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October, 1936.

Witness my hand and the seal of said Court, this 28th. day of September 1936.

Seal

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

THE COL. B. B. MFG. CO. 73503

13248

Sheriff's Return.

The State of Ohio, Franklin County.

Sheriff Fees	
Service & Return, first name,	$.75
— additional names, at 25¢	.25
— miles traveled at 8¢	1.20
Total	$2.20

Received this writ September 30, 1936, at 9 o' clock A. M., and on the 2nd. day of October, 1936, I served the same by delivering a copy thereof personally to the within named Robert O'Brien and Louise Harrington. I also on October 1, 1936 served the within named James O'Brien by leaving for him at his usual place of residence, a true and certified copy of this writ with all the endorsements thereon.

Rose E. Anderson - Sheriff of Franklin Co.
By - L. R. Toole - Deputy.

Filed Oct. 5 - 1936. Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County, Ie: W. L. Case - Montgomery County.

You are commanded to notify Mr. John O'Brien, # 339 Shoffle St. Dayton, O.

Civil Action as follows:

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. -vs- Mary C. & Mary - John - Edward - James - Robert - Thomas - Patricia - Christal - Marguerite - and Helen O'Brien also Charlotte Green and Louise Harrington - and Catherine Brown and W. P. O'Brien and Anna Dolan, "Action to Sell Real Estate to Pay Debts"; that on the 28th day of September, A. D. 1936, W. P. O'Brien, Administrator of the Estate of James O'Brien deceased, filed his petition in the Probate Court of said Union County, Ohio, against them and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said deceased, in said petition described, for the purpose of paying existing debts; and that unless they answer by the 31st. day of October, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

Witness my hand, and the seal of said Court, this 28th. day of September 1936.

Seal

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Office of The Sheriff - Montgomery County, Dayton, Ohio. October 3 - 1936.

Judge Probate Court,
Marysville, Ohio.
Dear Sir:

I am returning this writ without service, as we have no such street or road in our City of County.

If any other address can be given we will be glad to take care of it for you.

Sincerely yours.
R. J. Kloos - Sheriff.
M. Aogling - Deputy.

13248
Filed
Oct. 5 - 1936.
Summons.

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13278
Filed
Oct. 5-1936.
Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: ie; Cliff A. Gearhart-Shelby County, O.

You are commanded to notify Patricia O'Brien - Sidney, O.

Civil Actin as follows:

W. P. O'Brien, Administrator of the Estate of James O'Brien, Dec. -vs- Mary C. O'Brien, John O'Brien, Edward O'Brien, Mary O'Brien, James O'Brien, Robert and Thomas O'Brien, Louise Harrington, Patricia O'Brien, Christal O'Brien, Marguerite O'Brien, Catherine Brown, Helen O'Brien and Charlotte Green and W. P. O'Brien and Anna Dolan, "Action to Sell Real Estate to Pay Debts," that on the 28th. day of September A. D. 1936, W. P. O'Brien, Administrator of the Estate of James O'Brien 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 existing debts; and that unless they answer by the 31st. day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

Witness my hand and the seal of said Court, this 28th. day of September 1936.

L. W. Hazen- Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Shelby County.

Sheriff Fees		
Service & Return, first name	$. 75	
2 miles traveled at 8¢	.16	
Postage	.03	
Total	$ .94	

Received this writ September 30th. 1936, at 9 o'clock A. M., and on the 30th. day of September 1936 I served the same by delivering a copy thereof personally to the within named Patricia O'Brien.

Cliff A. Gearhart- Sheriff.
By- Robert M. Gearhart - Deputy.

We, the undersigned, defendants named herein, do each of us acknowledge due and legal service of the within summons.

Patricia O'Brien.

Filed
Oct. 3-1936.
Summons.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: ie; Jay McKeever-Champaign County, O.

You are commanded to notify Thomas O'Brien - Urbana, Ohio.

Civil Action as follows:

W. P. O'Brien, Administrator of the estate of James O'Brien, Dec. -vs- Mary C. O'Brien, John O'Brien, Edward O'Brien, Mary O'Brien, James O'Brien, Robert and Thomas O'Brien, Louise Harrington, Patricia O'Brien, Christal O'Brien, Marguerite

THE COL. B. B. MFG. CO. 73603

13248

O'Brien, Catherine Brown, Helen O'Brien and Charlotte Green and W. P. O'Brien and Anna Dolan," Action to Sell Real Estate to Pay Debts"; that on the 28th. day of September A. D. 1936, W. P. O'Brien, Administrator of the Estate of James O'Brien, 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 existing debts; and that unless they answer by the 31st. day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 12th. day of October 1936.

Witness my hand and the seal of said Court, this 28th. day of September, 1936.

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Seal

Sheriff's Return.

The State of Ohio, Champaign County.

Sheriff Fees	
Service + Return, first name,	$ .75
2 miles traveled at 8¢	.16
Total	$ .91

Received this writ Sept. 30, 1936, at 2 o'clock P. M., and on the 2nd. day of October, 1936, I served the same by delivering a copy thereof personally to the within named Thomas O'Brien.

Jay H. Mc Keever - Sheriff.
By- Harry Huss - Deputy.

Filed Jan. 19-1937. Finding Sale Necessary and Confirming Appraisement.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court,
Union County, Ohio.

W. P. O'Brien, as Administrator of the Estate of James O'Brien, Deceased,

Plaintiff,

-vs-

Mary C. O'Brien, et. al.,

Defendants.

Jan. 19th. 1937.
Finding Sale Necessary and Confirming Appraisement.

This matter coming on to be heard upon the petition and the evidence, the Court finds all the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance and consent to the sale prayed for, and are properly before the Court; that there is no surviving spouse; and that it is necessary to sell said real estate to pay the debts of said estate and the prayer of the petition should be granted.

And it appearing to the Court that a new appraisement should not be made of said real estate, it is ordered that the appraisement of said real estate filed in Case No. 13084 in connection with the appraisement of the personal property of said estate be approved and adopted herein, the same

13248

Filed Jan. 19-1937. Application to Sell at Private Sale.

Affidavit of Disinterested Person.

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being as follows:- $2750.00. Said appraisement having been made by Ray Robb, Garfield Worbe and H. C. Perfect and filed Feb. 4- 1936.

L. W. Hazen- Probate Judge.

Filed Jan. 19-1937. Application to Sell at Private Sale.

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

In the Matter of the Estate of James O'Brien, Deceased,

Plaintiff,

-vs-

W. P. O'Brien, et. al.,

Defendants.

No. 13248.

Application.

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:

1- Because it can be sold for the full appraisement, whereas, if sold at public sale, it might go for two-thirds of the appraisement only.

2- Because a proposed purchaser has already been secured who will pay the amount of the appraisement.

3- Because it will save the delay and expenses for advertising the sale.

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

W. P. O'Brien- Administrator of said Estate.

The State of Ohio, Union County.

W. P. O'Brien, being duly sworn, says that the various matters set forth in the foregoing application are true as he verily believes.

W. P. O'Brien.

Sworn to before me and signed in my presence this — day of January A. D. 1937.

William J. Porter - Notary Public.

Affidavit of Disinterested Person.

The State of Ohio, } Union County.

John Robb, Harry Perfect and Garfield Worbe, 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 interest of the said Estate to sell said real estate at private sale than at public sale and for the reasons herein stated, as they verily believe.

Affidavit of Disinterested Person.

Ray Robb.

Garfield Worbe.

H. C. Perfect.

Sworn to before me and signed in my presence this 19 day of January 1937.

W. P. O'Brien.

THE COL. P. S. MFG. CO 73503

13248
Filed
Jan. 19- 1937.
Order of Sale
Free of Dower.

Order of Sale Free of Dower.

The State of Ohio, Union County. Probate Court.

To W. R. O'Brien, Administrator of the Estate of James O'Brien, deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause, wherein you as Administrator of the Estate of James O'Brien, deceased, are Plaintiff and Mary C. O'Brien, et. al., are Defendants, you are commanded to proceed according to Law, to sell at private sale, for not less than the appraised value thereof free of dower, there being no surviving spouse, the following described premises to-wit:

Situated in the County of Union, and State of Ohio, and in Liberty Township, and being parts of Surveys Nos. 12472 and 3480, and.

Beginning at a stone in the center of the Dean Road and Southwest corner to Thomas Underhill's land; thence with the west line of said land and the west line of William Rhoads land, N. 10° E. 139.40 poles to a stone Northwest corner to said William Rhoad's land in the north line of Survey No. 12472; thence with the said line N. 80° W. 24 poles to a stake; southwest corner to D. S. Argo's land; thence with the west line of said land N. 10° E. 35.60 poles to a stone, southeast corner to Nelson Harrington's land; thence with the south line of said land N. 80¼° W. 69.60 poles to a stake, southwest corner to said land and in the east line of Isaac Shirk's land; thence with said line S. 9¾° W. 33.20 poles to a stake southeast corner to said Isaac Shirk's land in the north line of said Survey No. 12472; thence with said line N. 80° W. 22.52 poles to a stake, corner to said Isaac Shirk's land; thence with another line of said land S. 10° W. 33.40 poles to a stake, another corner of said Isaac Shirk's land; thence S. 81° E. 23.64 poles to a stake; thence S. 10° W. 107.36 poles to a stake in the center of said Dean Road; thence with said road S. 80° E. 92.32 poles to the beginning; containing 100 acres and 60 poles, more or less, being the same premises conveyed by William Milligan and wife to James O'Brien by deed, dated March 20th. 1883, and recorded in Vol. 52, Page 406.

Also one other tract of land in the same Township, County and State, and beginning in the center of the Dean Road and southeast corner to James O'Brien land; thence N. 9½° E. 69.60 poles to a stake; thence S. 80½° E. 57.52 poles to a stake; thence S. 9½° W. 69.52 poles to a stake in the center of the Dean Road; thence with the center of said road N. 80½° W. 57.52 poles to the place of beginning, containing 25 acres, more or less, being the same premises conveyed by T. C. Underhill and wife

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to James O'Brien by deed dated August 8th. 1890, and recorded in Vol. 62, Page 277, Union County Record of Deeds.

Also one other tract located in said Township, County and State and Survey, Beginning at an iron rod in the center of the Marysville and Bellefontaine Gravel Road and at the easterly corner of Mary C. O'Brien's land; thence with two consecutive lines of said land N. 42° 30' E. 10 poles to a stone; thence S. 47° 30' E. 11½ poles to a stone at the westerly corner of William H. Winters lot; thence with the westerly line of said lot S. 42° 30' W. 10 poles to the center of said road; thence with the center of said road N. 47° 30' W. 11½ poles to the beginning, containing 60/100 of an acre, more or less. Being the same premises conveyed by David H. Henderson to James O'Brien by deed dated August 4th. 1902, recorded in Vol. 86, Page 330, Union County Record of Deeds.

Said sale to be cash in hand, on day of sale.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 19 day of January, A. D. 1937.

L. W. Hazen - Probate judge.

Seal

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 19 day of January, 1937.

W. P. O'Brien - Administrator as aforesaid.

Repat of Sale.

In obedience to the within order, I sold said premises on the 19th. day of January 1937, to Anna Dolan, for the sum of Three Thousand Dollars, said sum being more than the appraised value of the same.

W. P. O'Brien - Administrator as aforesaid.

Dated the 19th. day of January, 1937.

The State of Ohio, Union County.

The above named W. P. O'Brien, Administrator of the estate of James O'Brien, deceased, being duly sworn, says that the sale above reported has been made after diligent endeavor to obtain the best price for said property, and that said sale is for the highest price he could get for said property.

W. P. O'Brien - Administrator as aforesaid.

Sworn to before me and signed in my presence, this 19th. day of January 1937.

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

Seal

THE COL. B. B. MFG. CO. 73503

13248
Filed
Jan. 19- 1937.
Journal Entry.
Confirming Sale,
Ordering Deed
and Distribution.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court,
Union County, Ohio.

Jan. 19th. 1937.
Confirming Sale, Ordering Deed and Distribution.

W. P. O'Brien, as Administrator of the Estate of James O'Brien, Deceased,
Plaintiff,
-vs-
Mary C. O'Brien, et. al.,
Defendants.

This day this cause came on to be heard on the repot of W. P. O'Brien, Administrator of the Estate of James O'Brien, 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; the Court having carefully examined said repot, 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 intrest of the said W. P. O'Brien, as such Administrator in said real estate, to the purchaser, Anna Dolan. And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Three Thousand Dollars.

It is further ordered that said W. P. O'Brien, as such Administrator, out of the money in his hands, pay: First, to the Treasurer of this county the sum of $ —, being the taxes, penalty and intrest thereon against said property. Second, the costs and expenses incurred in the sale of said property, including an attorney fee of $50.00 to Porter & Porter, and $140.00, the percentum of said Administrator. It is further ordered that the Balance of said proceeds, amounting to the sum of $2810.00, be accounted for by said W. P. O'Brien, Administrator, according to Law. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $ —, out of the proceeds of said sale, within ten days.

L. W. Hazen - Probate Judge.

(See Page 592).

13257
Filed
Oct. 2-1936.
Hooper & Sanders,
Attorneys.

13257
Filed
Oct. 2-1926.
Hooper & Sanders,
Attorneys.

Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and McKinley Dellinger, minors,

Plaintiff,

No. 13257.
Petition.

-vs-

Miriam Dellinger, McKinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger,

Defendants.

Plaintiff is the duly appointed, qualified and acting guardian of Miriam Dellinger and McKinley Dellinger and brings this action as such guardian.

Said wards are each seized in fee simple of an undivided one-fortieth interest in the following described real estate:

Situated in the County of Madison and State of Ohio, to-wit:

Beginning at four elms corner to Levis Fairbank, Adison Bidwell & John Holycross; thence with said Holycross line S. 78° W. 108-4/5 poles to a stake in the center of the road leading from the Post Road past L. D. Adams Mill; thence with the center of said Road N. 30½° W. 76-7/16 poles to a stake; thence N. 78° E. 114 poles to a stake in said Bidwell's line; thence with his line S. 26° 20 E. connecting the course thereof 74-1/8 poles to the beginning, containing fifty acres, more or less, being part of Survey No. 5743 and on the waters of Little Darby Creek in the Township of Pike, Madison County & State of Ohio.

The defendant, Margaret M. Dellinger, is the mother of the said Miriam Dellinger and McKinley Dellinger, and the defendants, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger, are the only persons entitled to the next estate of inheritance from the said wards in said real estate; there are no other persons who have any interest in said real estate.

It is necessary to sell said real estate for the support and education of said wards and it would be to the benefit of said wards if said real estate were sold.

Wherefore, plaintiff prays the Court to set this petition for hearing and to issue summons to the Sheriff of this County for the defendants, returnable according to law, and for an order authorizing the plaintiff to sell said real estate, and for such other and further relief in the premises as the Court deems just and equitable.

Hooper & Sanders - Attorneys for Plaintiff

THE COL. B. B. MFG. CO. 73503

13257

State of Ohio, Union County, ss:

Lincoln Dellinger, being first duly sworn, says that he is the plaintiff herein and that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

Lincoln Dellinger.

Sworn to before me and subscribed in my presence this — day of October, 1936.

Seal

C. A. Hooper - Notary Public.
Union County, Ohio.

Filed
Oct. 2- 1936.
Pracipe.

In the Probate Court,
Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors,

Plaintiff,

-vs-

Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Erpstine Rausch, Victoria Dellinger and Lincoln Dellinger,

Defendants.

No. 13257.
Pracipe.

To the Judge, Clerk Ex-Officio:

Issue summons in the above entitled cause for the defendants, Miriam Dellinger and Mc Kinley Dellinger, to the Sheriff of Union County, Ohio, and make the same returnable according to law.

Endorse summons, "Action for sale of real estate of Minors, Miriam Dellinger and Mc Kinley Dellinger, by their Guardian, Lincoln Dellinger."

Hooper & Sanders - Attorneys for Plaintiff.

Filed
Oct. 2- 1936.
Answer of Guardian ad Litem.

In the Probate Court,
Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors,

Plaintiff,

-vs-

Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger,

Defendants.

No. 13257.
Answer of Guardian ad Litem.

Now comes C. A. Hooper, who has been duly appointed by the court as guardian ad litem for Miriam Dellinger and Mc Kinley Dellinger, minors of the ages of 19 and 16 years, respectively, and for answer to the petition of said Lincoln Dellinger, guardian, says that it is necessary to sell the real estate described in the petition for the education and support of the said Miriam Dellinger and Mc Kinley Dellinger, and that it would be to the best interests of said wards if said real estate were sold.

13257

Filed
Oct. 7- 1936.
Summons.

To

13257

Wherefore, this answering defendant prays the court to protect the rights of the said Miriam Dellinger and Mc Kinley Dellinger, and for such other and further relief in the premises as justice and the interests of said minor maybe shall require.

L. A. Hoopes - Guardian Ad Litem.

Filed Oct. 7- 1936. Summons.

Summons on Petition to Sell Real Estate.

Sheriff - Minor.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are commanded to notify Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger, Defendants, Praipe 13257, - "Action for sale of Real Estate of Minors, Miriam and Mc Kinley Dellinger, by their Guardian, Lincoln Dellinger", making service of this summons upon such minors as are over fourteen years of age, and also upon the guardian, father, mother or custodian of said minors, in the order named; that on the 2nd. day of October, A. D. 1936, Lincoln Dellinger, Guardian of the Property 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, and in said petition described, for the purpose of paying —— and that unless they answer by the 31 St. Day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons on the 12 th. day of October 1936.

Witness my hand and the seal of said Court, this 3rd. day of Oct. 1936.

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Seal

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees	
Service & Return, first name	$ .75
5 Additional names, at 25¢	1.25
32 miles traveled at 8¢	2.56
Total	$4.56

Received this writ Oct. 8rd. 1936, at 10 o' clock A. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: October 6 th. 1936, on Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger and also Miriam Dellinger, a minor and Mc Kinley Dellinger, a minor by personally handing to each of them a true and certified copy of this writ.

William Rausch - Sheriff.

By - A. Grigsby - Deputy.

THE COL. B. E. MFG. CO. 73503

13257
Filed
Oct. 2 - 1936.
Entry.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and McKinley Dellinger, Minors,

Plaintiff,

-vs-

Miriam Dellinger, McKinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger,

Defendants.

No. 13257.
Entry.

Upon application of Miriam Dellinger and McKinley Dellinger, they being minors of the ages of 19 and 16 years, respectively, and upon whom summons has been duly served according to law in this action, and upon their request that C. A. Hoops, who is a suitable person, be appointed as guardian ad litem for this action, it is ordered that the said C. A. Hoops be, and he hereby is, appointed guardian ad litem for said Miriam Dellinger and McKinley Dellinger for this action.

L. W. Hazen - Probate Judge.

Filed
Oct. 15 - 1936.
Entry of appearance and Consent to Sale.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and McKinley Dellinger, Minors,

Plaintiff,

-vs-

Miriam Dellinger, McKinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger,

Defendants.

No. 13257.
Entry of appearance and Consent to Sale.

Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger, parties defendant in the above entitled action, being competent, adult persons, hereby waive the issuing and service of summons and process upon them, and each of them, and voluntarily enter their appearances herein as such defendants, and consent to the sale of the real estate described in the petition as therein prayed for.

Margaret M. Dellinger.
Ernestine Rausch.
Victoria Dellinger.
Lincoln Dellinger.

13257
Filed
Oct. 15 - 1936.
Application for appointment of Guardian Ad Litem.

Lincoln Dellinger, as Guardian of Miriam Dellinger and McKinley Dellinger, Minors,

Plaintiff,

-vs-

Miriam Dellinger, McKinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger,

Defendants.

Upon application of Miriam Dellinger and McKinley Dellinger, they being minors of the ages of 19 and 16 years, respectively, and upon whom summons has been duly served according to law in this action, and upon their request that C. A. Hoops, who is a suitable person, be appointed as guardian ad litem for this action, it is ordered that the said C. A. Hoops be, and he hereby is, appointed guardian ad litem for said Miriam Dellinger and McKinley Dellinger for this action.

L. W. Hazen - Probate Judge.

Filed
Nov. 15 - 1936.
Application for Private Sale.

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13257
Filed
Oct. 15- 1936.
Application
for appointment
of Guardian
Ad Litem.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors,

Plaintiff,

-vs-

Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger,

Defendants.

No. 13257.
Application for Appointment of Guardian ad Litem.

Now comes Miriam Dellinger and Mc Kinley Dellinger, the wards and defendants in the above entitled cause, and being 19 and 16 years of age, respectively, and upon whom summons has been duly served according to law, and suggest that C. A. Hoopes, who is a suitable person, be appointed as guardian ad litem for them in this action.

Miriam Dellinger.
Mc Kinley Dellinger.

In the Probate Court, Union County, Ohio.

Filed
Nov. 15- 1936.
Application
for Private
Sale.

Lincoln Dellinger, as Guardian of Miriam Dellinger and McKinley Dellinger, Minors,

Plaintiff,

-vs-

Miriam Dellinger, et. al.,

Defendants.

No. 13257.
Application for Private Sale.

Now comes Lincoln Dellinger, as Guardian of Miriam Dellinger, and Mc Kinley Dellinger, minors, and respectfully represents to the court that it is necessary to sell the real estate belonging to his wards in order to support said wards and to pay the debts of said ward.

Wherefor, said Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, asks that he be granted an order authorizing and directing him to sell said real estate at private sale for not less than the appraised value thereof.

Lincoln Dellinger.

State of Ohio, Union County, ss:

Lincoln Dellinger, being first duly sworn, says that he is the Guardian of Miriam Dellinger and McKinley Dellinger, Minors, and that the facts stated and allegations contained in the foregoing application are true as he verily believes.

Lincoln Dellinger.

Sworn to before me and subscribed in my presence this 15 day of October, 1936.

Seal

C. A. Hoopes - Notary Public.

THE COL. U. S. MFG. CO 73503

13257
Filed
Nov. 15-1936.
additional
Bond.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of
Miriam Dellinger and Mc Kinley
Dellinger, Minors,
Plaintiff,

-vs-

Miriam Dellinger, Mc Kinley
Dellinger, et al.,
Defendants.

No. 13257.
Additional Bond.

Know all men by these presents: That we, Lincoln Dellinger, principal, and Margaret M. Dellinger and Victoria Dellinger, as sureties, are firmly bound unto the State of Ohio in the penal sum of One Hundred Dollars to the payment of which we do hereby jointly and severally bind ourselves, our hire, executors and administrators.

The condition of this obligation is such, that whereas in a certain cause pending in the Probate Court of Union County, Ohio, wherein Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, is plaintiff, and Miriam Dellinger, et al., are defendants, the said Lincoln Dellinger has been ordered by said court to sell certain real estate of said wards to support said wards and to pay the debts of said wards.

Now, if the said Lincoln Dellinger, Guardian as aforesaid, shall faithfully discharge his duties in the premises and full account for all moneys arising from such sale according to law, then this obligation to be void, otherwise to be in full force and effect.

Lincoln Dellinger.
Margaret Dellinger.
Victoria Dellinger.

Filed
Nov. 15-1936.
Entry approving Bond and Ordering Private Sale.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian
of Miriam Dellinger and Mc. Kinley
Dellinger, Minors,
Plaintiff,

-vs-

Miriam Dellinger, et al.,
Defendants.

No. 13257.
Entry Approving Bond and
Ordering Private Sale.

It further appearing to the Court that the plaintiff has given additional bond in the sum of Two Hundred ($100.00) Dollars with approved sureties conditioned according to law, the said bond is hereby approved.

And the Court further finds, upon the application of Lincoln Dellinger, Guardian, to sell said real estate at private sale, that it is necessary to sell said real estate in order to support said wards and to pay the debts of said wards.

13257
Filed
Nov. 15-1936.
Order of
Appraisement.

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It is therefore ordered, adjudged and decreed that the said Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, minors, proceed to sell the real estate belonging to said wards, at private sale, for not less than the appraised value thereof, and to make due return of his proceedings to this court.

L. W. Hazen - Probate Judge.

Filed Nov. 15- 1936. Order of appraisement.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors,

Plaintiff,

-vs-

Miriam Dellinger, et. al.,

Defendants.

No. 13257.
Order to Appraisers.

To Milton Rausch, H. C. Doellinger and George Schieber, the court reposing confidence in your judgment on the 6th. day of October, 1936, in a certain case to sell real estate now pending in said Court wherein Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, is plaintiff, and Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Radpch, Victor Delfinger and Lincoln Delfinger, are defendants, appointed you appraisers of the following described real estate;

Situated in the County of Madison and State of Ohio, and being an undivided two fortieths interest, to-wit:

Beginning at four elms corner to Levi Fairbank, Adison Bidwell & John Holycross; thence with said Holycross line S. 78° W. 108-4/5 poles to a stake or stone in the center of the road leading from the Post Road past L. D. Manns Mill; thence with the center of said Road N. 30½° W. 75-7/16 poles to a stake; thence N. 78° E. 114 poles to a stake in said Bidwell's line; thence with his line S. 26° 20 E. copecting the course thereof 74-1/8 poles to the beginning, containing fifty acres, more or less, being part of Survey No. 5743 and on the waters of Little Darby Creek in the Township of Pike, Madison County & State of Ohio.

You are therefore ordered by said court that without unnecessary delay and on oath to proceed and appraise said real estate upon actual view at its fair cash value and to make report of your proceedings to this court and bring this order with you.

Witness my hand and official seal at Marysville, Ohio, this 15 day of November, 1936.

L. W. Hazen - Probate Judge.

Seal

THE COL. B. B. MFG. CO 73503

13257
Filed
Nov. 15-1936.
Entry.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors,
Plaintiff,
-vs-
Miriam Dellinger, et al.,
Defendants.

No. 13257.
Entry.

This day this cause came on to be heard on the petition of the plaintiff, the answer of C. A. Hooper as guardian ad litem for the minor defendants, Miriam Dellinger and Mc Kinley Dellinger, and the evidence.

And the court finds that all of the defendants herein have been duly and legally served with process and have all answered the petition or have voluntarily entered their appearances herein and have consented to an immediate sale of the real estate as prayed for, and that all necessary parties are before the court; the court further finds that Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger are the only persons entitled to the next estate of inheritance from said ward in said real estate, and that there are no other persons who have any interest in said real estate; that it is necessary to sell said real estate for the support of said ward and for the payment of the just debts of said ward, and that it would be to the advantage of said ward if said real estate were sold.

It is therefore ordered that Milton Rausch, H. C. Doellinger and George Schieben, three judicious and disinterested persons of the vicinity, not next of kin of the petitioner, be, and they hereby are, appointed to appraise said real estate at its true value in money.

It is further ordered that the said Lincoln Dellinger as guardian of Miriam Dellinger and Mc Kinley Dellinger give an additional bond in the sum of $100.00 before proceeding with said sale.

L. W. Hazen - Probate judge.

Filed
Nov. 15-1936.
Entry Confirming Appraisement.

Filed
Nov. 15-1936.
Order for Private Sale.

Filed
Nov. 15-1936.
Report of Appraisers.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors,
Plaintiff,
-vs-
Miriam Dellinger, et. al.,
Defendants.

No. 13257.
Oath of Appraisers.

State of Ohio, Union County, ss:

On the — day of October, 1936, before me personally appeared Milton Rausch, H. C. Doellinger and George Schieben, the within named and made oath that they would upon

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actual view truly and impartially appraise at its fair cash value, the within described real estate in pursuance of the within order of the Probate Court of said county.

W. L. Rausch.
Geo. P. Scheidener.
H. C. Doellinger.

Sworn to before me and subscribed in my presence this 15 day of November, 1936.

(Seal) C. A. Hooper - Notary Public.

Report of Appraisers.

We do appraise the within described real estate, on our oath aforesaid, after having actually viewed the same, as follows: The undivided one fortieth interest of William Dellinger at $ 00.00; and the undivided one-fortieth interest of Mc Kinley Dellinger at $ 00.00.

Witness our hands this 15 day of November, 1936.

W. L. Rausch.
Geo. P. Scheidener.
H. C. Doellinger.

Filed Nov. 15-1936. Entry Confirming Appraisement.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of William Dellinger and Mc Kinley Dellinger, Minors,

Plaintiff,

-vs-

William Dellinger, et al.,

Defendants.

No. 13257.
Entry Confirming Appraisement.

This day this matter came on to be further heard on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

L. W. Hazen - Probate judge.

Filed Nov. 15-1936. Order for Private Sale.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of William Dellinger and Mc Kinley Dellinger, Minors,

Plaintiff,

-vs-

William Dellinger, et. al.,

Defendants.

No. 13257.
Order to Guardian for Private Sale.

To Lincoln Dellinger, Greeting:

Whereas, in the Probate Court of Union County, Ohio, in a certain action therein pending wherein Lincoln Dellinger, as Guardian of William Dellinger and Mc Kinley Dellinger, is plaintiff, and William Dellinger, et al., are defendants, it was ordered, adjudged and decreed that you proceed to sell the real estate mentioned in the petition, at private sale, for a price not less than the appraised

THE COL. O. B. MFG. CO. 73503

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value thereof, aquable to the statute regulating the sale of real estate by guardians, and that you make return of your proceedings in the premises to the said Probate Court, and bring this order with you. The said real estate is described in the petition as follows, to-wit:

Situated in the County of Madison and State of Ohio, to-wit:

Beginning at four white oaks corner to Lewis Fairbank, Adison Bidwell & John Holycross; thence with said Holycross line S. 78° W. 108-4/5 poles to a stake or stone in the center of the road leading from the Post Road past L. D. Manns Mill; thence with the center of said Road N. 30½° W. 75-7/16 poles to a stake; thence N. 78° E. 114 poles to a stake in said Bidwell's line; thence with his line S. 26° 20 E. connecting the course thereof 74-1/8 poles to the beginning, containing fifty acres, more or less, being part of Survey No. 5743 and on the waters of Little Darby Creek in the Township of Pike, Madison County & State of Ohio.

Witness my hand and the seal of said Court, at Marysville, Ohio, this 15 day of November, 1936.

Seal

L. W. Hazen - Probate Judge.

In the Probate Court, Union County, Ohio.

Filed Nov. 15-1936. Repot of Sale.

Lincoln Dellinger, as Guardian of Miriam Dellinger and McKinley Dellinger, Minors

Plaintiff,

-vs-

Miriam Dellinger, et. al.,

Defendants.

No. 13257.

Repot of Private Sale.

In obedience to the command of the within order of sale, I did on the 15 day of October, 1936, offer said property, at private sale, and Walter M. Dellinger and Nola Dellinger having offerd therefor the sum of $100.00, and the same being more than the appraised value of said property, I sold the same to said Walter M. Dellinger and Nola Dellinger for that sum.

Lincoln Dellinger - Guardian of Miriam Dellinger & McKinley Dellinger.

State of Ohio, Union County, ss:

Lincoln Dellinger, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Lincoln Dellinger.

Sworn to before me and subscribed in my presence this 15 day of November, 1936.

Seal

C. A. Hoopes - Notary Public.

13257
Filed Nov. 15- 1936.
Order Confirming Sale and Ordering Deed.

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13263
Filed Oct. 9-1936.
Milo L. Myers attorney.

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Filed
Nov. 15- 1936.
Order Confirming Sale and Ordering Deed.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors,
Plaintiff,
-vs-
Miriam Dellinger, et al.,
Defendants.

No. 13257.
Entry Confirming Sale and Ordering Deed.

This day this cause came on to be heard on the report of Lincoln Dellinger, Guardian of Miriam Dellinger and Mc Kinley Dellinger, of his proceedings under the former order of this court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Miriam Dellinger and Mc Kinley Dellinger in said real estate, to the purchasers, Walter M. Dellinger and Nora Dellinger, upon receipt from the purchasers of the sum of $100.00 in cash.

It is further ordered that said Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, account for the money in his hands according to law.

L. W. Hazen - Probate judge

Petition to Sell Real Estate.

13263
Filed
Oct. 9- 1936.
Mils L. Myers
Attorney.

In the Probate Court, Union County, Ohio.

Edwin A. Seelye as Administrator of the Estate of Alvaretta J. Seelye, deceased,
Plaintiff,
-vs-
Maude Hennessy,
George F. Hennessy,
Edwin A. Seelye and
Home Owners' Loan Corporation,
Defendants.

Case No. 13263.
Petition.

Now comes Edwin A. Seelye and for cause of action says that he is the duly appointed, qualified and acting administrator of the estate of Alvaretta J. Seelye, deceased, and he was appointed as such by this court on the 7th. day of October, 1936, and qualified therein.

That the said Alvaretta J. Seelye died on or about the 14th day of May, 1935, intestate, leaving no personal property of any nature or character whatsoever excepting

THE COL. B. B. MFG. CO 73503

13263

her personal effects, out of which to pay the costs of administering her estate, debts, and funeral expenses.

That she died seized and the owner of the undivided one-half interest in the following real estate, to-wit:

Situated in the village of Marysville, County of Union, State of Ohio and a part of Out-Lot No. 16.

Beginning at a stake in the east margin of Court Street and at the nathwest corner of that part of Out-Lot #16 conveyed by John McClung to John Fleck by deed dated April 30th. 1856, and recorded in Union County Deed Recad No. 20, page 164; thence with the west margin of said street natherly 80½ ft. to a stake at the intersection of Seventh Street with Court Street; thence easterly with the south margin of Seventh Street 132 ft. to the alley; thence southerly with the west line of the alley 80¼ ft. to a stake at the northeast corner of that part of Out-Lot #16 conveyed to John Fleck April 30th, 1856; thence with the nath line of said Fleck's lott westerly 132 ft. to place of beginning.

That the said defendant Edith A. Seelye is the widower and surviving spouse of the said Abaretta J. Seelye, deceased, and was 76 years of age on the 18th. day of September, 1936, and is the owner of the remaining undivided one-half interest in said real estate and held the same in common with the decedent, and that on or about March 1st, 1934, he and the decedent, during her lifetime, for a valuable consideration conveyed said real estate by matgage deed to the defendant, the Home Owners' Loan Corporation of Washington, D. C., who claims to have and hold some interest in or lien on said real estate.

That he, the said Edwin A. Seelye, as said surviving spouse of said decedent has or claims to have an interest in the undivided one-half interest of said real estate of which the deadent died sized, and he consents to the sale through this proceeding of whatever interest he may have or claim in said real estate, which he may hdpe as such widower, surviving spouse or in fee and elects to take the same out of the procede recived from the sale of the whole thereof, and in such sum or amount as may be determined and fixed by the Court.

That the said defendant, Maude Hennessy, is the daughter and only child and person having the next estate of inheritance from the said decedent, and the said defendant George F. Hennessy, is the husband of the said defendant Maude Hennessy.

That it is necessary to sell the said real estate to pay the debts and the costs of administering the estate of the said decedent, which has not been appraised.

Wherefore, the plaintiff prays that the said defendants, Maude Hennessy, George F. Hennessy and the Home Owners'

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Loan Corporation be notified and that they set up their interest or claim in said premises or be forever barred from asserting the same; that he be ordered and directed to sell the said real estate, as a whole according to the statutes in such cases made and provided and the Court determine and fix the amount due the said surviving spouse, and for such other and further findings and orders in the premises as the Court may find to be just and equitable.

Wils L. Ulyus - Attorney for Plaintiff.

State of Ohio, Union County, ss.

Edwin A. Seelye being duly sworn says that the facts stated and the allegations made and contained in the foregoing Petition are true as he believes.

Edwin A. Seelye.

Sworn to before me and signed in my presence this 8th. day of October, A. D. 1936.

Seal Wils L. Ulyus - Notary Public.

Pracipe.

To the Court:

Issue summons in the afore entitled cause directed to the Sheriff of Hamilton County, Ohio, for the defendant, the Home Owners' Loan Corporation, 209 W. Seventh Street, Cincinnati, Ohio. Endorse, "Action of Administrator to sell real estate to pay debts and costs of administration and to determine equitable interests", and make returnable according to law.

Pracipe

Wils L. Ulyus - Attorney for Plaintiff.

Union County, Ohio.

Filed Oct. 9- 1936. Journal Entry.

In the Probate Court, Union County, Ohio.

Edwin A. Seelye as Administrator of the Estate of Abaretta J. Seelye, deceased,

Plaintiff,

-vs-

Maude Hennessy,
George T. Hennessy,
Edwin A. Seelye, and
Home Owners' Loan Corporation,

Defendants.

Lease No. 13263.
Journal Entry.

This day came Edwin A. Seelye as Administrator of the Estate of Abaretta J. Seelye, deceased, and presented to this Court his certain Petition for filing praying for the sale of certain real estate as alleged and set forth in the Petition.

Therefore, it is ordered that the said Petition be and the same is hereby filed and it is further ordered that all the defendants named in the said Petition be notified of the pendency and the prayer of the said Petition as

THE COL. B. B. MFG. CO 73503

13263

Filed
Oct. 19- 1936.
Summons.

required by law, and this cause is continued.

L. W. Hazen - Judge.

Summons on Petition to Sell Real Estate.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County: Hamilton County, Cincinnati, Ohio.

You are commanded to notify Home Owners Loan Corporation, #209 W. 7th. St. Cincinnati, Ohio.

Action - Edwin A. Seelye as administrator of the Estate of Abaretta J. Seelye, Deceased - Plaintiff, -vs- Maud Hennessy, George F. Hennessy, Edwin A. Seelye and Home Owners Loan Corporation, Defendants. Case # 13263 - Petition.

"Action of Administrator to sell Real Estate to pay debts and cost of administration and to determine equitable interests" and make returnable according to law.

Wilbur L. Myers - Attorney for Plaintiff.

that on the ninth day of October, A. D. 1936, Edwin A. Seelye as Administrator of the Estate of Abaretta J. Seelye, 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 — and that unless they answer by the 7th. day of November 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 19th. day of October 1936.

Witness my hand and the seal of said Court, this ninth day of October 1936.

Seal

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Hamilton County.

Received this writ October 13th. 1936, at 3:10 o'clock A. M.. Cincinnati, Ohio, Oct. 14- 1936.

Served the within named defendant Home Owners Loan Corporation by and through Richard Bachelor, my duly authorized and acting Deputy Sheriff by leaving a true copy of this writ with all the endorsements thereon at it's usual place of business; and in the hands of Charles Stobb Noble, Regional Manager thereof the person in charge thereof, no chief or other officer being found.

Sheriff Fees

Service and Return .75
Mileage .32
Total $1.07

George A Lutz - Sheriff.
Hamilton County, Ohio.
By - Raymond Reis - Deputy.

13263
Filed
Oct. 19- 1936.
Waiver of Service.

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Filed
Nov. 3- 1936.
Answer and Cross Petition of the Defendant, Home Owners' Loan Corporation.

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13263
Filed
Oct. 19-1936.
Waiver of
Service.

In the Probate Court, Union County, Ohio.

Edwin A. Seelye as Administrator
of the estate of Alvaretta J. Seelye,
Deceased,
Plaintiff,

-vs-

Maud Hennessy,
George T. Hennessy,
Edwin A. Seelye and
Home Owners Loan Corporation,
Defendants.

Case No. 13263.
Waiver.

We the undersigned defendants named in the above entitled cause do hereby waive the issuing and service of summons and process on us and voluntarily enter our appearance therein.

Mrs. Maude Hennessy.
George T. Hennessy.
Union County, Ohio.

Filed
Nov. 8-1936.
Answer and
Cross Petition
of the Defendant,
Home Owners'
Loan Cor-
poration.

In the Probate Court,

Edwin A. Seelye as Administrator
of the Estate of Alvaretta J. Seelye,
Deceased,
Plaintiff,

-vs-

Maud Hennessy,
George T. Hennessy,
Edwin A. Seelye and
Home Owners' Loan Corporation,
Defendants.

No. 13263.
Answer and Cross Petition
of the Defendant, Home
Owners' Loan Corporation.

Now comes the defendant, Home Owners' Loan Corporation, and says that it is a corporation organized and existing under and by virtue of the laws of the United States of America.

Answer.

For its answer to the petition herein, Home Owners' Loan Corporation says;

That it admits that this plaintiff, Edwin A. Seelye, is the duly appointed, qualified and acting administrator of the Estate of Alvaretta J. Seelye, deceased; and admits that the said Alvaretta J. Seelye died May 14, 1935, and that at the time of her death she was the owner of an undivided one-half interest in the real estate described in the petition; and admits that the defendant, Edwin A. Seelye, is the widower of said decedent, and that he is the owner of the remaining undivided one-half interest in said real estate; and admits that said decedent and the said Edwin A. Seelye conveyed said real estate by mortgage deed on March 1, 1934, to this defendant.

Further answering, this defendant denies each and every allegation in said petition contained not herein expressly

THE COL. B. B. MFG. CO 73503

13263

admitted to be true.

Cross Petition.

By way of cross petition herein, this defendant, Home Owners' Loan Corporation, says:

First Cause of Action.

That there is due this defendant from the defendant, Edwin A. Seelye, and the plaintiff, Edwin A. Seelye as Administrator of the Estate of Alvaretta J. Seelye, deceased, the sum of $3534.63, which it claims with interest at the rate of 5% from the 2nd. day of November, 1936, upon a certain promissory note executed and delivered by the said Edwin A. Seelye and by Alvaretta J. Seelye, to this defendant, a copy of which note is hereto attached, marked "Exhibit A", and by reference made a part hereof. There are no endorsements on said note and the credits thereon are attached hereto, and shown on "Exhibit B" by reference made a part hereof.

The said Edwin A. Seelye, Alvaretta J. Seelye and Edwin A. Seelye, Administrator of the Estate of Alvaretta J. Seelye, deceased, have failed to pay the installment of interest due April 1, 1935, and all installments of interest due thereafter, and have failed to pay any installments of principal due; that said monthly installments are in default for more than ninety days; that this defendant is the owner and holder of said note and has elected and does now elect to declare the whole balance of principal and interest due and payable, as provided by said note.

Second Cause of Action.

This defendant, Home Owners' Loan Corporation, for its second cause of action, hereby refers to, incorporates and adopts each and all of the allegations contained in its first cause of action as fully and completely as if the same were rewritten herein and further alleges as follows:

That at the time of the execution and delivery of the above described note, and as a part of the same transaction and to secure the faithful performance of the terms and conditions thereof, the said Edwin A. Seelye and Alvaretta J. Seelye, duly executed and delivered to this defendant, Home Owners' Loan Corporation, their mortgage deed conveying the real estate described in the petition. A copy of said mortgage is hereto attached, marked "Exhibit C," and by reference made a part hereof.

This defendant further says that on the 2nd. day of March, 1934, at 3:25 o'clock P. M., said mortgage was filed with the Recorder of Union County, Ohio, and was thereafter on the 5th. day of March, 1934, recorded in Mortgage Book No. 103, Pages 663 and 664, of the records of Union County, Ohio; that this defendant is the owner and holder of said mortgage and by reason thereof has a good and valid lien against said premises prior

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to all other liens against the same for the purpose of securing the balance due upon said promissory note.

Said mortgage was conditioned, among other things, that in the event of default in the payment of any installment of said note for a period of ninety days, this defendant at its option might declare all of the remainder of said debt due and payable; that if the said Edwin A. Seelye and Alvaretta J. Seelye should pay or cause to be paid to this defendant the full sum of said note with interest, in accordance with the terms, provisions and conditions thereof, then said mortgage should cease and be null and void; otherwise, the same should be and remain in full force and virtue in law.

That the conditions of said mortgage have been broken in that the said Edwin A. Seelye, Alvaretta J. Seelye and Edwin A. Seelye, as Administrator of the Estate of Alvaretta J. Seelye, deceased, have failed, neglected, and refused to pay the installments in said note provided; by reason of said several defaults, this defendant has and does now declare said note in default and has elected and does now elect to declare all sums secured by said note to be due and payable; that the conditions of said mortgage have been broken and the conveyance thereby made has become absolute and this defendant is entitled to foreclosure of said mortgage.

Said mortgage was further conditioned upon default for a period of ninety days, it shall be lawful for the mortgagee at its option to enter into and upon the real estate therein and herein described, or any part thereof, and to receive all rents, issues and profits thereof and, in the event of the institution of proceedings to foreclosure said mortgage, the Court may, upon application at any time during the pendency of said proceedings, appoint a Receiver to take possession, control and care of said real estate, collect the rents and profits thereof and apply the same as the Court may direct. This defendant further says that the real estate described in said mortgage is probably insufficient to discharge the mortgage debt.

Wherefore, this defendant, Home Owners' Loan Corporation, prays that it may recover judgment against the defendant, Edwin A. Seelye, and against the plaintiff, Edwin A. Seelye, Administrator of the Estate of Alvaretta J. Seelye, deceased, for the sum of Three Thousand Five Hundred Thirty-four and 63/100 ($3534.63) Dollars, with interest at the rate of five per cent per annum from the 2nd. day of November, 1936, and its costs herein expended; that the liens be marshalled, that all defendants be required to set up their claims, if any, or be forever barred, that this defendants mortgage be declared to be the first and best lien on said

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real estate; that the equity of redemption of the defendant, Edwin A. Seelye, and the plaintiff, Edwin A. Seelye, Administrator of the Estate of Charetta J. Seelye, deceased, be foreclosed and forever barred; that said real estate be sold as upon execution, free of all claims, liens and interests of all the parties, and that the proceeds of said sale be applied to the payment of the judgment of this defendant; that a Receiver be appointed to manage said real estate, collect the rents and apply the same as directed by the Court, and for such other and further relief in law and equity as the Court deems proper.

Home Owners' Loan Corporation.
By Gwynn Saunders Its attorney.

State of Ohio, Union County, ss:

Gwynn Saunders, being first duly sworn, says that he is the attorney of record for this defendant, Home Owners' Loan Corporation; that this defendant is a corporation; that he has read the foregoing answer and cross petition and that the facts stated therein are true as he verily believes.

Gwynn Saunders.

Sworn to before me and subscribed in my presence, this 2nd. day of November, 1936.

Seal

Ruth Hess - Notary Public,
Union County, Ohio.
My commission expires May 25, 1938.

"Exhibit A".

$3311.43 Marysville, Ohio, March 1, 1934.

For value received I, or we, promise to pay to the order of Home Owners' Loan Corporation, at its office in Washington, D. C., the sum of $3311.43, with interest at the rate of 5 per centum per annum on the unpaid balance, and said principal and interest shall be payable $26.18 monthly from date, to be applied first to interest on the unpaid balance and the remainder to principal until said debt is paid in full. Extra payments may be made at any time and interest will be charged only on the unpaid balance.

It is agreed that the borrower may pay a sum of $13.79 monthly from date until June 1936, representing interest only on said debt, at his option, provided all other conditions and covenants of this note and the instruments securing the same are promptly met, and thereafter the monthly payment shall be $30.62 per month to be applied first to interest on the unpaid balance and the remainder to principal until said debt is paid in full.

It is agreed that time is of the essence of this contract and that in the event of default in payment of any installment for a period of ninety days the holder of this note may, at its option, declare all the remainder of said debt due and collectible, and any failure to

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exercise said option shall not constitute a waiver of the right to exercise the same at any other time. In the event of default in the making of any payments herein provided and in the event the whole of said debt is declared to be due, interest shall accrue at the legal rate in the State where this note is executed and, in the absence of any legal rate, at the rate of 6 per centum per annum. I, or we, and each of us, whether principal, security, guarantor, endorser, or other party hereto, agree to be jointly and severally bound and I, or we, severally hereby waive any homestead or exemption rights as against this debt, and constitute Home Owners' Loan Corporation or the holder of this note as our attorney in fact in case of bankruptcy to claim any and all homestead or exemptions allowed by law, and do hereby severally transfer and assign to the holder of this note any and all homestead and exemption rights to which we, I or either of us, may be entitled, and I, or we, hereby direct any trustee in bankruptcy to transfer to said attorney in fact any homestead or exemption rights and hereby authorize said attorney in fact to sell said homestead or exemption rights at public or private sale, with or without notice, and apply the proceeds of said sale first toward the payment of this note, and any balance to the party for whose benefit said homestead or exemption rights are set apart. I, or we, hereby waive the benefit of any valuation or appraisement laws of this State. I, or we, each further waive demand, protest, and notice of demand, protest, and nonpayment.

Given under the hand and seal of each party.

(Seal) Edwin A. Seelye
302 S. Court St., Marysville, Ohio.

(Seal) Alvaretta J. Seelye
302 S. Court St., Marysville, Ohio.

Statement of Borrower's Account.
Home Owners' Loan Corporation.
Cincinnati Regional Office.
"Exhibit B."

Name: Edwin A. & Alvaretta J. Seelye Estate - Loan No. 33-1-B-2593.
302 So. Court Street, - Control 50101.
Address: Marysville, Ohio. - County 180.
Date of Loan - 3-1-37. Original Amount - $3311.43
Monthly Installment Rate - $30.62 First Installment Due - 4-1-37.

Unpaid Installments

	Total	Interest	Principal
Monthly Installments Billed to Date	495.08	427.80	67.28
Monthly Installments Paid to Date	219.32	219.32	
Installments Due and Unpaid	275.76	208.48	67.28

Includes Advance.

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Total Obligation.

Original Amount of Loan	$ 3311.43
Add - Advances for Insurance - Taxes - Repairs	$
	$ 3311.43
Deduct - Payments applied to Principal	$
	$ 3311.43
Add - Interest Due and Unpaid	$ 208.48
Total Obligation now Due - 10-1-36	$ 3519.91
Interest Accrues @ $.46 per day from date. to 3-17-37	77.28
Total	$ 3597.19

Prepared By - MC : MLS.

State of Ohio : County of Hamilton : SS:

Date 10-14-36.

This is to certify that the statement outlined hereon is a true and correct excerpt of this account as shown in the records of the Accounting Department of the Cincinnati Regional Office of the Home Owners' Loan Corporation, on this Date.

Henry T. Martin
Deputy Regional Accountant.

Sworn to and subscribed before me this 14th. day of October, 1936.

Urban G. Koo - Notary Public,
Hamilton Co. O.
My commission expires 12-15-36.

Received Oct. 14-1936.
Regional Counsel.
H.O.L.C. Cincinnati.

"Exhibit C."

Home Owners' Loan Corporation.

Ohio Mortgage.

This Indenture, made this 1st. Day of March, 1934, between Edwin A. Seelye, Alvaretta J. Seelye, husband and wife, of the County of Union, and State of Ohio (the first party hereto), and Home Owners' Loan Corporation, of Washington, D. C., a corporation under the laws of the United States of America, having its principal office in the City of Washington, D. C., (the second party hereto):

Witnesseth, That, Whereas, the said Edwin A. Seelye and Alvaretta J. Seelye are justly indebted to said second party for money borrowed, in the sum of Three Thousand Three Hundred Eleven + 43/100 Dollars ($ 3311.43) evidenced by a certain Principal Note of even date herewith, executed and delivered by the persons last hereinabove named, payable to the order of said second party at the principal office of Home Owners' Loan Corporation, Commerce Building, Washington, D. C., or at the office of said corporation in such other place as the holder of said note may from time to time in writing appoint, and further described as follows:

$ 3311.43 Marysville, Ohio, March 1, 1934.

For value received I, or we, promise to pay to the order of Home Owners' Loan Corporation at its office in Washington,

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D. C., the sum of $3311.43 with interest at the rate of 5 per centum per annum on the unpaid balance, and said principal and interest shall be payable $26.18 monthly from date, to be applied first to interest on the unpaid balance and the remainder to principal until said debt is paid in full. Extra payments may be made at any time and interest will be charged only on the unpaid balance.

It is agreed that the borrower may pay a sum of $13.79 monthly from date until June, 1936, representing interest only on said debt, at his option, provided all other conditions and covenants of this note and the instruments securing the same are promptly met, and thereafter the monthly payment shall be $30.62 per month, to be applied first to interest on the unpaid balance and the remainder to principal until said debt is paid in full.

It is agreed that time is of the essence of this contract and that in the event of default in payment of any installment for a period of ninety (90) days the holder of this note may, at its option, declare all the remainder of said debt due and collectible, and any failure to exercise said option shall not constitute a waiver of the right to exercise the same at any other time. In the event of default in the making of any payments herein provided and in the event the whole of said debt is declared to be due, interest shall accrue at the legal rate in the State where this note is executed and, in the absence of any legal rate, at the rate of 6 per centum per annum.

I, or we, and each of us, whether principal, security, or guarantor, endorser, or other party hereto, agree to be jointly and severally bound and I, or we, severally hereby waive any homestead or exemption rights as against this debt, and constitute Home Owners' Loan Corporation or the holder of this note as our attorney in fact in case of bankruptcy to claim any and all homestead or exemptions allowed by law, and do hereby severally transfer and assign to the holder of this note any and all homestead and exemption rights to which we, or either of us, may be entitled, and I, or we, hereby direct any trustee in bankruptcy to transfer to said attorney in fact any homestead or exemption rights and hereby authorize said attorney in fact to sell said homestead or exemption rights at public or private sale, with or without notice, and apply the proceeds of said sale toward the payment of this note, and any balance to the party for whose benefit said homestead or exemption rights are set apart. I, or we, hereby waive the benefit of any valuation or appraisement laws of this State. I, or we, each further waive demand, protest, and notice of demand, protest, and nonpayment.

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Given under the hand and seal of each party.

Edwin A. Seelye. (Seal)
302 South Court St., Marysville, Ohio.

Alvaretta J. Seelye. (Seal)
302 South Court St., Marysville, Ohio.

Now Therefore, Said first party, in order to secure the payment of the capital and interest money aforesaid represented by said note, and in consideration of One Dollar unto the first party paid by the second party, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and warrant unto the second party, and to the successors and assigns of said second party, forever, the following described real estate, to-wit:

Situated in the Village of Marysville, County of Union, State of Ohio, and being part of Out-Lot No. 16.

Beginning at a stake in the East margin of Court Street and at Northwest corner of that part of Out-Lot No. 16 conveyed by John McClung to John Fleck by deed dated April 30, 1856, and recorded in Union County Deeds Records No. 20, Page 164; thence with the west margin of said street northerly 80½ feet to a stake at the intersection of Seventh Street with Court Street; thence Easterly with the south margin of Seventh Street, 132 feet to the alley; thence Southerly with the west line of the alley 80¼ feet to a stake at the northeast corner of that part of Out-Lot No. 16 conveyed to John Fleck April 30, 1856; thence with the north line of said Fleck's lot Westerly 132 feet to the beginning.

If foreclosure proceedings of any second mortgage, or second trust deed, or any junior lien of any kind should be instituted, the Corporation may, at its option, immediately declare its lien and note which the same secures, due and payable, and start such proceedings as may be necessary to protect its interest in the premises.

This instrument includes all heating, plumbing and lighting fixtures and equipment now or hereafter attached to or used in connection with the real estate herein described, together with all and singular the tenements, hereditaments, rights, privileges and appurtenances thereunto belonging or in anywise appertaining, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Ohio, and all rights and expectancy of dower and all right to retain possession of said real estate after default in payment, or after breach of any covenant or undertaking herein by said first party to be kept and performed; to have and to hold the said real estate to said second party and to the successors and assigns of said second party, forever, for the uses and purposes herein expressed: And all of the said persons together constituting said first party, hereby jointly and severally covenant, promise and agree to and with said second party,

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as follows, to-wit:

(1) That said first party is the owner of said real estate in fee simple, and has good right to sell and convey and mortgage the same;

(2) That said real estate is free from all liens and encumbrances, other than such taxes as may not be due and payable;

(3) That said first party will in peaceable possession thereof and will forever warrant and defend the same against the lawful claim of all persons whomsoever;

(4) To pay to the second party at its office in Washington, D. C., or to its successors and assigns, the principal sum of Three Thousand, Three Hundred Eleven & 43/100 Dollars ($3,311.43), with interest at the rate of 5 per cent per annum on the unpaid balance, and said principal and interest shall be payable Twenty-six and 18/100 Dollars ($26.18) monthly from date, to be applied first to interest on the unpaid balance and the remainder to principal until said debt is paid in full. Extra payments may be made at any time and interest will be charged only on the unpaid balance. It is agreed that the first party may pay a sum of Thirteen and 79/100 Dollars ($13.79) monthly from date until June, 1936, representing interest only on said debt at his option, provided all other conditions and covenants of the principal note and this mortgage securing the same are promptly met, and hereafter the monthly payment shall be Thirty and 62/100 Dollars ($30.62) per month, to be applied first to interest on the unpaid balance and the remainder to principal until said debt is paid in full. It is further agreed that said note provides that time is of the essence of this contract and that in the event of default in payment of any instalment for a period of ninety (90) days the holder of the principal note may, at its option, declare all the remainder of said debt due and collectible, and any failure to exercise said option shall not constitute a waiver of the right to exercise the same at any other time;

(5) Not to suffer any lien superior to the lien hereby created, to attach to or be enforced against said real estate, nor commit or permit waste of said real estate;

(6) To pay all taxes and assessments of every kind that may be levied or assessed within the State of Ohio upon said real estate, or any part thereof, or upon the ownership of said second party in said real estate, or upon the note or indebtedness secured by this mortgage, punctually when any taxes and assessments as aforesaid may become due and payable;

(7) To procure and keep in force, Policies of Fire and Tornado Insurance, insuring the buildings which now are,

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or hereafter may be on said real estate, for an amount and in Companies at all times satisfactory to said second party, so long as any part of the indebtedness hereby secured shall remain unpaid, and to deliver the Policies representing said insurance, to said second party, with standard non-contributory Mortgage Clauses attached to said Policies, making the loss thereunder, if any, payable to said second party, as additional security. In the event of any sum of money becoming payable under such policy or policies, the second party, its legal representatives or assigns, shall have the option to receive and apply the same on account of the indebtedness hereby secured, or to permit the first party to receive and use it, or any part thereof, for the purpose of rebuilding or repairing the damaged premises, or for other purposes, without thereby waiving or impairing any equity or statutory lien or right under or by virtue of this mortgage lien, and may place and pay for such insurance or any part thereof, without waiving or affecting the option to foreclose or any right hereunder, and each and every such payment shall bear interest from date at the rate of 6 per cent per annum;

(8) That said second party may pay any and all taxes or assessments as in this mortgage provided, redeem said real estate from tax or assessment sale, remove all statutory or other liens therefrom, and procure said Fire and Tornado Insurance on failure of the first party so to do; and all moneys so advanced, with interest at the yearly rate of 6 per cent, shall be secured by this mortgage, and shall be repaid by said first party on demand, or on demand made upon the party then in possession of said real estate;

(9) That upon default by said first party as hereinabove provided in Item 7, it shall be lawful for the said second party, at the option of the said second party, to enter into and upon the real estate hereby granted, or any part thereof, and to receive all rents, issues and profits thereof, and if any proceedings shall be brought to foreclose this mortgage or to collect the principal and interest represented by the note hereinbefore recited, the Court may, upon application at any time during the pendency of said proceedings, appoint a receiver to take possession, control and care of said real estate, and collect the rents and profits thereof, and apply the net proceeds to the payment of the debt hereby secured; and such application for the appointment of a receiver shall, in no manner, prevent or retard the collection of all sums secured by this mortgage, either by foreclosure or otherwise;

(10) That any failure of the second party to exercise any right or option by this mortgage given or reserved to said second party, shall not estop said second party from exercising any such right or option upon any subsequent default of the first party;

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(11) That

Filed
Jan. 21- 1937.
Journal Entry.

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(11) That all rights and remedies given or reserved to said second party, shall be cumulative and may be all exercised co-temporaneously so that the exercise of one or more of said rights or remedies shall not exclude or prevent the exercise of the other or others thereof;

(12) That this mortgage and the principal note by this mortgage secured, are made and executed under and are in all respects to be construed by the laws of the State of Ohio, and

That all the covenants, promises, undertakings, agreements, rights, privileges, benefits and obligations by this instrument imposed upon or reserved unto the respective parties hereto, shall respectively extend to and be binding upon the respective heirs, executors, administrators, successors and assigns of said parties;

Provided always nevertheless, that if said party shall pay all said indebtedness and shall fully keep and perform all the covenants, undertakings, promises and agreements by said first party to be kept and performed and expressed in this mortgage or expressed in the principal note accompanying the same, then this mortgage shall be released and cancelled at the cost of said first party.

In Witness Whereof, each of the persons hereinbefore recited as constituting together the party of the first part has hereunto set his or her hand the day and year first hereinabove written.

Ruth C. Hess. Edwin A. Seelye.
Helen Kennedy. Alvaretta J. Seelye.

State of Ohio, County of Union, ss:

Be it remembered, that on this 1st. day of March in the year of our Lord One Thousand Nine Hundred and Thirty-four, before me, the subscriber, a Notary Public in and for said County, personally came Edwin A. Seelye and Alvaretta J. Seelye, the grantors in the foregoing Mortgage, and acknowledged the signing thereof to be their voluntary act, for the uses and purposes therein expressed.

In Testimony Whereof, I have hereunto subscribed my hand and affixed my official seal, on the day and year last aforesaid.

Seal

Ruth Connolly Hess, Notary Public.
My commission expires May 25, 1935.

Filed Jan. 21-1937. Journal Entry.

Probate Court of Union County, Ohio.

Edwin A. Seelye as Administrator of the Estate of Alvaretta J. Seelye, Deceased, Plaintiff,

-vs-

Maude Hennessy, et al., Defendants.

Case No. 13263. Journal Entry.

This day this cause came on for hearing upon the Petition and the Answer and Cross-Petition of The Home Owners Loan Corporation and the evidence, the Court being

THE COL. B. B. MFG. CO 73503

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fully advised in the premises finds that all the defendants herein have been duly and legally served with summons, or process, or have voluntarily entered their appearance herein, and are properly before the Court.

The Court further finds that the defendant, Edwin A. Seelye, is the widower of the said Abaretta J. Seelye, deceased, and in his individual rights is the owner of the undivided one-half interest of said real estate, and as such widower is entitled to dower in the other one-half interest in said real estate, and in his Petition as Administrator of the Estate of the said Abaretta J. Seelye, deceased, waives whatever interest he has or may have in said real estate, consents to the sale thereof free from said interest and elects to take whatever interest he may have either in fee or as the surviving consort out of the proceeds received from the sale of the whole premises, and in such sum or amount as the Court may determine and fix.

The Court further finds that the said defendant, The Home Owners Loan Corporation, by its Answer and Cross Petition filed herein has and holds a valid mortgage lien on the whole of the premises described in the Plaintiff's Petition and given to secure the payment of a certain promissory note made in favor of said defendant by the said Abaretta J. Seelye in her lifetime and the said Edwin A. Seelye for the sum of $3,534.63 with interest thereon at the rate of 5% per annum from the 2nd day of November, 1936.

The Court further finds that it is necessary to sell the said real estate and the whole thereof, to pay the debts of said estate and the prayer of the plaintiff's Petition should be granted.

And, it appearing to the Court that the said premises have not been appraised; therefore, it is ordered that Charles D. Webb, Wm. Rogers and Elwood Sawyer, three judicious and disinterested persons of the vicinity, and not next of kin of the Petitioner, be and they hereby are appointed to appraise said real estate at its true value in money free from any interest of any nature whatsoever of the defendant, Edwin A. Seelye, therein; it is further ordered that said appraisers be sworn as required by law to truly and impartially appraise the whole of said real estate, upon actual view, at its fair cash value, and discharge the duties required by them according to law, and to make due return of their proceedings, in writing to this Court and this cause is continued for further orders and proceedings.

L. W. Hazen - Judge.

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Filed
Jan. 29 - 1937.
Order of
appraisement.

Return

Oath of
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Order of appraisement.

Order of Appraisement.

The State of Ohio, Union County, ss: Probate Court.
to Edwin A. Seelye:

In obedience to an order, and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you are Administrator of the Estate of Abaretta J. Seelye, Decd. are Plaintiff and Maude Hennessy, et al., are Defendants, you are commanded that by the oaths of Chas. D. Webb, Wm. Rogers and Elwood Sawyer, judicious disinterested persons of the vicinity, not of kin to the petitioner, 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 village of Marysville, County of Union, State of Ohio and a part of Out-lot No. 16.

Beginning at a stake in the east margin of Court Street and at the northwest corner of that part of Out-Lot #16 conveyed by John McClung to John Fleck by deed dated April 30th, 1856, and recorded in Union County deed Record No. 20, page 164; thence with the west margin of said street Northerly 80½ feet to a stake at the intersection of Seventh Street with Court Street; thence easterly with the south margin of Seventh Street 132 feet to the alley; thence Southerly with the west line of the alley 80¼ feet to a stake at the Northeast corner of that part of Out-Lot #16 conveyed to John Fleck April 30th. 1856; thence with the north line of said Fleck's Lot westerly 132 feet to the place of Beginning.

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

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 21st. Day of January, A. D. 1937.

Seal

L. W. Hazen - Probate Judge.

Return.

To the Probate Court of Union County, Ohio.

Return

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

Dated the 21st. Day of January 1937.

Edwin A. Seelye.

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, truly and impartially appraise the within described real estate at its true value in money, and perform the duties required of us in pursuance of the foregoing order.

Charles D. Webb.
Wm. Rogers.
Elwood Sawyer } Appraisers.

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Sworn to before me and signed in my presence, this 21st. day of January, 1937.

Seal

Wils 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 in money of said real estate at, Three Thousand, and no/100 Dollars,

Given under our hands, this 21st. day of January 1937.

Charles D. Webb. }
Wm. Rogers. } Appraisers.
Elwood Sawyer. }

Appraisers' fees $2.00 each - $6.00.

Filed Jan. 29-1937. Journal Entry.

Probate Court, Union County, Ohio.

Edwin A. Seelye as Administrator of the Estate of Abaretta J. Seelye, deceased,

Plaintiff,

-vs-

Maude Hennessy, et al.,

Defendants.

Case No. 13263.
Journal Entry.

This day this cause came on to be heard on the report of the appraisers heretofore herein appointed and on motion of the plaintiff to confirm the same; and it appearing upon examination that the said report is in all respects regular as ordered by the Court.

Therefore, it is ordered by the Court that the same be and it hereby is approved and confirmed.

It is further ordered that the said Edwin A. Seelye, as Administrator of the Estate of Abaretta J. Seelye, deceased, within five days execute and file in this cause a bond made in favor of the State of Ohio with sureties thereon to be approved by this court in the sum of $2,500.00 conditioned according to law, and this cause is continued for further action.

L. W. Hazen - Judge.

Filed Jan. 29-1937. Bond of Administrator.

Bond of Administrator.

In Proceeding to Sell Real Estate.

Know all Men by these Presents: That we Edwin A. Seelye and the Fidelity and Deposit Company of Maryland are held and firmly bound unto the State of Ohio, in the penal sum of Twenty-five Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 29th. day of January, A. D. 1937.

The condition of the above obligation is such, that whereas, the above bound Edwin A. Seelye was heretofore duly appointed and qualified by the Probate Court of Union County,

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Ohio, Administrator of the estate of Alvaretta J. Seelye, Deceased.

And whereas, the said Edwin A. Seelye as such Administrator has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Alvaretta J. Seelye described in said petition;

And whereas said Court, on the 29th. day of January 1937, made an order requiring said Administrator to execute a bond according to the statute in such cases made and provided:

Now, if the said Edwin A. Seelye as Administrator aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in Law.

Executed in Presence of
Milo L. Myers.

Edwin A. Seelye
The Fidelity & Deposit Co. of Maryland
By- The Sawyer Insurance Agency.
E. E. Sawyer.

This Bond approved in open Court, this 29th. day of January, 1937.

L. W. Hazen - Probate judge.

Filed
Jan. 29- 1937.
Journal Entry.

In the Probate Court, Union County, Ohio.

Edwin A. Seelye, Administrator of the Estate of Alvaretta J. Seelye, deceased,
Plaintiff.

-vs-

Maude Hennessy, et al.,
Defendants.

Case No. 13263.
Journal Entry approving Bond.

This day this cause coming on further to be heard, and it appearing to the Court that the plaintiff as such Administrator has given additional bond in the sum of $2,500.00 with approved surety conditioned according to law as previously ordered by the Court; therefore, the said bond hereby is approved.

And as previously found by the Court that it was necessary to sell the said real estate to pay the debts of the said decedent, and that the said Edwin A. Seelye having consented to sell his interest in said real estate through this proceeding, and waiving all his interest therein of any nature whatsoever, and electing to take his interest in money from the proceeds of the sale; therefore, it is now ordered that the said Edwin A. Seelye, as such Administrator, proceed to advertise for sale and offer for sale the whole of the said premises as described in the plaintiff's Petition, at public sale on the 6th. day of March, 1937, at 1:00 o'clock P.M. at the north door of the Court House in Union County, Ohio, and for cash, in full, on day of sale. And the plaintiff is ordered to make due return of his with upon the sale.

L. W. Hazen - Judge.

THE COL. B. B. MFG. CO. 73503

13263
Filed
Feb. 23-1937.
Legal Notice.

Notice of Administrators Sale.

In pursuance of an order of the Probate Court of Union County, Ohio, I will offer for sale at public auction on the 6th day of March, 1937, at 1:00 o'clock P.M. at the north door of the Court House in said county, the following described real estate, to-wit:

"Situated in the village of Marysville, County of Union, State of Ohio, and a part of Out-Lot No. 16.

Beginning at a stake in the east margin of Court Street and at the northwest corner of that part of Out-Lot No. 16 conveyed by John McClung to John Fleck by deed dated April 30th, 1856, and recorded in Union County Deed Record No. 20, page 164; thence with the west margin of said street northerly 80½ feet to a stake at the intersection of Seventh Street with Court Street; thence easterly with the south margin of Seventh Street 132 feet to the alley; thence southerly with the west line of the alley 80¼ feet to a stake at the northeast corner of that part of Out-Lot No. 16 conveyed to John Fleck April 30th. 1856; thence with the north line of said Fleck's lot westerly 132 feet to the place of beginning."

Said premises being located at 302 South Court Street in said village, and situated on the southeast corner of West Seventh Street with the intersection thereof with said South Court Street.

Said premises are appraised at $3,000.00, and must be sold for not less than two-thirds of the appraised value and the terms of sale are cash in full on day of sale.

Edwin A. Seelye,
Administrator of the Estate of Alvaretta J. Seelye, Deceased.

Milo L. Myers, Attorney.

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

Personally appeared before me Emma Chappell, bookkeeper, and made oath that the legal notice, a copy of which is hereto attached was published for 4 consecutive weeks on and next after Feb. 1- 1937 in The Union County Journal, a newspaper of general circulation in the Village of Marysville.

Emma Chappell

Sworn to before me and signed in my presence this 23rd. day of Feb. A. D., 1937.

Seal

F. T. Gammer

Notice Fees, $14.00

13263
Filed
Mar. 17-1937.
Order of Public Sale.

Order of Public Sale.

The State of Ohio, Union County. Probate Court.

To Edwin A. Seelye, 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 Alvaretta J. Seelye, deceased, are Plaintiff and Maude Hennessy et al, are Defendants, you are commanded to proceed according

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Report of Sale.

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to law, to advertise and sell at Public Auction, at the north door of the Court House on the 6th. day of March, 1937, at 1:00 o'clock, P. M., for not less than Two-Thousand Dollars being two-thirds the appraised value thereof, the following described premises, to-wit:

"Situated in the village of Marysville, County of Union, State of Ohio, and a part of Out-Lot No. 16.

Beginning at a stake in the east margin of Court Street and at the northwest corner of that part of Out-Lot #16 conveyed by John McClung to John Pleck by deed dated April 30th. 1866, and recorded in Union County Deed Record No. 20 page 164; thence with the west margin of said street northerly 80½ ft. to a stake at the intersection of Seventh Street with Court Street; thence easterly with the south margin of Seventh Street 132 ft. to the alley; thence southerly with the west line of the alley 80¼ ft. to a stake for the northeast corner of that part of Out-Lot #16 conveyed to John Pleck April 30th. 1866; thence with the north line of said Pleck's lot westerly 132 ft. to place of beginning."

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

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 29th. day of January, 1937.

Seal — L. W. Hazen — 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.

Return. Dated the 15th. day of March, 1937.

Edwin A. Seelye.

Repot of Sale.

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Union County Journal a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate, for at least four consecutive weeks prior to the 6th. day of March, 1937, 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 proceeded to offer said real estate for sale at the north door of the Court House in said county, when then and there, the Defendant, The Home Owners Corporation of Washington, D. C., bid to pay for

Repot of Sale.

THE COL. B. B. MFG. CO 73503

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the same the sum of Two Thousand and Eight and no/100 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 it for that sum.

Dated the 15th. day of March 1937.

Edwin A. Seelye.

Filed Mar. 17-1937. Journal Entry.

In the Probate Court of Union County, Ohio.

Edwin A. Seelye as Administrator of the Estate of Alvaretta J. Seelye, deceased,

Plaintiff,

-vs-

Maude Hennessy.
George T. Hennessy,
Edwin A. Seelye, and
Home Owners' Loan Corporation,

Defendants.

Case No. 13263.
Entry Confirming Sale.

This day this cause came on to be heard on the report of Edwin A. Seelye, Administrator of the Estate of Alvaretta J. Seelye, deceased, the plaintiff, of his proceedings under the former order of this Court, and upon the 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, according to law and as previously ordered by the Court 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 therefore ordered that the said plaintiff execute a good and sufficient deed of all the right, title and interest of the said Edwin A. Seelye and the said Alvaretta J. Seelye, deceased, in said real estate, to the purchaser, The Home Owners' Loan Corporation of Washington, D. C., upon the said purchaser paying the purchase price therefor.

This cause coming on further to be heard upon the pleadings herein and upon motion to distribute the proceeds of the sale, amounting to the sum of $2,008.00, the Court finds that there is due the defendant, The Home Owners' Loan Corporation of Washington, D. C., upon the note set forth in its Answer & Cross Petition filed herein, this day the sum of $3,597.19, including interest; that the said Alvaretta J. Seelye and the said Edwin A. Seelye, her husband, to secure the payment of the said promissory note gave a mortgage upon the whole of the premises in the Petition described, which was a valid and subsisting lien upon said premises, and is now upon the funds in the hands of the said plaintiff arising from the sale of said premises. It is, therefore, ordered that an entry of release and satisfaction of said mortgage lien be entered on the record of said mortgage in the Office of the Recorder of Union County, Ohio, according to law.

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13378 Filed Apr. 22-1937. Richard C. Thrall, Attorney. Est

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The Court further finds that the said Edwin A. Seelye owned the undivided one-half interest in said real estate in his own right, and had or claimed to have an interest therein as the surviving spouse of the said Alvaretta J. Seelye, deceased, and that he waived whatever interest he had in said real estate and consented that the plaintiff sell the same free and clear of any interest that he might have or claim therein, and elected to take the same in money out of the proceeds received from the sale, and that he with the said Alvaretta J. Seelye, deceased, executed the said mortgage deed made in favor of the said The Home Owners' Loan Corporation to secure the payment of the said promissory note aforesaid, and the interest accrued thereon.

Therefore, the Court finds that after paying the costs of this action, the taxes on said real estate and payment on the said mortgage note there is no balance, or equity due or payable to the said Edwin A. Seelye out of the proceeds received from the sale of said premises.

Therefore, it is ordered that the said plaintiff, out of the money in his hands, pay:

To this court the costs herein taxed at $ 59.32

To Milo L. Myers the attorney for and representing the plaintiff in this cause a fee of $ 50.00

To the plaintiff compensation as Administrator the sum of $ 25.00

To the treasurer of this county the taxes, assessments, interest and penalties against said property, the sum of $ 172.50

To the defendant, The Home Owners' Loan Corporation, the balance of the money in his hand, payment on its mortgage note the sum of $1701.18

And it is further ordered that this cause be recorded.

L. W. Hazen - Probate Judge.

13378
Filed
Apr. 22-1937.
Richard C. Small,
Attorney.

Petition to Sell Real Estate.

Guardian's Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Esther Kleiber, Guardian,
Plaintiff,

-vs-

Her Ward,
George Edward Kleiber and
Esther Kleiber,
Defendants.

No. 13878
Petition to Sell Real Estate.
Petition.

The Plaintiff, represents that he is the duly appointed and qualified Guardian of George Edward Kleiber of the age of five years on the 19th. day of February A. D. 1937, and

THE COL. B. B. MFG. CO. 73503

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residing with Esther Kleiber at Marysville, Ohio, having been appointed as such Guardian by the Probate Court of Union County on the 19th. day of April, 1937.

That it is necessary to obtain funds for the education and support of said ward.

Said ward is seized of the following described real estate: Situate in the State of Ohio, County of Union and Village of Marysville, being part of Survey No. 3351 and bounded and described as follows:

Beginning at a stake in the center of the Waldo gravel Road and southeast corner to John Huber's lot; thence with the south line of said lot N. 88° W. 30.15 poles to a stake in said Huber's southwest corner and in the line of D. W. Henderson's lot; thence with said Henderson's line S. 2° E. 12.25 poles to a stone in the line of said lands formerly owned by Mary Peacock; thence with her line S. 88° E. 5.68 poles to a stone, corner to said Peacock's lot; thence with another line of said Peacock's lot S. 2° W. 4.88 poles to a stone; thence S. 88° E. 23.99 poles to a stake, witness a stone planted in said line and 25 feet from the center of the Waldo gravel road; thence N. 2° E. 17.18 poles to the place of beginning. Containing three acres of land, more or less. Except one-fourth of an acre out of the northeast corner thereof sold and conveyed to Andrew Jenkins, and one-fourth of an acre reserved by John Shirk, extending west from the west end of the Andrew Jenkins lot and being the same width of said Jenkins. Also one acre off of the south side sold and conveyed to John Neibler. The premises being the same sold by R. L. Woodburn to J. George Bishop Sr. Dec. 17, 1904. Record of Deeds, Vol. 91, page 258.

Estimated to contain one and 43/100 acres.

Said real estate is encumbered as follows: None.

The Defendant, Esther Kleiber, who is a resident of Marysville, Union County, Ohio, is entitled to the next estate of Inheritance from the said ward in said real estate.

There are no other persons who have any interest in said real estate.

It would not be to the advantage of said ward to lay off said land in town lots.

Wherefore, Plaintiff prays the court to set this petition for hearing, to issue summons to the Sheriff of Union County for the Defendants, returnable according to law, and for an order authorizing said Plaintiff to sell said real estate, above described, for the purpose of obtaining funds with which to educate and maintain said ward.

Richard C. Thrall - Attorney for Plaintiff.

13378

Filed Apr. 22-1937. Journal Entry. Order Fixing Time of Hearing and for Notice.

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Filed Apr. 22-1937. application and Journal Entry - Guardian Ad Litem.

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Filed Apr. 22-1937. Journal Entry. Appointment of Guardian Ad Litem.

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The State of Ohio, Union County.

Esther Kleiber, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

Esther Kleiber.

Sworn to before me and signed in my presence by the said, Esther Kleiber, Guardian, at Marysville, Ohio, this 22nd. day of April, 1937.

Seal Richard C. Thrall - Notary Public.

Filed Apr. 22-1937. Journal Entry Order Fixing Time of Hearing and for Notice.

Journal Entry - Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Esther Kleiber as Guardian of George Edward Kleiber, Plaintiff.

-vs-

George Edward Kleiber, et al., Defendants.

April 1937. Order Fixing Time for Hearing and for Notice.

This day Esther Kleiber, Guardian of the person and estate of George Edward Kleiber, a minor, filed in this court his petition praying for an order to sell the real estate therein described, belonging to the estate of said ward.

It is ordered that said petition be heard on the 28nd. day of May 1937, at ten o' clock P. M., or sooner if all parties are in court, and that summons for defendants issue to the Sheriff of this County, returnable according to law.

L. W. Hazen - Probate Judge.

Filed Apr. 22-1937. application and Journal Entry - Guardian Ad Litem.

Application for appointment of Guardian ad Litem.

Probate Court, Union County, Ohio. April - 1937.

To the Hon. L. W. Hazen judge of said Court:

The undersigned mother and guardian of George Edward Kleiber makes application for the appointment of a Guardian ad litem for the minor defendant in the above entitled case.

The defendant George Edward Kleiber is under the age of fourteen years, and has been duly served with summons herein.

The undersigned suggests that Arthur W. Galloway who is a suitable person be appointed as such Guardian ad litem.

Respectfully,

Esther Kleiber.

appointment of Guardian Ad Litem.

Probate Court, Union County, O.

Esther Kleiber, Guardian of George Edward Kleiber, Plaintiff.

-vs-

George Edward Kleiber, et. al., Defendants.

No. 13878.

Appointment of Guardian ad litem.

THE COL. B. B. MFG. CO 73503

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This day Esther Kleiber, mother and guardian of George Edward Kleiber 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 George Edward Kleiber is under the age of fourteen years, and has been duly and legally served with summons herein, it is ordered that Arthur W. Galloway be and he hereby is appointed Guardian for the suit, for said minor defendant.

And now comes the said Arthur W. Galloway and in open Court accepts said appointment.

L. W. Hazen - Judge.

Filed Apr. 22-1937. Answer of Guardian Ad Litem.

Answer of Guardian Ad Litem.
Probate Court, Union County, Ohio.

Esther Kleiber, Guardian of George Edward Kleiber, Plaintiff,
-vs-
George Edward Kleiber, et al., Defendants.

No. 13378.
Answer of Minor Defendants.

And now comes the said George Edward Kleiber, the minor defendant to the petition in said cause, by Arthur W. Galloway their Guardian ad litem, heretofore appointed in said cause by said Court, and for answer to said petition, deny all the material allegations herein contained, prejudicial to said minor defendants. They further say, that they are of tender years and not acquainted with the law in such cases, and therefore pray the Court to protect their rights in this cause, and for such relief as may be just.

Dated this 22nd. day of April, A. D. 1937.

George Edward Kleiber.
By Arthur W. Galloway -
Guardian ad litem.

Filed Apr. 22-1937. Waiver of Summons and Consent to Sell.

Waiver of Summons and Consent to Sell.
Probate Court, Union County, Ohio.

Esther Kleiber, Guardian of George Edward Kleiber, Plaintiff,
-vs-
George Edward Kleiber, et al., Defendants.

No. 13378.
Petition to Sell Real Estate.
Waiver of Summons and Consent to Sell.

We, the undersigned Esther Kleiber, Guardian of George Edward Kleiber and Esther Kleiber, Guardian of the Estate of George Edward Kleiber, minor; 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 de-

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Filed Apr. 23-1937. Journal Entry Finding Sale Necessary and Ordering Appraisement.

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Filed Apr. 23-1937. Order of Appraisement.

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scribed in the petition in said action according to the prayer of the same.
April — 1937.

Esther Kleiber.
Esther Kleiber - as Guardian of the Estate of George Edward Kleiber, Minor.

Filed Apr. 23-1937. Journal Entry Finding Sale Necessary and Ordering Appraisement.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

April 23rd. 1937.
Finding Sale Necessary and Ordering Appraisement.

Esther Kleiber, as Guardian of George Edward Kleiber,
Plaintiff,
-vs-
George Edward Kleiber, et al.,
Defendants.

This matter coming on to be heard upon the petition and the evidence, the Court finds all the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance and consent to the sale prayed for, and are properly before the Court; and that it is necessary to sell said real estate to pay the debts of said estate, and the prayer of the petition should be granted.

And, it appearing to the Court that a new appraisement should be made of said real estate, it is ordered that Harold J. Coleman, C. C. Jarvis and Clarence N. Brown, three judicious and disinterested persons of the vicinity, not of kin of the petitioner, be and they hereby are appointed to appraise said real estate at its true value in money; it is further ordered that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view at its fair cash value, and discharge the duties required by them according to law, and to make return of their proceedings in writing to this Court on or before the 1st. day of May, 1937.

L. W. Hazen - Probate Judge.

Filed Apr. 23-1937. Order of Appraisement.

Order of Appraisement.

The State of Ohio, Union County, ss. Probate Court.
To Esther Kleiber, Guardian of George Edward Kleiber:

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 George Edward Kleiber et al., are Defendants, you are commanded that by the oaths of C. C. Jarvis, Harold J. Coleman and Clarence N. Brown, judicious disinterested persons of the vicinity, not of kin to the petitioner, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises to-wit:

Situate in the Village of Marysville, Union County, Ohio, and a part of Survey No. 3351.

THE COL. B. B. MFG. CO. 73503

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Beginning at a stake in the center of the Waldo gravel road and southeast corner to John Huber's lot; thence with said south line of said lot N. 88° W. 30.15 poles to a stake in said Huber's Southwest corner and in the line of D. W. Henderson's lot; thence with said Henderson's line S. 2° E. 12.25 poles to a stone in the line of lands formerly owned by Mary Peacock; thence with her line S. 88° E. 5.68 poles to a stone, corner to said Peacock lot; thence with another line of said Peacock lot S. 2° W. 4.88 poles to a stone; thence S. 88° E. 23.99 poles to a stake, witness a stone planted in said line and 25 feet from the center of the Waldo Road; thence N. 2° E. 17.18 poles to the place of beginning. Containing three acres of land, more or less. Except one-fourth acre out of the Northeast corner thereof sold and conveyed to Andrew Jenkins and one-fourth acre reserved by John W. Shirk, extending west from the west end of the Andrew Jenkins lot and being of the same width of said Jenkins. Also one acre off of the south side sold and conveyed to John Neibler.

Estimated to contain one and 43/100 acres.

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 23rd. day of April, A.D. 1937.

Seal — L. W. Hazen - Probate Judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 23rd. day of April 1937.

Esther Kleiber.

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, truly and impartially appraise the within described real estate at its true value in money, and perform the duties required of us in pursuance of the foregoing order.

Harold J. Coleman
Co. Co. Jarvis
Clarence M. Brown } appraisers.

Sworn to before me and signed in my presence, this 23rd. day of April 1937.

Seal — Richard Co. Thrall - Notary Public.

13378

appraisers' Returns.

Filed Apr. 23-1937.

Journal Entry. Confirming Appraisement and Ordering Additional Bond.

Filed Apr. 23-1937.

Guardians Bond.

13378

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 in money of said real estate at Seven hundred and sixty-three Dollars.

Given under our hands, this 23rd. day of April 1937.

Harold J. Coleman
C. C. Jarvis
Clarence N. Brown
} Appraisers.

Filed Apr. 23-1937. Journal Entry Confirming Appraisement and Ordering Additional Bond.

Journal Entry - Proceeding to Sell Real Estate. Probate Court, Union County, Ohio.

Esther Kleiber as Guardian of George Edward Kleiber, Plaintiff,

-vs-

George Edward Kleiber, et al., Defendants.

April 23- 1937. Confirming Appraisement and Ordering Additional Bond.

This day this matter came on to be further heard on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

It is further ordered that said Esther Kleiber, Guardian, execute within ten days to the State of Ohio a bond with sufficient sureties to be approved by the Court in the sum of Fifteen Hundred Dollars, conditioned according to law.

L. W. Hazen - Probate Judge.

Filed Apr. 23- 1937. Guardians Bond.

Guardian's Bond.

In Proceeding to Sell Real Estate.

Know all Men by these presents: That we, Esther Kleiber, Philip J. Ell and Mary Ell are held and firmly bound unto the State of Ohio, in the sum of Fifteen Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 23rd. day of April, A. D. 1937.

The condition of the above obligation is such, That whereas, the above bound Esther Kleiber was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Guardian of George Edward Kleiber.

And whereas, the said Esther Kleiber 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 Seven hundred and sixty-three Dollars.

THE COL. B. B. MFG. CO 73503

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And whereas, said Court, on the 23rd. day of April 1937, made an order requiring said Guardian to execute a bond according to the statutte in such cases made and provided.

Now, if the said Esther Kleiber, 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.

Esther Kleiber.
Philip J. Ell.
Mary Ell.

This Bond approved in open Court, this 23rd. day of April, 1937.

Seal

L. W. Hazen - Probate Judge.

Filed
apr. 23- 1937.
Application to Sell at Private Sale.

application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

Esther Kleiber, Guardian of George Edward Kleiber, a minor,

Plaintiff,

-vs-

George Edward Kleiber, et al,

Defendants.

No. 13378.
application.

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

1, a purchaser is at hand, who will pay the full appraised price of said real estate, thus avoiding the expense and delay of public sale.

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

Esther Kleiber - Guardian of
George Edward Kleiber.

The State of Ohio, Union County.

Esther Kleiber, being duly sworn, says that the various matters set forth in the foregoing Application are true as she verily believes.

Esther Kleiber.

Sworn to before me and signed in my presence this 23rd. day of April, A. D. 1937.

Richard C. Thrall - Notary Public.

Seal

affidaint of Disinterested Person.

The State of Ohio, Union County.

Harold J. Coleman, C. C. Jarvis and Clarence M. Brown, being duly sworn, say that they know the facts set forth in the Application to which this affidaint is attached;

13878
affidait of Disinterested Person.

Filed
apr. 23- 1937.
Journal Entry approving additional Bond and Ordering Private Sale.

Filed
apr. 23- 1937.
Order of Private Sale.

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18378
Affidavit of
Disinterested
Person.

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.

Harold J. Colemans.
C. C. Jarvis.
Clarence N. Brown.

Sworn to before me and signed in my presence this 23rd. day of April 1937.

Seal — Richard C. Thall - Notary Public.

Filed
Apr. 28- 1937.
Journal Entry.
Approving
Additional
Bond and
Ordering
Private Sale.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.
April 23rd. 1937.
Approving Additional Bond and Ordering Private Sale.

Esther Kleiber as Guardian of George Edward Kleiber,
Plaintiff,
-vs-
George Edward Kleiber, et al.,
Defendants.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Fifteen Hundred Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence that it would be more to the interest of said ward to sell the real estate described in the petition at private sale, it is now ordered that Esther Kleiber as such Guardian, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash in hand.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed
Apr. 28- 1937.
Order of
Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Esther Kleiber, Guardian of George Edward Kleiber, 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 George Edward Kleiber et al. are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than the appraised value thereof, the following described premises, to-wit: Situate in the Village of Marysville, Union County, Ohio, being part of Survey No. 3351,

Beginning at a stake in the center of the Waldo gravel Road and southeast corner to John Huber's lot; Thence with the south line of said lot N. 88° W. 30.15 poles to a stake in said Huber's southwest corner and in the line of D. W. Henderson's lot; thence with said Henderson's line S. 2° E. 12.25 poles to a stone in the line of lands

THE COL. B. B. MFG. CO 73503

13378

formerly owned by Mary Peacock; thence with her line S. 88° E. 5.68 poles to a stone, corner to said Peacock lot; thence with another line of said Peacock lot S. 2° W. 7.88 poles to a stone; thence S. 88° E. 28.99 poles to a stake, witness a stone planted in said line and 25 feet from the center of the Waldo gravel road; thence N. 2° E. 17.18 poles to the place of beginning. Containing three acres of land, more or less. Except one-fourth of an acre out of the north east corner thereof sold and conveyed to Andrew Jenkins and one-fourth of an acre reserved by John W. Shirk, extending west from the west end of the Andrew Jenkins lot and being the same width of said Jenkins. Also one acre off of the South side sold and conveyed to John Neibler.

Estimated to contain one and 43/100 acres.

The interest of said George Edward Kleiber therein being an one-half.

Said sale to be upon the following terms: Cash in hand at time of sale.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 23rd. day of April 1937.

L. W. Hazen - Probate Judge.

Seal

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 23rd. day of April 1937.

Esther Kleiber.

Return.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 23rd. day of April 1937, offer said property, at private sale, and Philip J. Ell having offered therefor the sum of Seven hundred and sixty-three Dollars ($763.00) and the same being not less than the appraised value of said property, I sold the same to said Philip J. Ell for that sum.

Esther Kleiber.

Affidavit to Report of Private Sale.

The State of Ohio, Union County, ss.

Affidavit to Report of Private Sale.

Esther Kleiber, being duly sworn, says that the private sale of property made under the within order and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Esther Kleiber.

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Filed Apr. 23-1937. Summons.

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Service

Filed Apr. 23-1937. Journal Entry Confirming Sale, Ordering Deed and Distribution.

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Filed
Apr. 23-1937.
Summons.

Sworn to before me and subscribed in my presence, this 23rd. day of April, 1937.

Seal — Richard C. Thrall - Notary Public.

Summons on Petition to Sell Real Estate.
Sheriff - Minor only.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are commanded to notify George Edward Kleiber making service of this summons upon such minor under fourteen years of age, by service upon the guardian, father, mother or custodian of said minor, in the order named; that on the 22nd. day of April, A.D. 1937, Esther Kleiber, Guardian of George Edward Kleiber, 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 minor, and in said petition described, and that unless they answer by the 22nd. day of May 1937, said petition will be taken as true, and the order granted accordingly.

Said Sheriff will make due return of this summons on the 3rd. day of May 1937.

Witness my hand and the seal of said Court, this 22nd. day of April 1937.

L. W. Hazen - Judge & ex-officio Clerk of the Probate Court of said County.

Seal — By - Carrie W. Hornbeck - Deputy Clerk.

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees	
Service & Return, first name	.75
Total	$ .75

Received this writ April 23, 1937, at 10 o'clock A. M., and on the days and in the manner hereinafter named, I served the same on the within named defendant who is under fourteen years of age, viz: George Edward Kleiber and also on April 23, 1937, on Esther Kleiber the guardian of the said George Edward Kleiber.

H. S. Roosa - Sheriff.
By E. Wood - Deputy.

Filed
Apr. 23-1937.
Journal Entry confirming Sale, Ordering Deed and Distribution.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court,
Union County, Ohio.

Esther Kleiber, as Guardian of George Edward Kleiber,
Plaintiff,
-vs-
George Edward Kleiber, et al.,
Defendants.

April 23rd. 1937.
Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the report of Esther Kleiber Guardian of George Edward Kleiber of her proceedings under the former order of this

THE COL. B. B. MFG. CO 73503

18378

Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made, it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said George Edward Kleiber in said real estate, to the purchaser, Philip J. Ell, upon the said purchaser paying to said guardian the purchase price. And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Seven Hundred and sixty-three Dollars.

It is further ordered that said Esther Kleiber, Guardian out of the money in her hands, pay:

First, the costs and expenses of the sale, including an attorney fee of $45.78 to Richard C. Thrall for services performed for the fiduciary in connection with the sale, which costs, expenses, fees and compensation shall be paid prior to any liens upon the real estate sold and notwithstanding the purchase of such real estate by a lien holder,

Second, to the payment of taxes, penalties, and assessments then due, against such real estate and to the payment of mortgages and judgments against the ward or deceased person, according to their respective priorities of lien, so far as they operated as a lien on the real estate of the deceased at the time of the sale or on the estate of the ward at the time of the sale; which shall be apportioned and determined by the Court, or on reference to a master or otherwise.

Third, the remaining proceeds of sale to be applied as follows:

(a) If the action be to sell real estate to pay legacies, to the payment of legacies with which the real estate of the deceased was charged;

(b) To discharge the claims and debts of the estate, in the order provided by law;

(c) Whether such executor or administrator was appointed in this state or elsewhere, the surplus of the proceeds of sale must be considered as real estate and be disposed of accordingly.

Fourth, in case of a guardian, in the manner and upon the terms approved by the Court where he was appointed.

And it is further ordered that this proceeding be recorded and that said petitioner pay the costs herein, taxed at $ 31.75, out of the proceeds of said sale.

L. W. Hazen - Probate Judge.

12960
Filed
June 13-1935
L. A. Davis
Wm. R. Cameron
attorneys.

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Filed
June 18-1935
L.A. Davis
Wm. R. Cameron
attorneys.

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

L. A. Davis, Executor of the Estate
of Mary C. Davis, Deceased,
Plaintiff,

-vs-

James Davis (widower)
A. J. Vetter (Bowling Green, O.)
Cecelia Bailey (37 W. State St., Cols.)
Claude L. Vetter (958 Buttles Ave., Cols.)
Everett Vetter (Kileville, O.)
Pearl Vetter (Kileville, O.)
Stanley Vetter (Kileville, O.)
Excel Vetter (address unknown)
Ethel Brookes (East Liberty, O.)
Joe Vetter - a minor (East Liberty, O.)
Defendants.

No. 12960.
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting executor of the estate of Mary C. Davis deceased, late of this county; as near as can be ascertained the amount of the valid debts against said deceased is $352.01, exemptions to widower $ 46.30.

The cost of administering the estate will be about $150.

The total value of the personal property of said decedent was fixed by the appraisal of the estate at $ 48.70, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts and costs aforesaid.

Said decedent did seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and further described as follows: Being part of Survey No. 3736.

Beginning at a stake in the edge of the Marysville and New California Pike; thence S. 57° W. 13 poles to a stone in the line of John Curry's; thence with said line S. 37° E. 3 poles to Mrs. Gardners lot; thence N. 57° E. 13 1/2 poles to the edge of the said pike to a stake; thence 3 poles to the place of beginning containing 1/4 of an acre be the same more or less.

Being a part of survey No. 3736 being the same property transferred by T. M. Gardner and Mary J. Gardner to Adolph Starr and Mary Starr.

Also beginning at the Marysville and New California pike thence West with the South line of the above described lot 13-1/2 poles, thence South 25 feet to a small Elm tree, thence east 13-1/2 poles to the Marysville and New California pike, to a stake. Thence North 25 feet to the place of beginning, said land being taken from

THE COL. & B. MFG. CO. 73503

12960

lots number 23, 24, 25 and 26 in New California, Ohio.

Also the following described real estate situated in the County of Hocking and State of Ohio, and described as follows: to-wit: Being a part of Fractional lot No. 17, Section No. 20, Township No. Eleven (11). Range No. 18, beginning 6.15 chains East of the South West corner of said lot; thence North 20.09 chains to the North side of the county road; thence by said road North 50 1/2° East, 5.60 chains; thence South 24.09 chains; thence West 5.08 chains, to the place of beginning, containing 11.30 acres.

Said land being the East half of the land heretofore devised to Mary C. Pettit and Ollie Calhoun, by Alice Morris, by her last will and testament, which last will is recorded and probated in Vol. D. at Page 437 and 438, Will Records of said county.

Also the following described real estate, beginning 618 feet East of the North-west corner of Section 20, Township 11, Range 18, Benton Township, Hocking County, Ohio; thence East 755 feet to the North-east corner of the North-west quarter of the North-west quarter of Section 20; thence South 1280 feet to an iron pin in the center of State Highway Route No. 56; thence by the center of said Highway South 60° West, 388 feet; thence West 388 feet; thence North 3° 45' West 1317 feet to the North line of said Section 20, to the place of beginning, containing 21.7 acres.

Said real estate was included in the inventory of the estate pursuant to the order of this court and appraised at $ 635.00.

The decedent died leaving the defendant James Davis as her widower, who is 88 years of age and is entitled to dower in said premises.

The defendants, James Davis, A. J. Pettit, Cecelia Bailey, Claude L. Pettit, Everett Pettit, Pearl Pettit, Stanley Pettit, Excel Pettit, Ethel Brooks, Joe Pettit, are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having an interest therein.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold free from all the right of dower of said James Davis therein, but out of the proceeds of the sale, in lieu of dower, the court allow to said James Davis such sum in money as is just and reasonable value thereof, unless the answer of said James Davis waives such allowance; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be

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Filed June 13-1935. Entry.

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Filed July 6-1935. Waiver of Summons and Consent to Sell.

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L. A. Davis - attorney for the Plaintiff.

State of Ohio, Union County, ss.

L. A. Davis, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

L. A. Davis.

Sworn to before me and signed in my presence by the said L. A. Davis, at Marysville, Ohio, this 13 day of June, 1935.

Seal
Probate Court, L. W. Hazen - P. J.
Union County, Ohio.

Filed June 13-1935. Entry.

L. A. Davis, Executor,
Plaintiff.
-vs-
James Davis, al.
Defendants.

No. 12960.
Entry.

This day L. A. Davis, executor of the estate of Mary C. Davis, deceased, filed in this court his petition praying for the sale of the real estate therein described to pay the debts of said estate.

It is ordered that said petition be heard on the 3rd. day of Aug. 1935, at 1 o'clock P. M., and that summons for defendants issue to the sheriff of their respective counties returnable according to law.

L. W. Hazen - Judge.

Filed July 6-1935. Waiver of Summons and Consent to Sell.

Waiver of Summons, or Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

L. A. Davis, Executor of the Estate of Mary C. Davis, Deceased,
Plaintiff,
-vs-
James Davis, et al.,
Defendants.

No. 12960.
Proceeding to Sell Real Estate.
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.

Ethel Irene Brooks.
Joseph Henry Pettit.
Mrs. Harold V. Jackson.
(formerly Ercel Pettet.)
Stanley Pettit.
Everett Pettit.
Pearl Pettit his mark. X
James Davis.

THE COL. B. B. MFG. CO 73503

12960
Filed
Sep. 6 - 1935.

East Liberty, Ohio - August 29th, 1935.

Having on the sixth day of July signed a waiver of notice on summons in the case of L. A. Davis, Executor of the estate of Mary C. Davis, deceased, vs. James Davis et al., asking for an order to sell real estate belonging to the said estate and at that time I had not reached my majority and was a minor and in which I entered my appearance and consented to the sale as prayed for, I do now, having become of age on the 28th. day of June ratify said act as fully as though done at this date.

Joseph Henry Pettit.

Filed
July 13-1935.
Summons.

Summons on Petition To Sell Real Estate.

The State of Ohio, Franklin County. Union County, O. Probate Court.

To the Sheriff of said County:

You are commanded to notify Celia Bailey, 37 West Gates St., Columbus, Ohio, and Claud L. Pettit, #958 Bellows Ave., Columbus, Ohio.

A Precipe to Sell Real Estate has been filed in this Court, asking for an Order to Sell Real Estate to pay Debts. L. A. Davis, Executor and Attorney for Estate of Mary C. Davis, Deceased, Plaintiff; Celia Bailey & Claud L. Pettit et/al. Defendants; that on the Sixth day of July, A. D. 1935, L. A. Davis, Executor of the Estate of Mary C. Davis 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 Third day of August 1935, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on or by July 15th. 1935.

Witness my hand and the seal of said Court, this 6th. day of July, 1935.

Seal

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Franklin County.

Sheriff Fees	
Service & Return, first name	$ .75
- additional names, at 25¢	.25
- miles traveled at 8¢	.40
postage	.03
Total	$ 1.43

Received this writ July 8, 1935, at 9 o'clock A. M., and on the 8 day of July, 1935, I served the same by delivering a copy thereof personally to the within named Celia Bailey. I also on July 9, 1935 served the within named Claud L. Pettit by leaving for him at his usual place of residence, a true and certified copy of this writ with all the endorsements thereon.

Ross E. Anderson - Sheriff of Franklin Co. O.
By - E. R. Radekin - Deputy.

12960
Filed
July 10-1935.
Summons.

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July 10 - 1935.
Summons.

Summons on Petition to Sell Real Estate.

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

To the Sheriff of said County:

You are commanded to notify A. J. Pettet - Bowling Green.

Recipe: In the Matter of the Estate of Mary C. Davis, Deceased. L. A. Davis, Executor and Attorney. A petition having been filed in this Court asking for an order to Sell Real Estate to pay Debts. Waivers having been signed by all heirs excepting above and Celia Bailey also Claude L. Pettet of Franklin County, Ohio; that on the Sixth day of July, A. D. 1935, L. A. Davis - attorney of the Estate of Mary C. Davis 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 sales of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts; and that unless they answer by the 3rd. day of August 1935, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on or by July 15th. 1935.

Witness my hand and the seal of said Court, this Sixth day of July 1935.

(Seal)

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Wood County.

Sheriff Fees	
Service + Return, first name	$ .75
— miles traveled at 8¢	.16
Copy	.25
Total	$ 1.16

Received this writ July 8" 1935 at 9 o'clock A.M., and on the 9" day of July 1935, I served the within named A. J. Pettet by leaving for him at his usual place of residence a true and certified copy of this writ with all endorsements thereon.

Arnold T. Tosh - Sheriff.
By - Clarence Marsh - Deputy.

Recipe.

Filed
July 6 - 1935.
Recipe

Recipe.

In the matter of the Estate of Mary C. Davis, Deceased.

A petition having been filed in your Court asking for an order to sell real estate to pay debts and waivers having been signed by all of the parties interested but 3, I desire the Court to issue summons for A. J. Pettet of Bowling Green, Ohio, addressed to the Sheriff of Wood County and returnable according to law, also, please issue summons for Celia Bailey, residing at 37 West Gates St, Columbus, Ohio, and also to Claude L. Pettet, residing at 958 Bellows Ave., Columbus, Ohio, returnable according to law, and direct to the Sheriff of Franklin County, Ohio.

L. A. Davis - Atty. for Plaintiff.

12960
Filed
July 24-1935.
Answer and
Cross Petition.

In the Probate Court, Union County, Ohio.

L. A. Davis as Executor of the Estate of Mary C. Davis, deceased,
Plaintiff,

-vs-

James Davis, et al.,
Defendants.

No. 12960.
Answer and Cross-petition.

Now comes the Defendant James Davis, and says that he is the surviving spouse (widower) of Mary C. Davis, deceased; and at the time of the death of the said decedent he and she were living and residing together as husband and wife on the property herein after described and on the 5th. day of February, 1935, he was 88 years of age.

And for answer to the Plaintiff's petition says that he admits that the said Mary C. Davis, his wife, died on or about the 19th. day of February, 1935, testate and her last Will and Testament was duly admitted to probate in the Probate Court of Union County, Ohio, on the 1st. day of April, 1935, and that the said L. A. Davis, thereafter and on the 9th. day of April, 1935, was duly appointed and qualified as executor of said estate.

Admits, that on the 13th. day of June, 1935, the said Plaintiff filed his said petition in this court as above entitled praying for the sale of the real estate therein described.

Admits, that on May 7th., 1935, and inventory and appraisement was taken of the property of the said decedent and filed in this court and that this Defendant as such surviving consort under the Code of Ohio, elected to take the personal property which was appraised at $48.70.

Admits, that the real estate owned by the decedent, situated in Union County, Ohio, was appraised at $400.00.

Admits, that this Defendant has an interest in said real estate.

Further answering the said Plaintiff's petition this Defendant denies each and every statement and allegations therein stated and contained (for want of knowledge) and which is not herein specifically admitted to be true.

Cross-petition.

For cross-petition to the said Plaintiff's petition this Defendant says that some time prior to the 6th. day of July, 1935, the Plaintiff asked him to sign a waiver of summons, which he did not sign being unable to read and was not familiar with or informed as to the contents thereof or the following words contained and stated therein "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", that he was informed that the petition was for the purpose of selling lands in Hocking County, Ohio, and consented thereto and that he did not then

12960

intend to or does he now consent to the sale of said real estate according to the petition.

That, as the surviving consort of the said decedent under the laws of Ohio he has a right to elect and take over certain property belonging to the deceased at the appraised value within 30 days after the appraisement thereof has been approved and confirmed by the court.

That the inventory and appraisement was filed on the 7th. day of May, 1935, and has not yet been approved or confirmed by the court.

That, as the surviving consort of the said decedent he is entitled to the sum of $500.00 and has elected to take and has taken over the personal property at the appraised value of $48.70 and there is still due him the sum of $451.30.

That, he and the decedent lived as husband and wife and had lived for several years in the property described in the Plaintiff's petition situated in Union County, Ohio, and made it their homestead and that he still lives therein and which real estate is described as follows to-wit:

Situated in the County of Union, State of Ohio, and further described as follows: Being part of Survey No. 3736.

Beginning at a stake, in the edge of the Waynsille and New California Pike; thence S. 57° W. 13 poles to a stone in the line of John Cuppy's; thence with said line S. 37° E. 3 poles to the N. Gardners, lot; thence N. 57° E. 13½ poles to the edge of the said pike to a stake; thence 3 poles to the place of beginning, containing ¼ of an acre be the same more or less.

Also beginning at the Waynsille and New California pike thence West with the South line of the above described lot 13½ poles, thence South 25 feet to a small Elm tree, thence east 13½ poles to the Waynsille and New California pike, to a stake. Thence North 25 feet to the place of beginning, said land being taken from lots number 23, 24, 25, and 26 in New Realifornia, Ohio.

Further this Defendant as such surviving spouse under the Laws of Ohio elects to take the premises above described situated in Union County, Ohio, and in the petition described at its appraised value the sum of $400.00.

This Defendant further says that as the surviving spouse of the said decedent he is entitled to dower in the real estate described in the Plaintiff's petition situated in Hocking County, Ohio, and that he waives the assignment thereof or any other interest he may have in said property by metes or bounds or rents and profits and

THE COL. B. B. MFG. CO 73503

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elects to take the value thereof out of the proceeds received from the sale.

Wherefore, this Defendant prays that the said real estate described and situated in Union County, Ohio, be set off and assigned to him and that the said L. A. Davis as executor of the said estate be directed to make, execute and deliver to him a proper deed of conveyance therefor free of any lien or encumbrances thereon.

That, the said executor be further directed to pay him the sum of $61.30 being the difference of the value of the said real estate and of the personal property selected and the sum of $500.00 which he is entitled to receive.

That, out of the proceeds of the sale received of the real estate situated in Hocking County, he be paid in cash whatever interest he may have therein as may be determined and fixed by the court and for such other and further relief that the court may find to be just and equitable.

The State of Ohio, Union County, ss.

James Davis being duly sworn says that the facts stated and the allegations made and contained in the foregoing answer and cross-petition are true as he believes.

James Davis.

Sworn to before me and signed in my presence this 22nd. day of July, 1935.

Seal

Milo L. Myers - Notary Public.
My commission expires Sept. 13-1937.
County of Union, Ohio.

Filed Sept. 10-1935. Petition

In the Probate Court of The
L. A. Davis, Executor of the Estate of Mary E. Davis, Deceased,
Plaintiff,
-vs-
James Davis, et al,
Defendants.

No. 12960.
Asking for right to Sell at Private Sale.
Petition.

Now comes the Plaintiff, L. A. Davis and represents to the Court that, in his opinion, it would be for the best interests of the estate of said decedent to sell the lands in Hocking County at private sale for the reason that the tracts are small and of little value so that it would be difficult to assemble a number of bidders and the land might have to be sold at less than the appraisement.

Wherefore he asks for an order to sell at private sale.

L. A. Davis - Executor.

Filed Sept. 10-1935. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court

To L. A. Davis, 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 — are Plaintiff and James Davis, et al., are Defendants, you are commanded to proceed

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Return.

Report of Private Sale.

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according to Law, to sell at Private Sale, for not less than Two Hundred Thirty five Dollars the appraised value thereof, the following described premises, to-wit: Following described real estate situated in the County of Hocking and State of Ohio and described as follows: Being a part of Fractional Lot No. 17, Section No. 20, Township No. 11, Range No. 18, beginning 6.15 East of the south-west corner of said Lot; thence North 20.09 Chains to the north side of the County road; thence by said road North 50 1/2 East 5.60 chains; thence South 24.09 chains; thence West 5.08 chains to the place of Beginning, containing 11.30 acres.

Also the following real estate beginning 618 East of the North-west corner of Section 20, Township 11, Range 18, Benton Township, Hocking County, Ohio; thence East 755 feet to the North-east quarter of the North-west quarter of Section 20; thence South 1280 feet to an iron pin in the center of the State Highway Route No. 56; thence by the center of said Highway South 60 deg. West 333 feet; thence West 333 feet; thence 3 deg. 45 min. West 1317 feet to the North line of said Section No. 20, to the place of beginning, containing 21.7 acres.

Said sale to be upon the following terms: Cash in hand.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to Law, and of your proceedings herein make due return to this court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 12th. day of September, 1935.

Seal L. W. Hayden - 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.

Return. Dated the 18 day of October, 1935.

L. A. Davis - Executor.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 2 nd. day of October 1935, offer said property, at private sale, and on same day Report of Private Sale. Ollie Calhoun having offered therefor the sum of Two Hundred Forty Dollars ($240.) and the same being not less than the appraised value of said property, I sold the same to said Ollie Calhoun for that sum.

L. A. Davis.

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THE COL. B. B. MFG. CO. 73503

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Affidavit to Report of Private Sale.

Affidavit to Report of Private Sale.

The State of Ohio, Union County, ss:

L. A. Davis, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

L. A. Davis.

Subscribed in my presence and sworn to before me, this 18 day of October, 1935.

L. W. Hazen - Probate Judge.
By- Carrie W. Hornbeck - Deputy Clerk.

Filed Sept. 20-1935. Journal Entry.

In the Probate Court, Union County, Ohio.

L. A. Davis as Executor of the Estate of Mary E. Davis, Deceased, Plaintiff,

-vs-

James Davis, et al., Defendants.

No. 12960.
Journal Entry.

This day, this matter came on to be heard upon the petition of the plaintiff, and the Answer and Cross-Petition of James Davis, the surviving spouse of said decedent, the other defendants being in default for answer, and the court being fully advised in the premises, on consideration thereof finds that all the defendants named in the petition are properly before the court, and that since the filing of the said petition the minor defendant, James Henry Pettet has arrived at full age and entered his appearance herein.

The court further finds that the defendant, James Davis, as surviving spouse of said decedent is entitled under Section No. 10609-89 of the General Code of Ohio to take certain property at its appraised value and by his Answer and Cross-Petition herein has elected to take the real estate situated in the County of Union, State of Ohio, and Township of Jerome at its appraised value in the sum of $400.00 as described and set forth in his said Answer and Cross-Petition.

The court further finds that the said James Davis as such surviving spouse is entitled to dower in the real estate, described in the Plaintiff's petition, situated in Hocking County, Ohio, and by said Answer waives the assignment thereof by metes and bounds, rents or profits and has asked that the said premises situated in said Hocking County, be sold free therefrom and the court fix the just and reasonable value thereof and that the same be paid to him out of the proceeds received from said sale.

The court further finds that it is necessary to sell the real estate, as described in the plaintiff's petition,

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situated in Hocking County, Ohio, to pay the debts of said estate.

It further appearing to the court that the real estate situated in Union County, Ohio, was appraised at the sum of $400.00 as appears in the inventory and appraisement filed in this court and that the real estate situated in Hocking County, Ohio, as described in the said plaintiff's Petition was appraised for the sums of $135.00 and $110.00 respectively, or the total sum of $245.00 as shown in the Inventory and Appraisement filed in this court; and that in this proceedings that a further appraisement be dispensed with, and said appraisements are hereby approved and confirmed.

Therefore, it is ordered and decreed by the court that the said plaintiff, L. A. Davis, as executor of Mary E. Davis, deceased, make, execute and deliver to the said James Davis a good and sufficient deed of conveyance for the said real estate situated in Union County, Ohio, and as described in the petition of the plaintiff and the Answer of the said James Davis; and it appearing to the court that the said James Davis, as said surviving spouse, is entitled to receive $500.00, in money or property, to be selected by him, and that he has selected personal property of the value of $78.70, and is entitled to take the real estate situated in Union County, Ohio, at its appraised value, $400.00.

Therefore, it is ordered that the said L. A. Davis, as such executor, deliver said conveyance to the said James Davis, and as full payment therefor credit the said James Davis with the sum of $400.00 out of the amount to which he is entitled to receive as said surviving spouse, leaving a balance due him of $51.30.

It further appearing to the court that the said L. A. Davis, as said executor, gave an undertaking, when appointed, in the sum of $2000.00, but under Section No. 10510-31 General Code of Ohio an additional bond is necessary in this proceedings; therefore, it is ordered that the said executor file an additional bond, with sufficient sureties thereon, to be approved by this court in the sum of $500.00.

It further appearing to the court that private sale of the real estate described in the plaintiff's petition, situated in Hocking County, Ohio, would be to the best interest of the estate, it is ordered that the said L. A. Davis, as such executor, sell said real estate at private sale at not less than $135.00 and $110.00 respectively, being the appraised value thereof, and for cash, in full.

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It is further ordered that said L. A. Davis, as such executor, make due return of his proceedings and sale without unnecessary delay.

L. W. Hazen - Probate Judge.
Union County, Ohio.

Filed
Oct. 19- 1935.
Motion.

In the Probate Court,
L. A. Davis as Executor of the Estate of Mary E. Davis, deceased,
Plaintiff
-vs-
James Davis, et al.,
Defendants.

No. 12960.
Motion.

Now comes James Davis, one of the Defendants to an interested in this action and moves the court to vacate and set aside the pretended Order of Sale as issued herein on the 12th. day of September, 1935, marked filed September 10th., 1935, and returned on the 18th. day of October, 1935, by L. A. Davis as executor, and the pretended sale of said premises and further moves the court not to confirm said alleged sale for the following reasons, to-wit:-

First: That the said executor by Entry filed on September 20th., 1935, and recorded in Journal 47, Page 466, has not filed additional bond in the sum of $509.60.

Second: The said executor was ordered in said Journal Entry to sell said real estate in Hocking County, for not less than the appraised value, to-wit, $245.00.

Third: That the pretended Order of Sale was issued and signed by the court, without legal authority, on the 12th. day of September, 1935, or eight days prior to the filing of the Entry on September 20th., 1935, ordering the sale.

Fourth: That said pretended Order of Sale directed the said executor to sell said real estate for $285.00, at private sale, $40.00 less than the appraisement.

Fifth: That the said executor, on the 18th. day of October, 1935, made a return and report of sale of said real estate, as of October 2nd, 1935, to one Ollie Calhoun, for the sum of $240.00. Which alleged sale was $5.00 less than the appraised value.

Wilo L. Myers - Attorney for James Davis.

Filed
Mar. 12-1936.
Executor's
Additional Bond.

Petition to Sell Real Estate - Executor's Additional Bond.

Know All Men by these Presents: That we, L. A. Davis as principal and United States Fidelity and Guaranty Company as surety, of the County of Union in the State of Ohio, are held and firmly bound unto the State of Ohio, in the penal sum of Five Hundred Dollars, to the payment of which sum, well and truly to be made to the State of Ohio, we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

Signed and dated the 5th. day of March in the year one thousand nine hundred and thirty-six.

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Filed
Jan. 11- 1937.
Entry.

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The condition of the above obligation is such, that, whereas the above named L. A. Davis has heretofore been appointed and qualified as Executor of the Estate and property of Mary C. Davis, deceased, of the County and State aforesaid.

And whereas, the said L. A. Davis as such Executor has made application to the Probate Court of Union County, Ohio, to sell the Real Estate of said Deceased, which has been appraised at $ 245.00.

And whereas, said Court has ordered said Executor to execute a bond according to the statute. Now if the said Executor shall faithfully discharge his duties, and make payment and account for all moneys arising from such sale, according to Law, then this obligation to be void; otherwise to remain in full force.

L. A. Davis resides at Plain City, Ohio.

United States Fidelity and Guaranty Company.

Seal By- Russell S. Bourne - Attorney-in-fact.

This Bond approved in open Court this 12th. day of March, 1936.

Seal L. W. Hazen - Probate Judge.

Filed Jan. 11- 1937. Entry.

In the Probate Court of Union County, Ohio.

L. A. Davis, Executor of the Estate of Mary C. Davis, deceased, Plaintiff,

-vs-

James Davis, et al., Defendants.

No. 12960. Entry.

This day this cause coming on to be heard on the motion heretofore filed herein of James Davis, one of the defendants in this action, for an order of this court to vacate and set aside the pretended Order of Sale as issued herein on the 12th. day of September, 1935, marked filed September 10th. 1935, and returned on the 18th. day of October, 1935, by L. A. Davis as Executor, and to set aside the pretended sale of said premises under and by virtue of said pretended Order of Sale, the Court upon consideration of the same finds that said motion is well taken for the reasons set forth therein and sustains the same.

It is therefore ordered and adjudged that said pretended Order of Sale, the return thereof, and the pretended sale of said premises under and by virtue of said pretended Order of Sale, be and the same hereby are set aside and held to be void and of no effect.

And it further appearing to this Court that the said L. A. Davis, plaintiff above named, has since the return of said pretended Order of Sale above mentioned, died, and that Jay D. Ferguson has been duly appointed the Administrator de Bonis Non with the will annexed of the estate of the said Mary C. Davis, deceased, and is

THE COL. B. B. MFG. CO. 73503

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at present the duly qualified and acting Administrator as aforesaid, and this Court having heretofore, by Entry of date of September 20th. 1935, found that private sale of the real estate described in the plaintiff's petition, situated in Hocking County, Ohio, would be to the best interest of the estate, it is further ordered that the said Jay D. Ferguson, as such Administrator as aforesaid, file an additional bond in this proceeding, with sufficient surety to be approved by this Court, in the sum of $500.00, and proceed to sell said real estate at private sale for not less than the appraised value thereof as set forth in said Entry of date of September 20th. 1935, upon the terms set forth in said Entry, and make due return of his proceedings and sale without unnecessary delay, and further comply with the orders and directions of this Court as set forth in said Entry.

Dated this 11th day of January, 1937.

L. W. Hazen - Probate Judge.

Filed Jan. 18 - 1937. Bond of Administrator.

Bond of Administrator.

In Proceeding to Sell Real Estate.

Know all Men by these Presents: That we Jay D. Ferguson, and The United States Fidelity & Guaranty Co., are held and firmly bound unto the State of Ohio, in the penal sum of Five Hundred Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 18th. day of January, A. D. 1937.

The Condition of the above obligation is such, That whereas, the above bound Jay D. Ferguson was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Administrator de Bonis Non with the Will Annexed of the estate of Mary C. Davis, Deceased, (succeeding L. A. Davis, Executor of said estate, who is now deceased).

And whereas, the said L. A. Davis, as such Executor has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Mary C. Davis described in said petition;

And whereas said Court, on the 11th. day of January, 1937, made an order requiring said Administrator de Bonis non with the Will Annexed, to execute a bond according to the statute in such cases made and provided.

Now, if the said Jay D. Ferguson as Administrator as aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

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Filed Feb. 13-1937. Order of Private Sale.

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Executed in Presence of
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Jay D. Ferguson.
United States Fidelity
& Guaranty Co.,
By- Russell S. Bangs
Attorney-in-fact.

This Bond approved in open Court, this 18th. day of January, 1937.

Seal

L. W. Hazen- Probate Judge.

Filed
Feb. 13-1937.
Order of
Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Jay D. Ferguson, Administrator de Bonis Non with the Will Annexed, of the estate of Mary C. Davis, deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Administrator de Bonis Non with the Will Annexed, of the estate of Mary C. Davis, deceased, succeeding L. A. Davis, executor of the estate of Mary C. Davis, deceased, who has, since the commencement of this action, died) are Plaintiff and James Davis, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than Two Hundred Forty-five Dollars the appraised value thereof, the following described premises, to-wit:

Situated in the County of Hocking and State of Ohio, and described as follows, to-wit: Being a part of Fractional Lot No. 17, Section No. 20, Township No. 11, Range No. 18, beginning 6.15 chains East of the South West corner said lot; thence North 20.09 chains to the North side of the county road; thence by said road North 60½° East 5.60 chains; thence South 24.09 chains; thence West 5.08 chains, to the place of beginning, containing 11.30 acres.

Also the following described real estate, beginning 618 feet East of the North West corner of Section 20, Township 11, Range 18, Benton Township, Hocking County, Ohio; thence East 755 feet to the North East corner of the North West quarter of the North West quarter of Section 20; thence South 1280 feet to an iron pin in the center of State Highway Route No. 56; thence by the center of said Highway South 60° West 388 feet; thence West 333 feet; thence North 3° 45' West 1317 feet to the North line of said Section 20, to the place of beginning, containing 21.7 acres.

Said sale to be upon the following terms; cash.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

THE COL. B. B. MFG. CO. 73503

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Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 18th. day of January 1937.

Seal L. W. Hazen - Probate Judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 11th. day of February 1937.

Jay D. Ferguson.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 11th. day of February 1937, offer said property, at private sale, and The Ohio Fuel Gas Company having Report of Private Sale. offered therefor the sum of Two Hundred Forty-five Dollars ($245.00) and the same being not less than the appraised value of said property, I sold the same to said The Ohio Fuel Gas Company for that sum.

Jay D. Ferguson.

Affidavit to Report of Private Sale.

The State of Ohio, Madison County, ss.

Jay D. Ferguson, being duly sworn, says that the private sale of property made under the within order and reported Affidavit to Report of Private Sale. above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Jay D. Ferguson.

Sworn to before me and subscribed in my presence, this 11th. day of February, 1937.

Seal Tessa R. Guy - Notary Public.

Filed Feb. 13- 1937. Entry - Confirmation of Sale, Order for Deed & Distribution.

In the Probate Court of Union County, Ohio.

L. A. Davis, Executor of the Estate of Mary C. Davis, dec'd. Plaintiff,

-vs-

James Davis, et al., Defendants.

No. 12960.

Entry, Confirmation of Sale, Order for Deed and Distribution.

This day this cause came on to be heard on the report of Jay D. Ferguson, administrator de bonis non with the will annexed of the estate of Mary C. Davis, deceased, of his proceedings under the former order of this court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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

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It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Mary C. Davis in said real estate, to the purchaser The Ohio Fuel Gas Company, upon payment by the said purchaser of the purchase price of said property.

And now this cause coming on to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Two Hundred Forty-five and no/100 dollars, and the said James Davis, widower, having by answer herein asked that the value of his dower in said premises and $51.30, the balance remaining due to said widower out of the $500.00 to which he is entitled as exempt from administration, be paid to him out of the proceeds of said sale; the Court finds that the said James Davis, widower, has since the issuance of said order of sale, and before said sale, died, and that such dower interest as the said widower may have had has ceased and terminated, and that said sum of $51.30, only, out of the proceeds of said sale is due to the estate of the said James Davis, widower.

It is therefore further ordered that said Jay D. Ferguson, administrator de bonis non with the will annexed, out of the money in his hands, pay;

First. To the treasurer of Hocking County, Ohio, the taxes, penalty and interest thereon against said property, amounting to $12.64

Second. To the Probate Court of this county the costs and expenses incurred in the sale of said property, amounting to $28.59

Third. To the estate of James Davis, deceased, the balance remaining due by virtue of the statutory allowance to the widower of property exempt from administration, amounting to $51.30

Fourth. It is further ordered that the balance of said proceeds by accounted for by said Jay D. Ferguson, administrator de bonis non with the will annexed, according to law, said balance amounting to $152.47

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

L. W. Hazen - Probate Judge.

THE COL. U. B. MFG. CO. 73503

13387
Filed
May 15-1937.
Hoopes & Sanders
attorneys.

Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio.

Paul Ryan, Administrator of the Estate of James J. Dundon, deceased,

Plaintiff,

-vs-

Helen Dundon, Robert Dundon, Stella Dinnen, Jennie Greenwalt, John Dundon, Edward H. Dundon, Maurice Dundon and Katherine Doty,

Defendants.

No. 13387.
Petition.

The plaintiff is the duly appointed, qualified and acting administrator of the Estate of James J. Dundon, deceased, by virtue of an order of the Probate Court of Union County, Ohio.

As near as can be ascertained the amount of the valid debts against said deceased is Fourteen Hundred ($1400.00) Dollars, and the costs of administering said estate is about Three Hundred ($360.00) Dollars.

The total value of the personal property of said decedent was fixed by the appraisers of said estate at Twelve Hundred Fifty-three ($1253.60) Dollars, and said inventory and appraisement has been confirmed and approved by this court and has not been excepted to; said personal property is wholly insufficient to pay the debts and costs as aforesaid.

Said decedent died seized in fee simple of the following described real estate:

Situated in the State of Ohio, County of Clark, and City of Springfield.

Being lot number Six Thousand One Hundred and Ninety-six (6196) McNally Addition to the said City of Springfield, Ohio.

Said real estate was included in the inventory and appraisement of the estate pursuant to an order of this court and appraised at Three Thousand ($3000.00) Dollars.

At the time of his death said decedent was unmarried and had no children, and the defendants, Helen Dundon, Robert Dundon, Stella Dinnen, Jennie Greenwalt, John Dundon, Edward H. Dundon, Maurice Dundon and Katherine Doty, all being over the age of 21 years, are his only heirs at law and next of kin, and the only persons entitled to the next estate of inheritance from the decedent, in such real estate, and are the only persons or parties having any interest therein.

Wherefore, plaintiff prays that said real estate may be sold free from all the rights and interests of any of the persons parties hereto, and that your petitioner be

13387
Filed
May 15-1937.
Waiver.

13387
Filed
May 15-1937.
Entry.

13387

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 the court deems just and proper.

Hooper & Sanders — Attorneys for Plaintiff.

State of Ohio, Union County, ss:

Paul Ryan, being first duly sworn, says that he is the duly appointed and qualified administrator of the estate of James J. Dundon, deceased, and that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

Paul J. Ryan.

Sworn to before me and subscribed in my presence this 5th. day of May, 1937.

Ed Gwynn Sanders — Notary Public.

Filed May 15-1937. Waiver.

Probate Court, Union County, Ohio.

In the Matter of the Estate of James J. Dundon, deceased. | No. 13387. Entry of Appearance.

We the undersigned being all of the heirs at law and next of kin of James J. Dundon, deceased, do hereby waive the issuance and service of summons and process herein, and do voluntarily enter our appearance in this cause and do consent to the sale of the real estate of said Decedent as prayed for by the Administrator herein for the payment of the debts of said Decedent and distribution of the remainder of the purchase price to us in accordance with Law.

Helen Dundon.
Robert Dundon.
Stella Dimmer.
Jennie Greenwalt.
John Dundon.
Edward H. Dundon.
Maurice Dundon.
Katherine Doty.

Filed May 15-1937. Entry.

In the Probate Court, Union County, Ohio.

Paul Ryan, Administrator of the Estate of James J. Dundon, deceased, Plaintiff, | No. 13387. Entry.

-vs-

Helen Dundon, et al., Defendants.

This day this cause came on to be heard on the petition of the plaintiff for authority to sell real estate of the decedent, James J. Dundon, to pay the debts of his estate. The court finds from the evidence that all necessary parties are before the court, and that all the defendants have waived the issuing of service of summons

THE COL. & B. MFG. CO. 73503

13387

and process and have voluntarily entered their appearances herein, and have consented to the sale of the real estate as prayed for in the petition.

The court further finds from the evidence that the allegations in said petition are true and that said real estate ought to be sold as prayed for.

The court further finds that the said James J. Dundon, at the time of his decease, was a widower and that his only heirs at law and next of kin, and the only persons entitled to the next estate of inheritance in said real estate from said decedent, and the only persons having any interest in said real estate, are the defendants, Helen Dundon, Robert Dundon, Stella Dimmer, Jennie Greenwalt, John Dundon, Edward H. Dundon, Maurice Dundon and Katherine Doty, and that all of said defendants are over 21 years of age.

The Court further finds that the real estate described in the petition was appraised by the appraisers of the estate at Three Thousand ($3000.00) Dollars, and order that a further appraisement be dispensed with.

The court further finds that the bond heretofore given by the plaintiff as administrator of the estate of James J. Dundon, deceased, is insufficient, and it is ordered that he file an additional bond with sufficient sureties, to be approved by this court, in the sum of Three Thousand ($3000.00) Dollars.

And it appearing that private sale would be to the best interests of the estate and to all parties interested in said real estate, it is ordered that the said Paul Ryan, as such administrator, sell said real estate, at private sale, for not less than Three Thousand ($3000.00) Dollars, that being the appraised value thereof, and that said real estate be sold for cash.

And it is further ordered that the said Paul Ryan, as such administrator, make return of sale without unnecessary delay.

L. W. Hazen - Probate Judge.
Union County, Ohio.

Filed
May 15- 1937.
Additional Bond.

In the Probate Court,
Union County, Ohio.

Paul Ryan, Administrator of
the Estate of James J. Dundon,
Deceased,
Plaintiff,

-vs-

Helen Dundon, et al,
Defendants.

No. 13387.
Additional Bond.

Know all Men by these Presents:

That we, Paul Ryan, principal, and P. H. Ryan and Bernice Ryan, as sureties, are firmly bound unto the State of Ohio in the penal sum of Three Thousand

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13387 ($3000.00) Dollars to the payment of which we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

The condition of this obligation is such, that whereas in a certain cause pending in the probate court of Union County, Ohio, wherein Paul Ryan, Administrator of the Estate of James J. Dundon, deceased, is plaintiff, and Helen Dundon, et al., are defendants, the said Paul Ryan has been ordered by said court to sell certain real estate of said decedent to pay debts.

Now, if the said Paul Ryan, administrator as aforesaid, shall faithfully discharge his duties in the premises and full account for all moneys arising from such sale according to law, then this obligation to be void, otherwise to be in full force and effect.

Paul Ryan.
P. H. Ryan.
Bernice Ryan.

Filed May 15- 1937. Entry.

In the Probate Court, Union County, Ohio.

Paul Ryan, Administrator of the Estate of James J. Dundon, deceased, Plaintiff,

-vs-

Helen Dundon, et al., Defendants

No. 13387. Entry.

This day this cause came on for hearing upon the filing by the said Paul Ryan, as Administrator of the Estate of James J. Dundon, of his additional bond as heretofore ordered in the sum of Three Thousand ($3000.00) Dollars.

The court, after careful consideration and upon examination of said bond, finds the same conditioned according to law with sufficient sureties thereon, and said bond is hereby approved.

L. W. Hazen- Probate Judge.

Filed May 15- 1937. Entry. Order of Private Sale.

In the Probate Court, Union County, Ohio.

Paul Ryan, Administrator of the Estate of James J. Dundon, deceased, Plaintiff,

-vs-

Helen Dundon, et al., Defendants.

No. 13387. Order of Private Sale.

To Paul Ryan, Greeting:

Whereas, on the 13 day of May, 1937, in the Probate Court, Union County, Ohio, in a certain action therein pending wherein Paul Ryan as Administrator of the Estate of James J. Dundon, deceased, is plaintiff, and Helen Dundon, et. al., are defendants, it was ordered, adjudged and

THE COL. R. B. MFG. CO. 73503

13387

decreed that you proceed to sell the real estate mentioned in the petition, at private sale, for a price not less than the appraised value thereof agreeable to the statute regulating the sale of real estate by Administrator, and that you make return of your proceedings in the premises to the said Probate Court, and bring this order with you. The said real estate is described in the petition as follows, to-wit:

Situated in the State of Ohio, County of Clark, and City of Springfield.

Being lot number Six Thousand One Hundred and Ninety-six (6196) McNally Addition to the said City of Springfield, Ohio.

Witness my hand and the seal of said Court, at Marysville, Ohio, this 15th. day of May, 1937.

[Seal] L. W. Hazen - Probate Judge.

Filed May 15-1937. Report of Private Sale.

In the Probate Court, Union County, Ohio.

Paul Ryan, Administrator of the Estate of James J. Dundon, deceased,

Plaintiff,

-vs-

Helen Dundon, et al.,

Defendants.

No. 13387.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 5th. day of May, 1937, offer said property, at private sale, and Ida E. Evilsizor having offered therefor the sum of Three Thousand ($3000.00) Dollars, the same being the appraised value of said property, I sold the same to the said Ida E. Evilsizor for that sum.

Paul Ryan.

State of Ohio, Union County, ss:

Paul Ryan, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Paul Ryan.

Subscribed in my presence and sworn to before me this 5th. day of May, 1937.

[Seal] Gwynn Sanders - Notary Public.

Union County, Ohio.

Filed May 15-1937. Entry.

In the Probate Court, Union County, Ohio.

Paul Ryan, Administrator of the Estate of James J. Dundon, deceased,

Plaintiff,

-vs-

Helen Dundon, et al.,

Defendants.

No. 13387.

Entry.

13387.

In the Probate Court, Union County, Ohio.

Paul Ryan, Administrator of the Estate of James J. Dundon, deceased,

Plaintiff,

-vs-

Helen Dundon, et al.,

Defendants.

No. 13387.

Report of Private Sale.

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Filed Mar. 6-1937.

In the Probate Court, Union County, Ohio.

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13387. This day this cause came on to be heard on the report of Paul Ryan, Administrator of the Estate of James J. Drumdon, deceased, of his proceedings under the former order of this court, and upon 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 James J. Drumdon, in said real estate, to the purchaser, upon said purchaser paying to the said Paul Ryan the sum of Three Thousand ($3000.00) Dollars, that being the purchase price of said real estate.

It is further ordered that said administrator, out of the money in his hands, pay:

First: To the treasurer of Clark County, Ohio, the sum of $28.66, being the taxes, penalty and interest against said property. $28.66

Second: The costs and expenses incurred in the sale of said property, including attorney fees and administrator's compensation, in the sum of $157.00

Third: The balance in the sum of $3814.34 to be accounted for by said administrator, according to law.

L. W. Hazen - Probate Judge.

13300
Filed
Mar. 6-1937

In the Matter of The Estate of Geo. Ehret, Deceased.

In the Probate Court of Union County, Ohio.

In the Matter of The Estate of Geo. Ehret, Deceased. | Case No. 13300.
Sturgis H. Cheney, Admr. | Application to Sell Personalty.

Sturgis H. Cheney respectfully represents that he is the duly appointed, qualified and acting Administrator of the Estate of Geo. Ehret, Deceased, late of said County; that the assets of said estate have been duly appraised and an Inventory filed in this Court.

Your Applicant asks authority to sell the following personal property at private sale, upon such terms as the Court may order.

Description:	Appraised Value
6 Head Cattle	$160.00
30 Head Sheep (½ int. - $150.)	75.00
Farm Machinery	125.00
10 Ton Hay	60.00
2 Horses	150.00
8 Head Hogs	100.00
200 Bu. Corn	180.00

THE COL. B. B. MFG. CO. 73503

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application is made for said authority for the reason that there is not sufficient property to warrant a public sale of the same, and the personal property is in such condition, especially the live stock, that it will be to the best interest of all persons concerned to have an immediate sale thereof.

Robert R. Allen - Attorney for Applicant.

State of Ohio, County of Union, ss:

Sturgis H. Cheney, being first duly sworn according to law, deposes and says that he is the applicant herein; and that the facts stated and the allegations contained in this his application are true as he verily believes.

Sturgis H. Cheney.

Sworn to before me and subscribed in my presence this 6th. day of February, A. D. 1937.

Martha T. Parrott - Notary Public.

(Ten claimed 80¢)

Filed Mar. 6 - 1937. Consent.

In the Probate Court of Union County, Ohio.

In the Matter of the Estate of Geo. Ehret, Deceased. Sturgis H. Cheney, Admr. | Case No. 13300. Consent.

Now comes Lizzie Ehret, widow of Geo. Ehret, Deceased, and says she has no desire to take the property sought to be sold at private sale and consents to the private sale thereof by the Administrator herein.

Lizzie Ehret. - Widow.

Filed Mar. 6 - 1937. Entry Ordering Sale.

In the Probate Court of Union County, Ohio.

In the Matter of the Estate of Geo. Ehret, Deceased. Sturgis H. Cheney, Admr. | Case No. 13300. Entry Ordering Sale.

This day this cause came on to be heard upon the application to Sell Personalty therein described and the Court being fully advised in the premises, finds that the statements and allegations in said Application are true; that the widow has been duly notified and has no desire to take the property sought to be sold at its appraised value, and that the property ought to be sold as prayed for.

And the Court being satisfied upon good and sufficient proof that it will be to the best interest of all persons concerned to sell said property at private sale, it is therefore,

Ordered that Sturgis H. Cheney, Administrator of the Estate of Geo. Ehret, Deceased, sell said personal property at private sale for not less than the appraised value thereof.

It is further ordered that said sale be made for cash upon delivery of said property.

It is further ordered that said Administrator make return of his proceedings herein within thirty days after sale.

L. W. Hazen - Judge.

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Filed
Sept. 18-1936.
John W. Dailey
Attorney.

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

Jerry Rinehart, Executor of the Will of Ainsworth D. Rinehart, deceased,
Plaintiff,

-vs-

Lois Bunkepile, Anna Gantt, Denis Mc Lean, Ruth Mc Lean, a minor under the age of 14 years, Eugene Mc Lean and The Northwestern Mutual Life Insurance Company,
Defendants.

No. 13241.
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting Executor of the estate of Ainsworth D. Rinehart deceased, late of this County; as near as can be ascertained the amount of the valid debts against said deceased is One Thousand Four Hundred Dollars.

And the costs of administering the estate will be about Three Hundred Dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at Nine Hundred Nine and 41/100 Dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts, allowance and costs aforepaid.

Said decedent died seized in fee simple of the following described real estate situated in the County of Union, State of Ohio, in the Township of Leesburg. Part of Surveys Nos. 5630 and 6510.

First Tract:- Beginning at an iron pin in the Southerly line of E. E. Norris' land and N. 77° 30' W. of a hyrn tree, Northwest corner to Estey Hildreth's land and Southeast corner to said Norris' land running thence with the Southerly line of said Norris, South 77° 30' West 69.16 poles to an iron pin; thence South 12° 30' West 79.60 poles to an iron pin in the northerly line of Jerome Ritchie land; thence with the northerly line of said Ritchie land and northerly line of William A. Hall, South 77° 30' East 109.32 poles to a stone; thence North 12° 30' East 35.90 poles to an iron pin; thence North 77° 30' W. 40 poles to an iron pin; thence North 12° 30' East 43.80 poles to the place of Beginning. Containing 43¼ acres, more or less.

Second Tract:- Beginning at a stone at the Southeast corner of the lands of Jerome Ritchie and running thence with his East line N. 8½° East 106.53 poles to a stone, his northeast corner and in the South line of tract one above described; thence with said South line

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12° 30' West 87.37 poles to a stake in the middle of the Welch Gravel Road South 63¾° West 30.90 poles to a stone in the northerly line of lands of Ellsworth J. and Mary A. Richart's north line, North 77° West 50.60 poles to the place of beginning. Containing 48½ acres, more or less.

Subject to public easements for highways as now located.

(Being the same premises as recorded in Vol. 145, page 308 record of Deeds, Union County, Ohio).

Said real estate was included in the inventory of the estate, pursuant to the order of this Court and appraised at Five Thousand Nine hundred fifteen Dollars.

Said real estate is encumbered as follows: a mortgage to The Northwestern Mutual Life Insurance Company with a balance due thereon, including interest, in the sum of $ —.

The decedent died leaving no surviving spouse.

The defendants, Lois Burkepile, Maud Gault, Zenith Mc Lean, Ruth Mc Lean, a minor under 14 years and Eugene Mc Lean a minor under the age of 14 years, are all the heirs or persons entitled to the next estate of inheritance from the decedent in such real estate and having interest therein.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

John W. Dailey - Attorney for the Plaintiff

The State of Ohio, Union County.

Jerry Richart, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

Jerry Richart.

Oath.

Sworn to before me and signed in my presence by the said Jerry Richart, at Marysville, Ohio, this 18 day of September, 1936.

Seal

John W. Dailey - Notary Public.

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THE COL. U. B. MFG. CO. 73503

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Precipe.

Precipe

To the Probate judge:

Issue summons in this proceding, for said Jenis Mc Lean, Ruth Mc Lean, a minor under the age of 14 years, Eugene Mc Lean a minor under the age of 14 years and Zenith Mc Lean father of each of the above minors and custodian of such minors, 311 Maple Street, Marion, Ohio, Defendants directed to the Sheriff of said Marion County, returnable according to law.

John W. Dailey - Plaintiff's Attorney.

Filed Sept. 23 - 1936.

Summons on Petition to Sell Real Estate.

Sheriff - Minors.

Summons

The State of Ohio, Union County. Probate Court.

To the Sheriff of Marion County:

You are commanded to notify Jenis Mc Lean, R. 2; Ruth Mc Lean, R. 2; Eugene Mc Lean, R. 2; the said Ruth Mc Lean and Eugene Mc Lean each being minor and the said Jenis Mc Lean as father of each of said minor and custodian of such minors and Jenis Mc Lean as an individual, of residing at 311 Maple Street, Marion, Ohio, making service of this summons upon such minor ge over fourteen years of age, and also upon the guardian, father, mother or custodian of said minors, in the order named; that on the 18 day of September, A. D. 1936, Jeny Rinehart, executor of the will of Ainsworth L. Rinehart, 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, and in said petition discribed, for the purpose of paying debts and costs of administration and that unless they answer by the 17 day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons on the 28 day of September 1936.

Witness my hand and the seal of said Court, this 18 day of September 1936.

Seal

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Sheriff's Return.

The State of Ohio, Marion County, ss.

Sheriff Fees.	
Service & Return, first name	.75
3 Additional names, at 25¢	.75
6 miles traveled at 8¢	.48
Postage	.03
Total	$2.02

Received this writ September 21st. 1936, at 9 o'clock A. M., and on the 22nd. day of September, 1936, I served the same by leaving a true copy of this writ, with the endorsements thereon, at the usual place of residence of each of the within named Ruth Mc Lean and Eugene Mc Lean, minors, and

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Filed Sept. 18-1936. Journal Entry Orders Fixing Time of Hearing and for Notice.

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Filed Oct. 13-1936. Amended Answer and Cross. Petition of The Defendant, The North-Western Mutual Life Insurance Company.

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Zenis Mc Lean. I also did on the same date serve Zenis Mc Lean, as father and custodian of each of the within named minor, by leaving a true copy of this work, with the endorsements thereon, at the usual place of residence of the said Zenis Mc Lean.

Fred R. Miller - Sheriff.
By- E. Geissler - Deputy.

Filed Sept. 18-1936. Journal Entry Orders Fixing Time of Hearing and for Notice.

Journal Entry - Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio.

Jerry Rinehart as executor of the Will of Ainsworth D. Rinehart, deceased, Plaintiff,

-vs-

Lois Bunkepile, et al., Defendants.

September 18- 1936.
Orders Fixing Time for Hearing and for Notice.

This day Jerry Rinehart, executor of the Will of Ainsworth D. Rinehart deceased, filed in this court his petition praying for an order to sell the real estate therein described, belonging to the estate of said decedent, to pay debts and costs of administration.

It is ordered that said petition be heard on the 19 day of October, 1936, at 10 o'clock A. M., and that summons for defendants issue to the Sheriff of this County, returnable according to law.

L. W. Hazen- Probate Judge.
Union County, Ohio.

Filed Oct. 13- 1936. Amended Answer and Cross Petition of The Defendant, The North-Western Mutual Life Insurance Company.

In the Probate Court, Union County, Ohio.

Jerry Rinehart, Exor. of the Estate of Ainsworth D. Rinehart, Plaintiff,

-vs-

Lois Bunkepile, et al., Defendants.

No. 13241.
Amended Answer and Cross Petition of the Defendant, The Northwestern Mutual Life Insurance Company.

Now comes The Northwestern Mutual Life Insurance Company and says that it is a corporation organized under the laws of the State of Wisconsin with its principal place of business at Milwaukee, Wisconsin, and hereby waives the issuing and service of summons and process in this action and voluntarily enters its appearance herein, and for answer to the plaintiff's petition, says:

That it admits that Jerry Rinehart is the duly appointed, qualified and acting executor of the Estate of Ainsworth D. Rinehart, deceased; admits that The Northwestern Mutual Life Insurance Company holds a first mortgage lien on the real estate described in the petition, and for want of knowledge, denies each and every other allegation in said petition contained not herein expressly admitted to be true.

THE COL. B. B. MFG. CO. 73503

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Amended Cross Petition.

By way of cross petition, this defendant says:

That on the 29th. day of July, 1927, one George A. Hall executed and delivered to The Northwestern Mutual Life Insurance Company, his promissory note, for the sum of Four Thousand ($4000.00) Dollars; that there is now due on said note the sum of $500.00 with interest at the rate of 5% per annum, payable semi-annually, from the 29th. day of July, 1936.

That at the time of the execution and delivery of the note hereinabove described, and in order to secure the payment of the same the said Grover A. Hall and his wife, Imogene R. Hall, executed and delivered to this defendant, their certain mortgage deed, thereby conveying to this defendant, its successors and assigns, the following described real estate:

Situated in the Township of Leesburg, County of Union and State of Ohio, to-wit:

Two adjoining tracts in Survey Nos. 6630 and 6510, bounded and described as follows, viz.:

First Tract: Beginning at an iron pin in the southerly line of E. E. Norris' land and north seventy-seven degrees thirty minutes west of a lynn tree, north-west corner to Esther Hildreth's land and southeast corner to said Norris' land, and running thence with the southerly line of said Norris north seventy-seven degrees thirty minutes west sixty-nine and sixteen one-hundredths poles to an iron pin; thence south twelve degrees thirty minutes west seventy-nine and six-tenths poles to an iron pin in the northerly line of Jerome Ritchie's land; thence with the northerly line of said Ritchie's land and the northerly line of William A. Hall south seventy-seven degrees thirty minutes east one hundred nine and thirty-two one-hundredths poles to a stone; thence north twelve degrees thirty minutes east thirty-five and nine-tenths poles to an iron pin; thence north seventy-seven degrees thirty minutes west forty poles to an iron pin and thence north twelve degrees thirty minutes east forty-three and eight-tenths poles to the place of beginning, containing forty-three and one-fourth acres, more or less.

Second Tract: Beginning at a stone at the southeast corner of the lands of Jerome Ritchie and running thence with his east line north eight and one-half degrees east one hundred six and fifty-three one-hundredths poles to a stone, his northeast corner and in the south line of tract one above described; thence with said south line south seventy-seven degrees thirty minutes east seventy-four and eight-tenths poles to a stone; thence south twelve degrees thirty minutes west eighty-seven

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and thirty-seven one-hundredths poles to a stake in the middle of the Welch Gravel Road, witness an iron pin north twelve degrees thirty minutes east twenty-two feet; thence with the middle line of said road south sixty-three and one-fourth degrees west thirty and ninety-one one-hundredths poles to a stone in the northerly line of the lands of Elsworth J. and Mary A. Rinehart and thence with said Rinehart's north line north seventy-seven degrees west fifty and sixty-six one-hundredths poles to the place of beginning, containing forty-eight and one-half acres, more or less.

On the 10th. day of August, 1927, at 10:15 A.M. o'clock said mortgage was duly left for record in the Recorder's Office in Union County, Ohio, and was duly recorded in Volume 93, Pages 447 and 448 of his mortgage records, and thereby became and now is the first, best and subsisting lien on said real estate.

On the 28th. day of February, 1932, the said Grover A. Hall and Imogene T. Hall conveyed said real estate to Milo M. Burkepile and wife, by deed of general warranty, which deed is recorded in Volume 144, Page 179, of the Records of Deeds of Union County, Ohio, and as a part of the consideration therefor the said Milo M. Burkepile and wife assumed and agreed to pay the note hereinabove set forth.

On the 2nd. day of February, 1933, the said Milo M. Burkepile and wife conveyed said real estate to Ainsworth D. Rinehart, they living, by deed of general warranty, which deed is recorded in Volume 145, Page 358, of the Records of Deeds of Union County, Ohio, and as a part of the consideration therefor the said Ainsworth D. Rinehart assumed and agreed to pay the note hereinabore set forth; that by reason of the execution and delivery and recording of the deed from the said Milo M. Burkepile and wife to the said Ainsworth D. Rinehart, the said Ainsworth D. Rinehart then became the owner of the legal title to said real estate.

Wherefore, this defendant, The Northwestern Mutual Life Insurance Company, prays that the mortgage lien of this defendant be found to be the first, best and subsisting lien on said real estate; that said real estate be sold and that out of the proceeds of said sale, this defendant be paid the sum of $500.00 with interest at 5% per annum, payable semi-annually, from the 29th. day of July, 1936, and for such other and further relief in the premises as the court deems just and proper.

The Northwestern Mutual Life Insurance Company.
Per - Hooper & Studer - Attorneys.

THE COL. B. B. MFG. CO. 73503

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State of Ohio, Union County, ss:

Guyon Sanders, being first duly sworn, says that he is one of the attorneys for the answering defendant herein, The Northwestern Mutual Life Insurance Company, and that the facts stated and allegations contained in the foregoing amended answer and cross-petition are true as he verily believes.

Guyon Sanders.

Sworn to before me and subscribed in my presence this 9th. day of October, 1936.

Seal

Ruth Hess - Notary Public.
Union County, Ohio.

Filed Oct. 6 - 1936. Answer and Cross Petition of the Defendant, The Northwestern Mutual Life Insurance Company

In the Probate Court,

Jerry Rinehart, Executor of the Estate of Ainsworth L. Rinehart, Plaintiff,

-vs-

Lois Burkepile, et al., Defendants.

No. 13241.

Answer and Cross Petition of The Defendant, The Northwestern Mutual Life Insurance Company.

Now comes The Northwestern Mutual Life Insurance Company and says that it is a corporation organized under the laws of the State of Wisconsin with its principal place of business at Milwaukee, Wisconsin, and hereby waives the issuing and service of summons and process in this action and voluntarily enters its appearance herein, and for answer to the plaintiff's petition, says:

That it admits that Jerry Rinehart is the duly appointed, qualified and acting executor of the Estate of Ainsworth L. Rinehart, deceased; admits that The Northwestern Mutual Life Insurance Company holds a first mortgage lien on the real estate described in the petition, and for want of knowledge, denies each and every other allegation in said petition contained not herein expressly admitted to be true.

Cross Petition.

By way of cross petition, this defendant says:

That on the 29th. day of July, 1927, one Grover A. Hall executed and delivered to The Northwestern Mutual Life Insurance Company, his promissory note, for the sum of Four Thousand ($4000.) Dollars; that there is now due on said note the sum of $500.00 with interest at the rate of 5% per annum from the 29th. day of July, 1936.

That at the time of the execution and delivery of the note hereinafore described, and in order to secure the payment of the same the said Grover A. Hall and his wife, Duquet R. Hall, executed and delivered to this defendant their certain mortgage deed, thereby conveying to this defendant its successors and assigns, the real estate set forth and described in the petition.

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On the 10th. day of August, 1927, at 10:15 A.M. o'clock, said mortgage was duly filed for record in the Recorder's Office in Union County, Ohio, and was duly recorded in Volume 93, Page 447 and 448 of his mortgage records, and thereby became and now is the first, best and subsisting lien on said real estate.

On the 23rd. day of February, 1932, the said Grover A. Hall and Onoque T. Hall conveyed said real estate to Milo M. Burkepile and wife, by deed of general warranty, which deed is recorded in Volume 144, Page 179, of the Records of Deeds of Union County, Ohio, and as a part of the consideration therefor the said Milo M. Burkepile and wife assumed and agreed to pay the note hereinabove set forth.

On the 2nd. day of February, 1933, the said Milo M. Burkepile and wife conveyed said real estate to Ainsworth L. Rinehart then living, by deed of general warranty, which deed is recorded in Volume 145, Page 358, of the Records of Deeds of Union County, Ohio, and as a part of the consideration therefor the said Ainsworth L. Rinehart assumed and agreed to pay the note hereinabove set forth; that by reason of the execution and delivery and recording of the deed from the said Milo M. Burkepile and wife to the said Ainsworth L. Rinehart, the said Ainsworth L. Rinehart then became the owner of the legal title to said real estate.

Wherefore, this defendant, The Northwestern Mutual Life Insurance Company, prays that the mortgage lien of this defendant be found to be the first, best and subsisting lien on said real estate; that said real estate be sold and that out of the proceeds of said sale this defendant be paid the sum of $500.00 with interest at 5% per annum from the 29th. day of July, 1936, and for such other and further relief in the premises as the court deems just and proper.

The Northwestern Mutual Life
Insurance Co.
Per. Hooper & Sanders, Attorneys.

State of Ohio, Union County, ss:

Guyon Sanders, being first duly sworn, says that he is one of the attorneys for the answering defendant herein, The Northwestern Mutual Life Insurance Company, and that the facts stated and allegations contained in the foregoing answer and cross petition are true as he verily believes.

Guyon Sanders.

Sworn to before me and subscribed in my presence this 5th. day of October, 1936.

Ruth Hess - Notary Public.

Seal

13241
Filed
Oct. 15 - 1936.
Waiver of Summons and Consent to Sell.

Waiver of Summons on Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

Jerry Rinehart, executor of the Will of Ainsworth Q. Rinehart, Plaintiff,

vs.

Lois Burkepile, et al., Defendants.

No. 13241.
Proceeding to Sell Real Estate.
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.

The Northwestern Mutual Life Ins. Co.
By- Hoopes + Sanders, their attorneys.
Lois B. Burkepile.
Anna E. Garritt.

Filed
Sept. 21 - 1936.
Summons.

Summons on Petition to Sell Real Estate.
Sheriff - Minors.

The State of Ohio, Union County. Probate Court.
To the Sheriff of said County:

You are commanded to notify Zenith McLean, Ruth McLean, Eugene McLean, the said Ruth McLean and Eugene McLean each being minors, and the said Zenith McLean as father of each of said minors and custodian of such minors and Zenith McLean as an individual, making service of this summons upon such minors as over fourteen years of age, and also upon the guardian, father, mother or custodian of said minors, in the order named; that on the 18 day of September, A. D. 1936, Jerry Rinehart, executor of the will of Ainsworth Q. Rinehart, 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, and in said petition described, for the purpose of paying debts and costs of administration and that unless they answer by the 17 day of October 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons on the 28 day of Sept. 1936.

Witness my hand and the seal of said Court, this 18 day of September 1936.

(Seal)

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

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Nov. 25 - 1936.
Entry.

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Nov. 25 - 1936.
Answer of Jennie B. McLean, Admr. of the Estate of Adell McLean, Deceased.

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Sheriff's Return.

The State of Ohio, Union County. }

Service & Return, first name .75
18 miles traveled at 8¢ 1.44
Total $ 1.44

Received this writ September 18, 1936, at 2 o'clock P. M., and after a due and diligent search was unable to locate the within named Zenith McLean, Ruth McLean a minor and Eugene McLean, a minor, within my bailiwick.

William Rausch, Sheriff.
By- A. Grigsby - Deputy.

Filed Nov. 25- 1936. Entry.

In the Probate Court of Union County, Ohio.

Jerry Rinehart, Executor of the Will of Ainsworth D. Rinehart, Deceased,

Plaintiff,

-vs-

Lois Burkepile, et al.,

Defendants.

No. 13241.

This day on motion and good cause being shown it is ordered that Zenis B. McLean, administrator of the estate of Adell McLean, is made a party defendant in this cause and leave is granted to file an answer instanter.

L. W. Hazen- Probate Judge.
Union County, Ohio.

Filed Nov. 25- 1936. Answer of Zenis B. McLean, Admr. of the Estate of Adell McLean, Deceased.

In the Probate Court of Union County, Ohio.

Jerry Rinehart, Executor of the Will of Ainsworth D. Rinehart, Deceased,

Plaintiff,

-vs-

Lois Burkepile, et al.,

Defendants.

Case No. 13241.
Answer of Zenis B. McLean, Admr. of the Estate of Adell McLean, Deceased.

Now comes Zenis B. McLean and says he is the duly appointed, qualified and acting Administrator of the Estate of Adell McLean, Deceased, and as such hereby voluntarily enters his appearance herein, and waives the issuance and service of process.

The Defendant, Zenis B. McLean, Administrator as aforesaid, further answering says that he admits the appointment of Jerry Rinehart, Executor of the Will of Ainsworth D. Rinehart; admits there are certain debts existing against said estate; admits that Ainsworth D. Rinehart was the owner of the real estate described in the Petition of the Plaintiff; and further answering, by reason of lack of knowledge thereof, denys each and every allegation therein contained, except such as are admitted herein.

The Defendant, Zenis B. McLean, Administrator of the Estate of Adell McLean, deceased, further answering says

THE COL. B. B. MFG. CO. 73503

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that Ainsworth J. Rinehart died on or about the 18th. day of November, 1935, leaving a Last Will and Testament in which there is a provision as set forth in Item No. II as follows, to-wit:

"I give, devise and bequeath to Jerry E. Rinehart, Lois Burkepile, Anna Gantt, and Adell McLean all the property, real and personal, of every kind and discription, wheresoever situate, which I may own or have the right to dispose of at the time of my decease, I give, bequeath and devise to them to be theirs absolutely and in fee simple, share and share alike".

The Defendant further answering, says Adell McLean died on or about the 29th. day of February, A. D., 1936. and as above related, Lewis B. McLean is the duly appointed, qualified and acting Administrator of the estate of Adell McLean, deceased, to whom the share to which Adell McLean is entitled from the sale of the real estate described in the Petition of the Plaintiff should be paid.

Wherefore, the Defendant, Lewis B. McLean, Administrator of the Estate of Adell McLean, deceased, asks that the real estate be sold in conformity to the Petition of the Plaintiff, and that he as such Administrator be paid the share to which Adell McLean, Deceased, is entitled, and for such other and further relief to which he is entitled in law and equity.

Robert T. Allen - Attorney for Lewis B. McLean, Admr. of Est. of Adell McLean, Decd.

State of Ohio, County of Union, SS:

Robert T. Allen, being first duly sworn, says he is the attorney for Lewis B. McLean, Admr. of the Estate of Adell McLean, Decd.; and as such is duly authorized and empowered to make this oath; and that the facts stated and allegations contained in the foregoing Answer are true as he verily believes.

Robert T. Allen.

Sworn to before me and subscribed in my presence this 23rd. day of November, A. D., 1936.

Martha T. Parrott - Notary Public.

(Fee claimed 80¢)

Seal

Filed Nov. 25- 1936. Application for Guardian Ad Litem.

In the Probate Court of Union County, Ohio.

Jerry Rinehart, Executor of the Will of Ainsworth J. Rinehart, Deceased,

Plaintiff,

-vs-

Lois Burkepile, et al.,

Defendants.

Case No. 13241.
Application for Guardian Ad Litem.

Comes now John W. Dailey and makes application for appointment of a Guardian Ad Litem for Ruth McLean

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Entry Appointing Defendant Ad Litem.

Answer of Guardian Ad Litem.

13241

and Eugene McLean, two of the Defendants herein, the first an infant of the age of 11 yrs, and the second an infant of the age of 13 years upon whom summons was duly served according to law, and suggests that Robert T. Allen, who is a suitable person, be appointed as such guardian.

John W. Dailey.

State of Ohio, County of Union, ss:

John W. Dailey, being first duly sworn according to law, deposes and says that he is the Applicant herein and that the facts stated and allegations herein contained are true to the best of his knowledge and belief.

John W. Dailey.

Sworn to before me and subscribed in my presence this 25 day of November, A. D., 1936.

L. W. Hazen.
Clerk
of Union County, Ohio.

Entry Appointing Guardian ad Litem.

In the Probate Court of Union County, Ohio.

Jerry Rinehart, Executor of the Will of Ainsworth L. Rinehart, Deceased,

Plaintiff,

-vs-

Lois Bunkepile, et al.,

Defendants.

Case No. 13241.
Entry Appointing Guardian ad Litem.

On the Application of John W. Dailey, Counsel for the Plaintiff herein, it appearing that Ruth McLean and Eugene McLean, two of the Defendants herein were duly served with summons and are minors of the ages of 11 yrs. and 13 yrs. respectively, it is

Ordered, that Robert T. Allen be and he is hereby appointed Guardian ad Litem of said Minors.

L. W. Hazen - Probate Judge.

Answer of Guardian ad Litem.

In the Probate Court of Union County, Ohio.

Jerry Rinehart, Executor of the Will of Ainsworth L. Rinehart, Deceased,

Plaintiff,

-vs-

Lois Bunkepile, et al.,

Defendants.

Case No. 13241.
Answer of Guardian ad Litem.

And now comes Robert T. Allen, duly appointed by the Court as Guardian ad Litem for Ruth McLean and Eugene McLean, the Minor children of Adell McLean, Deceased, and for Answer to the Petition of said Plaintiff, says that he has not, by reason of the tender age of said Defendants, become informed as to the truth of the matters set forth in said Petition, and therefore, on behalf of said Minor Defendants, denies the same and submits the interest of said Defendants to the care and protection of the Court to Order in the premises as just, and the interest of

13241 said Defendants is required.

Robert T. Allen - Guardian ad Litem.

State of Ohio, County of Union, ss:

Robert T. Allen, being duly sworn, says that he is the duly appointed, qualified and acting Guardian ad Litem of Ruth McLean and Eugene McLean, two of the Defendants herein; and as such, is duly authorized and empowered to make this oath; and that the facts in this his Answer are true as he verily believes.

Robert F. Allen.

Sworn to before me and subscribed in my presence this 23rd. day of November, 1936.

(Seal) Martha T. Parrott - Notary Public.

(Fee claimed 80¢)

Filed Nov. 30 - 1936. Journal Entry.

Probate Court of Union County, Ohio.

Jerry Rinehart, Executor of the Will of Ainsworth Q. Rinehart, Deceased,

Plaintiff,

vs.

Anna Gantt, Zenis McLean, Ruth McLean, a minor under the age of 14 years, Eugene McLean a minor under the age of 14 years, Zenis McLean as administrator of the estate of Adell McLean, deceased, and The Northwestern Mutual Life Insurance Company,

Defendants.

No. 13241.

This day this cause came on for hearing upon the petition of the plaintiff for authority to sell the real estate of the above decedent to pay the debts of his estate, and the answer + cross-petition Northwestern Mutual Life Insurance Company, and the answer of Zenis McLean, as administrator of the estate of Adell McLean, deceased, and the answer of Robert Allen guardian ad litem of Ruth McLean and Eugene McLean, minors, the other defendants being in default for answer and demurrer, although each have waived service of summons and process or have been served with summons in accordance with law, and such service is hereby approved.

The court finds from the evidence adduced that all necessary parties are before the court and that the prayer of the petition should be granted.

The court further finds from the evidence adduced that the decedent was the owner of the real estate but that negligence and incompetency of drafting former deeds and conveyances the deed of the decedent was incorrect

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in describing the real estate and that the correct description of said premises is contained in the answer and cross petition of The Northwestern Mutual Life Insurance Company.

The court further finds that on the 29th. day of July, 1927, Grover A. Hall executed and delivered to The Northwestern Mutual Life Insurance Company, his promissory note as set forth in the answer and cross petition and that at said time, in order to secure the payment of said note the said Grover A. Hall and his wife, Eugene T. Hall, executed and delivered to The Northwestern Mutual Life Insurance Company, their mortgage deed on said premises described in the answer and cross-petition, conveying the real estate therein described, which said mortgage was duly filed with the Recorder of Union County, Ohio, as set forth in said answer and cross-petition and that the same is now the last and subsisting lien on said premises and that there is due and owing the sum of $500.00 with interest at the rate of 5% per annum, payable semi-annually from the 29th. day of July, 1936.

The court further finds that Adell McLean died on or about the 29th. day of February, 1936, and that Lewis B. McLean is the duly appointed, qualified and acting administrator of the estate of Adell McLean. That as such administrator aforesaid the said Lewis B. McLean is entitled to the one-fourth interest in said real estate after payment of debts and costs of administration of the estate of Ainsworth A. Rinehart, deceased, under the will of Ainsworth A. Rinehart, deceased. The court further finds that the minors Ruth McLean and Eugene McLean are children of Adell McLean, whose estate is in process of administration, Lewis B. McLean being the administrator.

The court further finds that the real estate described in the answer and cross-petition should be re-appraised, it is ordered that Chas. D. Webb, Elmer Conkright and Elwood Sawyer, three judicious and disinterested persons in the vicinity, not of kin of the petitioner, be and they hereby are appointed to appraise said real estate at its true value in money; it is further ordered that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view at its fair cash value, and discharge the duties required of them by law, and to make return of their proceedings in writing to this court on or before the — day of December, 1936.

L. W. Hazen - Probate Judge.

THE COL. U. S. MFG. CO. 73503

13241
Filed
Dec. 2-1936.
Order of
Appraisement.

Order of Appraisement.

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

To Jerry Rinehart:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as executor of the Will of Ainsworth D. Rinehart are Plaintiff and Anna Gaytt et al., are Defendants, you are commanded that by the oaths of Chas. D. Webb, Elmer Conkright and Elwood Sawyer judicious disinterested persons of the vicinity, not of kin to the petitioner, 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 Leesburg, County of Union and State of Ohio, to-wit:

Two adjoining tracts in Survey Nos. 5630 and 6510, bounded and described as follows, viz.:

First Tract: Beginning at an iron pin in the southerly line of E. E. Norris' land and north seventy-seven degrees thirty minutes west of a lynn tree northwest corner to Esther Hilpreth's land and southeast corner to said Norris' land, and running thence with the southerly line of said Norris north seventy-seven degrees thirty minutes west sixty-nine and sixteen one-hundredths poles to an iron pin; thence south twelve degrees thirty minutes west seventy-nine and six-tenths poles to an iron pin in the northerly line of Jerome Ritchie's land; thence with the northerly line of said Ritchie's land and the northerly line of William A. Hall south seventy-seven degrees thirty minutes east one hundred nine and thirty-two one-hundredths poles to a stone; thence north twelve degrees thirty minutes east thirty-five and nine-tenths poles to an iron pin; thence north seventy-seven degrees thirty minutes west forty poles to an iron pin and thence north twelve degrees thirty minutes east forty-three and eight-tenths poles to the place of beginning, containing forty-three and one-fourth acres, more or less.

Second Tract: Beginning at a stone at the southeast corner of the lands of Jerome Ritchie and running thence with his east line north eight and one-half degrees east one hundred six and fifty-three one-hundredths poles to a stone, his northeast corner and in the south line of tract one above described; thence with said south line south seventy-seven degrees thirty minutes east seventy-four and eight-tenths poles to a stone; thence south twelve degrees thirty minutes west eighty-seven and thirty-seven one-hundredths poles to a stake in the middle of the Welch Gravel Road, witness an iron pin north twelve degrees thirty minutes east twenty-two feet; thence with the middle line of said road south sixty-three and one-fourth degrees west thirty and ninety-one one-hundredths poles to a stone

13241

Return.

Oath of Appraisers.

Appraisers' Return.

13241

ni the northerly line of the lands of Ellsworth J. and Mary A. Rinehart / and thence with said Rineharts' north life north seventy-seven degrees west fifty and sixty-six one-hundredths / poles to the place of beginning, / containing forty-eight and one-half 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 30 day of November, A.D. 1936.

Seal

L. W. Hazen - Probate judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 2 day of December, 1936.

Jerry E. Rinehart.

Return.

Oath of Appraisers.

The State of Ohio, Union County.

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

Oath of appraisers.

C. D. Webb.
E. E. Sawyer.
H. E. Corkright. } Appraisers.

Sworn to before me and signed in my presence, this 30 day of November, 1936.

Seal

John W. Dailey - Notary Public.

Appraisers' Return.

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

Appraisers' Return.

Given under our hands, this 2 day of December 1936.

Chas. D. Webb.
E. E. Sawyer.
H. E. Corkright } Appraisers.

Appraisers' fees $2.00 - Paid by executor.

THE COL. P. & E. MFG. CO. 73503

13241
Filed
Dec. 7-1936.
Order of
Public Sale.

Order of Public Sale.

The State of Ohio, Union County. Probate Court.

To Jerry Ringhart, Executor of the Will of Ainsworth D. Ringhart, 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 of Ainsworth D. Ringhart are Plaintiff and Anna Gantt, et al., are Defendants, you are commanded to proceed according to law, to advertise and sell at Public Auction, at the North door of the Court House, Marysville, O., on the 16 day of January 1937, at one o'clock, P. M., for not less than two thirds the appraised value thereof, the following described premises, to-wit:

Situated in the Township of Leesburg, County of Union and State of Ohio, to-wit:

Two adjoining tracts in Survey Nos. 6630 and 6510, bounded and described as follows, viz:

First Tract: Beginning at an iron pin in the southerly line of E. E. Norris' land and north seventy-seven degrees 30' west of a lynn tree, northwest corner to Esta Hildreth's land and southeast corner to said Norris' land, and running thence with the southerly line of said Norris north 77° 30' West 69.16 poles to an iron pin; thence south 12° 30' west 77.2 poles to an iron pin in the northerly line of Jerome Ritchie's land; thence with the northerly line of said Ritchie's land and the northerly line of William A. Hall south 77° 30' east 109.32 poles to a stone; thence north 12° 30' east 35.9 poles to an iron pin; thence north 77° 30' west 40 poles to an iron pin and thence north 12° 30' east 43.8 poles to the place of beginning, containing 43.25 acres, more or less.

Second Tract: Beginning at a stone in the southeast corner of the lands of Jerome Ritchie and running thence with his east line South 8½° east 106.03 poles to a stone, his northeast corner and in the south line of tract one above described; thence with said south line south 77° 30' east 74.8 poles to a stone; thence south 12° 30' west 87.37 poles to a stake in the middle of the Welsh Gravel Road, witness an iron pin North 12° 30' east 22 feet; thence with the middle line of said road south 68¼° west 30.91 poles to a stone in the northerly line of the lands of Ellsworth J. and Mary A. Ringhart and thence with said Ringharts' north line north 77° west 00.66 poles to the place of beginning, containing 48.50 acres, more or less.

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

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein

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Dec. 7-1936
Journal Entry
Confirming
Appraisement
and Ordering
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make due return to this court.

Witness my signature, and the seal of said Probate Court at Marysville, Ohio, this 7th. day of December, 1936.

Seal L. W. Hazen - 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 epanted, as will fully appear by the proceedings hereto attached.

Return.

Dated the 18 day of January 1937.

Jerry E. Rinehart.

Report of Sale.

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Marysville Daily Tribune, a newspaper printed and of general circulation in Union County, Ohio, where said real estate is situate, for at least four consecutive weeks prior to the 16 day of January 1937, 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 proceeded to offer said real estate for sale at the north door of the Court House, Marysville, Ohio, where Anna E. Gantt, Eunice Rinehart and Lois B. Burkepile bid to pay for the same the sum of Three Thousand, five hundred Ten Dollars, which being the highest and best bid that was offered, and being more two-thirds of the appraised value of said premises, I then and there sold the same to said parties for that sum.

Report of Sale.

Dated the 18 day of January 1937.

Jerry E. Rinehart - Executor of
estate of Ainsworth J. Rinehart.

Filed Dec. 7-1936 Journal Entry confirming Appraisement and Ordering additional Bond.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Jerry Rinehart as executor of the Will of Ainsworth J. Rinehart,
Plaintiff,
-vs-
Anna Gantt, et al.,
Defendants.

Confirming Appraisement and Ordering Additional Bond.

This day this matter came on to be further heard on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

It is further ordered that said Jerry Rinehart, execute within 10 days to the State of Ohio, a bond with sufficient sureties to be approved by the Court in the sum of Ten Thousand Dollars, conditioned according to law.

L. W. Hazen - Probate Judge.

THE COL. B. B. MFG. CO. 73503

13241
Filed
Dec. 7- 1936.
Bond of
Executor.

Bond of Executor.
In Proceeding to Sell Real Estate.

Know all Men by these Presents: That we Jerry Rinehart, Ulfilo Burkepile and Edward Kasper are held and firmly bound unto the State of Ohio, in the penal sum of Ten Thousand Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Marysville, Ohio, this 7 day of December, A. D. 1936.

The condition of the above obligation is such, that whereas, the above bound Jerry Rinehart was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, executor of the estate of Ainsworth D. Rinehart, deceased.

And whereas, the said Jerry Rinehart as such executor has filed a petition in said Probate, asking an order for the sale of certain Real Estate of said Ainsworth D. Rinehart described in said petition; and the Answer & Cross-petition of The Northwestern Mutual Life Insurance Company.

And whereas said Court, on the 7 day of December 1936, made an order requiring said Jerry Rinehart to execute a bond according to the statute in such case made and provided.

Now, if the said Jerry Rinehart as executor aforesaid, shall faithfully discharge his duties and pay and account for all money arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

Jerry E. Rinehart.
Ulfilo U. Burkepile.
Edward Kasper.

This Bond approved in open Court, this 7 day of December, 1936.

Seal

L. W. Hazen- Probate judge.

Filed
Dec. 7- 1936.
Journal Entry
approving Additional Bond
and Ordering
Public Sale.

Journal Entry- Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Jerry Rinehart as executor of the Will of Ainsworth D. Rinehart,
Plaintiff,
-vs-
Anna Gantt, et al.,
Defendants.

Dec. 7- 1936.
Approving Additional Bond and Ordering Public Sale.

It further appearing to the Court that the plaintiff has given additional bond in the sum of Ten Thousand Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

It is now ordered that Jerry Rinehart, as such executor, proceed to advertise for sale in The Marysville Daily Tribune, for four consecutive weeks, on the 16 day of January, 1937, at 1:00 o'clock P. M. the real estate in the answer and Cross-Petition of The Northwestern Mutual Life described

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Jan. 15- 1937.
Legal Notice.

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as provided by law, and that he sell the same at not less than two-thirds of the appraised value thereof, on the following terms, to-wit: Cash in hand at time of sale.

And plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed Jan. 15-1937. Legal Notice.

Executor's Sale.

In pursuance to an order and decree of the Probate Court within and for the County of Union in the State of Ohio, in case No. 13241 wherein Jerry Ritchart as the executor of the will of Ainsworth L. Ritchart is plaintiff and Anna Gantt, et al., are defendants the undersigned will offer the following described real estate for sale at public auction at the north door of the court house, Marysville, Ohio, on the 16th. day of January, 1937, at one o'clock P. M. to-wit:

Situated in the Township of Leesburg, County of Union and State of Ohio, to-wit: Two adjoining tracts in Surveys Nos. 5680 and 6510, bounded and described as follows, viz:

First Tract: Beginning at an iron pin in the southerly line of E. E. Norris' land and north seventy-seven degrees 30 minutes west of a lynn tree, northwest corner to Ester Hildreth's land and southeast corner to said Norris' land, and running thence with the southerly line of said Norris land north 77 degrees 30 minutes west 69.16 poles to an iron pin; thence south 12 degrees 30 minutes west 79.6 poles to an iron pin in the northerly line of Jerome Ritchie's land; thence with the northerly line of said Ritchie's land and the northerly line of William A. Hall south 77 degrees 30 minutes east 109.32 poles to a stone; thence north 12 degrees 30 minutes east 35.9 poles to an iron pin; thence north 77 degrees 30 minutes west 40 poles to an iron pin and thence north 12 degrees 30 minutes east 43.8 poles to the place of beginning, containing 43.25 acres, more or less.

Second Tract: Beginning at a stone in the southeast corner of the lands of Jerome Ritchie and running thence with his east line north 8½ degrees east 106.53 poles to a stone, his north-east corner and in the south line of tract one above described; thence with said south line south 77 degrees 30 minutes east 74.8 poles to a stone; thence south 12 degrees 30 minutes west 87.87 poles to a stake in the middle of the Welsh Gravel Road, witness an iron pin north 12 degrees 30 minutes east 22 feet; thence with the middle line of said road south 63½ degrees west 30.91 poles to a Stone in the northerly line of the lands of Ellsworth J. and Mary A. Ritchart and thence with said Ritchart's north line north 77 degrees west 60.66 poles to the place of beginning, containing 78.60 acres, more or less.

Appraised at Fifty Thousand Dollars.

THE COL. B. B. MFG. CO. 73503

13241 Said real estate to be sold for not less than two-thirds of the appraised value thereof, for cash on date of sale.

Jerry Rinehart, Executor of the Will of Ainsworth L. Rinehart, Deceased.

John W. Dailey, Attorney.

The State of Ohio, Union County, ss.

Personally appeared before me J. M. 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 December 12, 1936, in the Daily Marysville Tribune, a newspaper of general circulation in the county aforesaid.

J. M. Huber.

Sworn to before me and signed in my presence this 14th. day of January, A. D. 1937.

(Seal) G. P. Huber - Notary Public.

Printer's Fees, $21.25.

Filed Jan. 25-1937. Entry Confirming Sale and Ordering Deed.

Probate Court of Union County, Ohio.

Jerry Rinehart, executor of the Will of Ainsworth L. Rinehart, Deceased, Plaintiff, vs. Anna Gantt, et al., Defendants.	Jan. 25, 1937. Confirming Sale and Ordering Deed.

This day this cause came on to be heard upon the report of Jerry Rinehart as executor of the estate of Ainsworth L. Rinehart, deceased, of his proceedings under the former order of this court, and upon the motion of the 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 Ainsworth L. Rinehart in said real estate to the purchasers, Anna E. Gantt, Eunice Rinehart and Lois Barkepile, upon the said purchasers paying for the same in cash.

This cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of such sale, amounting to the sum of Three Thousand Five Hundred Ten Dollars ($3510.00), the court finds that there is due The Northwestern Mutual Life Insurance Company, upon the note set forth in its Answer and Cross-Petition, from the estate of Ainsworth L. Rinehart, the sum of Five Hundred Twelve and 50/100 ($512.50) Dollars, being the amount of said note and

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Filed Jan. 28-1937. Certificate of Release of Mortgage.

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interest to the date of this entry; that Grover A. Hall and his wife, Imogene N. Hall, to secure the payment of said note gave a mortgage upon the premises in the petition, amended answer and cross- petition, described, which was a valid and subsisting lien upon said premises, and now from the funds in the hands of the said Jerry Rinehart, as executor, arising from the sale of said premises.

It is ordered that an entry of release and satisfaction of said mortgage lien be entered on record in the office of the recorder of Union County, Ohio, according to law.

It is further ordered that the said Jerry Rinehart, out of the money remaining in his hands, pay:

First: The costs and expenses of this sale, which includes the sum of $35.00 to Jerry Rinehart for costs and expenses included in making said sale, in the sum &c.

Second: The payment of taxes, penalties and assessments now due, against said real estate, in the sum of $36.00.

Third: The payment of the sum of $612.00 to The Northwestern Mutual Life Insurance Company, being the amount of their note, with interest, and mortgage.

Fourth: That the residue of said funds, the said Jerry Rinehart retain in his hands as executor and account for the same in accordance with law.

Seal L. W. Hazen Probate judge.

Filed Jan. 28- 1937. Certificate of Release of Mortgage.

Court Certificate of Release of Mortgage.
Court of Probate,
Union County, Ohio.
January 28- 1937.
No. 13241.

Jerry E. Rinehart, executor of the
estate of Ainsworth A. Rinehart,
-vs-
Lois Burkepile, et al.

The mortgage given by Grover A. Hall and Imogene N. Hall to The Northwestern Mutual Life Insurance Company and recorded in Book 93 Pages 447 and 448, Records of Mortgages, in the Recorder's Office of Union County, Ohio, is released and satisfied, by proceedings in the above entitled case in said Court, at the January 28, 1937, Term, A. D.

Seal L. W. Hazen- Probate judge.

12286
Filed
May 26- 1937.

In the Matter of The Estate of John Easton, Deceased.

In the Probate Court, Union County, Ohio.

In the Matter of the Estate of John Easton, Deceased. | No. 12283. Application for Transfer of Real Estate.

Now comes Joseph Easton and Fred Easton, and represents to the court that John Easton, late a resident of Dover Township in Union County, Ohio, died testate on the 18th. day of March, 1932, and his last will and testament was filed in the Probate Court of Union County, Ohio, on the 2nd. day of April, 1932, and therein admitted to probate on the 8th. day of April, 1932, and recorded in Will Record U, Page 15. That on said day of April, 1932, they were duly appointed and qualified as executors of the estate of the said decedent.

That the said decedent, at the time of his death, was the owner of the following described real estate, to-wit:

First Tract: Situated in the Township of Dover, County of Union, State of Ohio and a part of Survey No. 5497, and,

Beginning at a stone in the center of an unimproved road and at the south-west corner to the lands of John Easton; thence with two consecutive lines of said Easton's land, North 81° 30' East 68.84 poles to a stone; thence with another line to said Easton's land South 8° 30' East 12.24 poles to a stone; thence South 81° 30' West 68.96 poles to a stone in the center of said unimproved road; thence with the center of said unimproved road North 7° 45' West 12.24 poles to the place of beginning.

Containing 5¼ acres be the same more or less.

Second Tract: Situated in the Township of Dover, County of Union, State of Ohio and a part of Survey No. 5497, and,

Beginning at a stone in an unimproved road, a corner to L. M. Myers' land; thence with the west line of said Myers land and the line of R. J. Perkins' land and E. O. Black's land N. 4° 15' West 116.56 poles to a stone in the south line of the Rachel Black land; thence with the south line of the said Rachel Black land and the line of land of Carpenter and Palm, S. 85° West 46.32 poles to qu Iron pipe at the northeast corner the C. L. Stiner land; thence with the east line of said Stiner land and the same line produced S. 7° West 95.16 poles to a stone in the center of said unimproved road; thence with said road as follows: S. 53° 45' East 13.88 poles to a stone; S. 73° East 12 poles to a stone; S. 84° 45' East 33.20 poles to a stone; and S. 74° 45' East 11.44 poles to the beginning.

Containing 38.25 acres, more or less.

Third Tract: Situated in the Township of Dover, County of Union, State of Ohio, and a part of Lots No. 9, 10, ard 13 of the subdivision of Survey No. 5497, and,

Beginning at a stone north-west corner to the Adam Phillips farm in the north line of Lot No. 9; thence with

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12284 the north line of Lots Nos. 9 and 12 South 81° 31' West 44.80 poles to a stone on the left bank of Dunns Run; thence North 81° 45' West 15 poles to a stake in the center of said run; thence with the center of said run North 70° 15' West 5 poles to a stake; thence continuing with the center of said run North 58° 15' West 4.52 poles to a stake (a stone on the right bank of said run bears S. 81° 12' West) thence South 81° 31' West 104 poles to a stone in the east line of lands formerly owned by John H. Stewart, (the southeast corner of Sylvanus Bellville farm bears N. 7° 45' W. 6 links) thence with the east line of the said John H. Stewart lands South 7° 45' East 49.32 poles; thence North 81° 30' East 68.72 poles to a stone; thence South 8° 30' East 12.8 poles to a stone; thence North 81° 30' East 57.72 poles to a stone; thence South 8° 30' East 6.16 poles to a stone; thence North 81° 30' East 8.88 poles to a stone in the east line of said Lot No. 12; thence with said line North 8° 30' West 6.16 poles to a stone; thence North 81° 30' East 86 poles to a stone; and thence North 8° 30' West 52.20 poles to the beginning.

Containing 57.50 acres, more or less.

Insofar as they can be ascertained, the following is a list of persons, with their places of residence, and relationship to and the devisees of the decedent; and the interest passing, to whom each such parcel of real estate passed.

Irma Weaver	- Pandora, Ohio	- Daughter	- 1/4
Joseph Easton	- Marysville, Ohio	- Son	- 1/4
Paul Easton	- Marysville, Ohio	- Son	- 1/4
Fred Easton	- Marysville, Ohio	- Son	- 1/4

Your petitioners further represent that all the known debts of decedents estate have been paid or secured to be paid.

Your petitioners further represents that all the provisions of law to be performed before filing this application, have been fully complied with by said executors.

Wherefore, they pray for a certificate transferring said real estate to the parties herein above named and to have the same transferred and recorded in the proper records, as provided by law.

Joseph Easton.
Fred Easton.

The State of Ohio, Union County, ss.

Joseph Easton and Fred Easton, both of whom being duly sworn, say that the facts stated in the foregoing application are true as they believe.

Joseph Easton.
Fred Easton.

Sworn to before me and signed in my presence, this 25th. day of May, 1887.

(Seal) Norman C. Brown - Notary Public.

12286
Filed
May 26- 1937.

Journal Entry.
Probate Court, Union County, Ohio.
May 24th. 1937.
Authority to Transfer Real Estate.

In the Matter of The Estate of John Easton, Deceased.

This day came Joseph Easton, and Ted Easton, executors of the estate of John Easton, deceased, and filed herein their application, duly verified, for an order directing the transfer of certain real estate belonging to said decedent, as set forth in the application.

It appearing to the Court that John Easton, a resident of Dover Township, in said County, died testate on March 18th. 1932; that his last will and testament was filed in the Probate Court of Union County, Ohio, on the 2nd. day of April, 1932, and therein probated on the 8th. day of April, 1932, and recorded in Will Record U, Page 15; and that on the 8th. day of April, 1937, Joseph Easton and Ted Easton were duly appointed and qualified as executors of the estate of said decedent; that insofar as they can be ascertained, the following is a list of persons, with their ages, places of residence and relationship to the decedent and interest passing, to whom each such parcel of Real Estate passed by descent or devise.

Name	Age	Place of Residence	Relationship	Portion Passed.
Irma Weaver		Pandora, Ohio.	Daughter	1/4
Joseph Easton		Marysville, Ohio.	Son	1/4
Paul Easton		Marysville, Ohio.	Son	1/4
Ted Easton		Marysville, Ohio.	Son	1/4

And that the description of said real estate is as set out in said application; and it appearing to the satisfaction of the Court that the law has been fully complied with by said applicant; It is hereby ordered, that said real estate be transferred upon the duplicate of the County where such parcels are situated, to the persons named herein and that a certificate for the transfer of said real estate, together with the description contained in the application, be filed with the Recorder of the proper County for record, as provided by law.

L. W. Hazen - Probate Judge.

12523
Filed
May 22- 1937.

In the Matter of The Estate of Cassie Liggett Hawks, Deceased.
Application for Transfer of Real Estate.
Probate Court, Union County, Ohio.
In the Matter of The Estate of | No. 12523.
Cassie Liggett Hawks, Deceased. | Application for Transfer of Real Estate.

Now comes James R. Liggett, and represents to the Court that Cassie Liggett Hawks, a resident of Marysville in said County, died testate on the 30th day of April, 1933; that her last will and testament was filed in

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the Probate Court of Union County, Ohio, on May 19, 1933, admitted to probate on May 19, 1933, and recorded in Vol. U, Page 283, of the Record of Wills in said County; and that on the 24th. day of June, 1933, James R. Liggett was duly appointed and qualified as Executor of the estate of said decedent.

The following is a description of each parcel of real estate, situated in Ohio, owned by the decedent at the time of his death.

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

Beginning at a stake at the southwest corner of a lot conveyed by John T. Brewer to Cassie Liggett, April 9, 1894; thence with the south line of said lot South 85 degrees east 66 feet to a stake at the south-east corner of said lot; thence south 5 degrees west 18 feet to a stake; thence north 85 degrees west 66 feet to a stake; thence north 5 degrees east 18 feet to the beginning.

Containing about 3/100 of an acre; being part of Out Lot No. 8 in said Village of Marysville, and part of Division No. 5 of the Charity A. Ualip Estate.

Also the following real estate, situated in the County of Union, in the State of Ohio, and in the Village of Marysville, and bounded and described as follows:

Being part of Out Lot No. 8, beginning at a stake in the south line of Third Street and northwest corner to Mary A. Whelpley's lot; thence with the west line of said lot S. 2 degrees W. 147 feet to a stake; thence N. 88 degrees W. parallel with said Third Street 66 feet to the northwest corner of W. C. Main's stable; thence N. 2 degrees E. parallel with the west line of said Mary A. Whelpley's lot 147 feet to the south line of said Third Street S. 88 degrees E. 66 feet to the beginning.

Containing 35 square poles more or less.

Insofar as they can be ascertained, the following is a list of persons, with their ages, places of residence and relationship to the decedent and interest passing, to whom each such parcel of real estate passed by descent or devise.

Name	age	Place of Residence	Relationship	Potion Passed.
James R. Liggett	60	Columbus, Ohio.	Son	one-half.
Ethel May Lloyd	30	North Hampton, Mass.	Granddau.	one-fourth.
Wilma Jean Liggett	24	North Hampton, Mass.	"	" "

Your petitioner further represents that all known debts of decedent's estate have been paid or secured to be paid, or that sufficient other assets are in hand to complete the payment thereof.

THE COL. B. B. MFG. CO 73503

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Your petitioner furthe represents that all the provisions of laws to be performed before filing this application, have been fully complied with by him.

Wherefore he prays for a certificate transferring said real estate to the parties herein named and to have the same transferred and recorded in the proper County, as provided by law.

James R. Liggett.

The State of Ohio, Union County.

James R. Liggett being first duly sworn, says that the facts stated in the foregoing application are true as he verily believes.

James R. Liggett.

Sworn to before me and signed in my presence, this 22 nd. day of May, 1937.

Clifton L. Cayl - Notary Public, Union County, Ohio.

Seal

Journal Entry.

Probate Court, Union County, Ohio.

May 22., 1937.

Journal Entry

In the Matter of The Estate of Cassie Liggett Hawke, Deceased. | Authority to Transfer Real Estate.

This day came James R. Liggett, Executor of the estate of Cassie Liggett Hawke, deceased, and filed herein his application, duly verified, for an order directing the transfer of certain real estate belonging to said decedent, as set forth in the application.

It appearing to the Court that Cassie Liggett Hawke, a resident of Marysville, in said County, did testate on April 30, 1933; that her last will and testament was filed in the Probate Court of Union County, Ohio, on May 19, 1933, and admitted to probate on May 19, 1933, and recorded in Vol. U, Page 233, of the Record of Wills in said County; and that on the 24th. day of June, 1933, James R. Liggett was duly appointed and qualified Executor of the estate of said decedent; that insofar as they can be ascertained, the following is a list of persons, with their ages, places of residence and relationship to the decedent and interest passing, to whom each such parcel of Real Estate passed by decent or devise.

Name	Age	Place of Residence	Relationship	Portion Passed
James R. Liggett	60	Columbus, Ohio.	Bow.	one-half.
Ethel May Alloyd	30	North Hampton, Mass.	Granddau.	one-fouth.
Wilma Jean Liggett	24	" " "	"	" "

And that the description of said real estate is as set out in said application; and it appearing to the satisfaction of the Court that the law has been fully complied with by said applicant; It is hereby ordered that said real estate be transferred upon the duplicate of the County where such parcels are situated, to the persons named herein and that a certificate for the transfer of said real estate, together with the description con-

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12869
Filed
Jan. 8- 1938.
Cameron & Cameron
attorneys.

tained in the application, be filed with the Recorder of the proper County for record, as provided by law.
L. W. Hazen - Probate judge.

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12869
Filed
Jan. 8- 1935.
Cameron & Cameron
attorneys.

Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, deceased,
Plaintiff,
-vs-
Kate C. Johnson, Vera M. Reed, Elizabeth Matteson, a minor aged 10 years, Benjamin V. Matteson, a minor aged 7 years, Ernest A. Cameron and Cora Matteson, Guardian of the said Elizabeth Matteson and Benjamin V. Matteson,
Defendants.

No. 12869.
Petition for Order for Reappraisement and Sale of Real Estate to Pay Legacies.

The plaintiff is the duly appointed, qualified, and acting Executor of the Last Will and Testament of Williqm D. Cameron, deceased.

Said Last Will was duly probated by this Court on the 27th. day of October, 1933. Said Will contains the following provisions:

Item 5. "I give, devise and bequeath to my three children, Clyde C. Cameron, Clara A. Matteson and Kate C. Johnson, and their heirs, all the rest and residue of my property, both personal and realy, to be divided between them share and share alike."

Item 6. "I hereby make, nominate and appoint my grand-nephew, William R. Cameron, of Marysville, Union County, Ohio, to be my executor and trustee for the purpose of carrying out the provisions and bequests of this my last will and testament, and I hereby confer upon said executor full power and authority to sell and convey real estate when necessary to carry out the provisions of this my will, and to make, execute and deliver a good and sufficient warranty deed therefor. In case of the inability of my said grand-nephew, William R. Cameron, to serve as executor by reason of his absence from the county or for any other cause, then it is my Will that my nephew, Richard L. Cameron, be appointed as such executor with like duties and powers."

THE COL. B. B. MFG. CO 73503

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Plaintiff says that the said Clyde C. Cameron is now deceased, and Ernest A. Cameron, his son, is the his only child and heir at law, and entitled to his share of said estate. That said Clara A. Matteson is now deceased, and Vera M. Reed, her daughter, and Benjamin D. Matteson, her grandson, and Elizabeth Matteson, her granddaughter, are now her only next of kin and heirs at law in said estate. That the said Clyde C. Cameron and Clara A. Matteson, both died intestate.

Said provisions of said will are a charge on the following real estate of which said decedent died seized:

Situate in the County of Union, in the State of Ohio, and in the village of Richwood and part of Survey No. 6307 and bounded and described as follows: Being all of In Lots Nos. 143 and 144 in said village of Richwood as the same are designated upon the recorded plat. Also a parcel of land lying North of Bomford Street in said village, and East of In Lot No. 143 extending to the alley North of said Lot and East to Pearl Street in said Village of Richwood.

Also the following real estate situated in the County of Union, in the State of Ohio, and in the Village of Richwood and bounded and described as follows: Being a part of In-Lot number sixty-three (63). Beginning at a point in the east line of said lot and distant eleven (11) feet South of the Northeast corner of said lot; thence parallel with the North line of said Lot fifty (50) feet West; thence South seventeen (17) feet; thence parallel with the north line of said lot fifty (50) feet East; thence North seventeen (17) feet to the place of beginning. Also, being the north half of the brick and stone wall fifty (50) feet in length of the brick building situate on the corner of Franklin and Blagrove Streets in said Village and the ground upon which the same is located, and all the rights of grantor thereunder. Also, being a part of Lot No. Sixty-three (63) in the original plat of said Village and described as follows: Beginning at a point on the West line of Franklin Street eleven feet south of the north line of said lot No. 63 and on the dividing line between the properties of (formerly) Lewis C. Beem and the property formerly owned by B. P. Hall, above described; thence west along said dividing line twenty (20) feet, or more if more should be needed for the improvement mentioned hereafter; thence north four (4) feet thence east parallel with said dividing line to the west line of Franklin Street; thence south to the place of beginning, to have and to use for the purpose of erecting and maintaining thereon a stairway to the upper story of the building now on the ground of grantee.

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The grantee agrees to assume all the obligations and is to receive all the benefits to be derived from a deed for the last described premises made by Lewis C. Beem and wife to B. P. Hall September 3rd, 1901, and recorded in Vol. 86 page 39 of deed of records of Union County, Ohio. Being the same premises purchased by grantors from B. P. Hall and wife April 26th, 1909, and recorded in deed records of Union County, Ohio, Vol. 99, Page 179.

Also the following real estate situate in the County of Union, in the State of Ohio, and in the town of Richwood, and bounded and described as follows: Being all of Lots Number Eight Hundred and Thirty-eight (838) and Eight Hundred and Thirty-nine (839) in The Homestead Land Co.'s Homestead Addition to the town of Richwood, Ohio, as recorded in Plat Book Vol. 1, Pages 290 and 291 Union County Records.

The defendant, Kate C. Johnson is one of the devisees named in said will and the defendants, Ernest A. Cameron, Vera M. Reed, Benjamin V. Matteson and Elizabeth Matteson are the heirs of the other devisees named in said will.

That it is necessary to sell said real estate in order to make distribution of the estate among the persons entitled thereto. The time for contesting said will has elapsed and there are no persons under disability who can later contest said will. That said William D. Cameron left no surviving spouse.

That said real estate was appraised at the time of the first appraisal of said estate but it is impossible to sell the same for the appraised value thereof and petitioner asks for a new order of appraisement of the same.

Wherefore, petitioner prays that the Court set this petition for hearing, issue summons for the defendants, Benjamin V. Matteson and Elizabeth Matteson, minors, directed to the Sheriff of this County and returnable according to law, and for an order authorizing the plaintiff to appraise and sell said real estate in order to make distribution of said estate.

Cameron & Cameron
Attorneys for Plaintiff.

State of Ohio, Union County, ss.

Richard L. Cameron, being first duly sworn, says that he is the duly appointed, qualified and acting executor of the last will and testament of William D. Cameron, deceased, and that the facts stated and allegations made and contained in the foregoing petition are true as he verily believes.

Richard L. Cameron.

THE COL. P. B. MFG. CO. 73503

12869

Sworn to before me and subscribed in my presence this 30 th. day of November, 1934.

Mary B. Aurine - Notary Public.

Filed Jan. 8-1935. Waiver.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, deceased, Plaintiff,

-vs-

Kate C. Johnson, et al., Defendants.

No. 12869
Waiver of Process and Consent to Sell.

I, the undersigned, party defendant in the above entitled cause for the sale of real estate of the said decedent to make distribution of the proceeds to the devisees thereof, hereby waive service of process and consent to the sale of the real estate in said petition mentioned as therein prayed for, and the statutory time for pleading is hereby waived and I consent that said petition may be heard at such time as may be by the Court ordered.

Cora Matteson - Guardian of Elizabeth Matteson and Benjamin V. Matteson.

Filed Jan. 8-1935. Waiver.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, deceased, Plaintiff,

-vs-

Kate C. Johnson, et. al., Defendants.

No. 12869.
Waiver of Process and Consent to Sell.

I, the undersigned, party defendant in the above entitled cause for the sale of real estate of the said decedent to make distribution of the proceeds to the devisees thereof, hereby waive service of process and consent to the sale of the real estate in said petition mentioned as therein prayed for, and the statutory time for pleading is hereby waived and I consent that said petition may be heard at such time as may be by the Court ordered.

Kate Cameron Johnson.

Filed Jan. 8-1935 Waiver.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, deceased, Plaintiff,

-vs-

Kate C. Johnson, et. al., Defendants.

No. 12869.
Waiver of Process and Consent to Sell.

12869

Filed Jan. 8-1935. Waiver.

Filed Jan. 8-1935 Journal Entry Setting Time of Hearing and for Notice.

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I, the undersigned, party defendant in the above entitled cause for the sale of real estate of the said decedent to make distribution of the proceeds to the devisees thereof, hereby waive service of process and consent to the sale of the real estate in said petition mentioned as therein prayed for, and the statutory time for pleading is hereby waived and I consent that said petition may be heard at such time as may be by the Court ordered.

Ernest A. Cameron.

Filed
Jan. 8-1935.
Waiver.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased,
Plaintiff,
-vs-
Kate C. Johnson, et al.,
Defendants.

No. 12869.
Waiver of Process and Consent to Sell.

I, the undersigned, party defendant in the above entitled cause for the sale of real estate of the said decedent to make distribution of the proceeds to the devisees thereof, hereby waive service of process and consent to the sale of the real estate in said petition mentioned as therein prayed for, and the statutory time for pleading is hereby waived and I consent that said petition may be heard at such time as may be by the Court ordered.

Vera M. Rud
Richwood, Ohio, R.#.

Filed
Jan. 8-1935
Journal Entry
Orders Fixing
Time of Hearing
and for
Notice.

Journal Entry - Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased,
Plaintiff,
-vs-
Kate C. Johnson, et al,
Defendants.

Jan. 8-1935.
Orders Fixing Time for Hearing and for Notice.

This day Richard L. Cameron, Executor of the Last Will of William D. Cameron deceased, filed in this court his petition praying for an order to sell the real estate therein described, belonging to the estate of said decedent, to make distribution of the estate among the persons entitled thereto according to the terms of the Will.

It is ordered that said petition be heard on the 11th. day of Feb. 1935, at ten o'clock A. M., and that summons for defendants issue to the Sheriff of this County, returnable according to law.

L. W. Hazen - Probate Judge.

THE COL. B. B. MFG. CO 73503

12869
Filed
Jan. 9- 1935.
Application
for Appointment
of Guardian
Ad Litem.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor
of the Last Will of William
D. Cameron, Deceased,
Plaintiff,

-vs-

Kate C. Johnson, et al.,
Defendants.

No. 12869.
Application for appointment
of Guardian ad Litem.

Now comes Richard L. Cameron, as executor of the last Will of William D. Cameron, deceased, and makes application for the appointment of Richard C. Thrall as guardian for the suit for Benjamin D. Matteson and Elizabeth E. Matteson, both minors under the age of 14 years, and for grounds for said application, says: That the said Elizabeth E. Matteson and Benjamin D. Matteson are minors under the age of 14 years, and are necessary parties defendant in the above entitled action, and that they have each been duly and legally served with summons in this cause, and no application for the appointment of a guardian ad litem has been made for them by any other person.

Richard L. Cameron - Executor.
By- Cameron & Cameron - His Attorneys.

Filed
Jan. 9- 1935.
Entry Appointing
Guardian
Ad Litem.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor
of the Last Will of William
D. Cameron, Deceased,
Plaintiff,

-vs-

Kate C. Johnson, et al.,
Defendants.

No. 12869.
Entry appointing Guardian Ad Litem.

This day this cause came on to be heard upon the application of Richard L. Cameron, as executor of the Last Will of William D. Cameron, deceased, plaintiff in this action, for the appointment of a guardian ad litem for Benjamin D. Matteson and Elizabeth E. Matteson; and the Court, being fully advised in the premises, finds that said Benjamin D. Matteson and Elizabeth E. Matteson are minors under the age of 14 years, and are necessary parties defendant to this action, and they have each been duly and legally served with summons herein, and no former application for a guardian ad litem has been made for them.

It is therefore adjudged and decreed that Richard C. Thrall be, and he hereby is appointed guardian for the suit for said minor defendants.

L. W. Hazen - Probate Judge.

This day came Richard C. Thrall into open Court, and having heretofore been appointed guardian for the suit for Benjamin D. Matteson and Elizabeth E. Matteson, minor defendants under the age of 14 years, accepts said appointment.

Richard C. Thrall.

Filed
Jan. 9- 1935.
Answer of
Guardian
ad Litem.

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Feb. 13- 1935.
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Jan. 9- 1935.
Answer of
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Probate Court, Union County, Ohio.

Richard L. Cameron, Executor
of the Last Will of William
D. Cameron, Deceased,
Plaintiff,

-vs-

Kate C. Johnson, et al.,
Defendants.

No. 12869.
Answer of Guardian ad Litem.

Now comes Richard C. Thrall, having been heretofore appointed guardian for the suit for the defendants, Benjamin V. Matteson and Elizabeth E. Matteson, minors under the age of 14 years, and for his answer for said minor defendants and for each of them, says: That he denies each and every allegation in said petition contained, except such as may allege ownership of said defendants in the real estate described in the Plaintiff's petition, and says that said defendants are of tender years, and asks the Court to protect their rights and interests in this action, and to grant them such relief as may be proper.

Richard C. Thrall -
Guardian ad litem for
Benjamin V. Matteson and
Elizabeth E. Matteson.

Filed
Feb. 13- 1935.
Entry.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor
of the Last Will of William
D. Cameron, Deceased,
Plaintiff,

-vs-

Kate C. Johnson, et al.,
Defendants.

No. 12869.
Entry.

This cause coming on to be heard upon the petition, the answer of Richard C. Thrall, guardian ad litem for Benjamin V. Matteson and Elizabeth E. Matteson, and the evidence; the Court finds that all of the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance and consent to the sale as prayed for, and are properly before the Court; that there is no surviving spouse entitled to dower in said premises and that it is necessary to sell said real estate for the purpose of making distribution of the estate as provided for in the Will of said William D. Cameron, deceased, and the prayer of the petition should be granted.

And it appearing to the Court that a new appraisement should be made of the said real estate, it is ordered that C. E. Durfey, G. W. Keller and W. W. Daniels, three judicious and disinterested persons of the vicinity, not next of kin of the petitioner, be and they hereby are appointed

THE COL. B. B. MFG. CO 73503

12869

to appraise said real estate at its true value in money; it is further ordered that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view at its fair cash value and discharge the duties required by them according to law and make return of this proceedings in writing to this Court, on or before the 16th. day of February, 1935.

L. W. Hazen - Probate Judge.

Probate Court, Union County, Ohio.

Filed Feb. 14- 1935. Entry Confirming appraisement and Ordering additional Bond.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased, Plaintiff,

-vs-

Kate C. Johnson, et al., Defendants.

No. 12869.
Entry Confirming Appraisement and Ordering Additional Bond.

This day this cause came on to be further heard on the report of the appraisers heretofore appointed, and it appearing upon examination that said appraisement has been had in all respects in conformity to law and the order of this Court, it is ordered that the same be and it is hereby approved and confirmed.

It is further ordered that said Richard L. Cameron, Executor, execute within five days to the State of Ohio, a bond with sufficient sureties to be approved by the Court, in the sum of $1000.00 conditioned according to law.

L. W. Hazen - Probate Judge.

Probate Court, Union County, Ohio.

Filed Feb. 14-1935. Order to and Report of Appraisers.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased, Plaintiff,

-vs-

Kate C. Johnson, et. al., Defendants.

No. 12869.
Order to and Report of Appraisers.

To E. E. Durfey, G. W. Keller and W. W. Daniels, the Court reposing confidence in your judgment on the 13th. day of February, 1935, in a certain action to sell real estate now pending in said Court wherein Richard L. Cameron as executor of the Will of William D. Cameron, deceased, plaintiff, and Kate C. Johnson, et al., are defendants, appointed you to appraise the following described real estate;

First Tract: Situate in the County of Union, in the State of Ohio, and in the village of Richwood and part of Survey No. 6307 and bounded and described as follows: Being all of In-Lots Nos. 143 and 144 in said village of Richwood as the same are designated upon the recorded plat. Also a parcel of land lying North of Bomford Street in said village, and East of In-Lot No. 143 extending

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to the alley North of said Lot and East to Pearl Street in said Village of Richwood.

Second Tract: Also the following real estate situated in the County of Union, in the State of Ohio, and in the Village of Richwood and bounded and described as follows: Being a part of Out-Lot number sixty-three (63). Beginning at a point in the east line of said lot and distant eleven (11) feet South of the Northeast corner of said lot; thence parallel with the North line of said Lot fifty (50) feet West; thence South seventeen (17) feet; thence parallel with the north line of said lot fifty (50) feet East; thence North seventeen (17) feet to the place of beginning. Also, being the north half of the brick and stone wall fifty (50) feet in length of the brick building situate on the corner of Franklin and Glasgow Streets in said village and the ground upon which the same is located, and all the rights of grantor thereunder. Also, being a part of Lot No. Sixty-three (63) in the original plat of said Village and described as follows: Beginning at a point on the West line of Franklin Street eleven feet south of the north line of said lot No. 63 and on the dividing line between the properties of (formerly) Lewis C. Beem and the property formerly owned by B. P. Hall, above described; thence west along said dividing line twenty (20) feet, or more if more should be needed for the improvement mentioned hereafter; thence north four (4) feet; thence east parallel with said dividing line to the west line of Franklin Street; thence South to the place of beginning, to have and to use for the purpose of erecting and maintaining thereon a stairway to the upper story of the building now on the ground of grantee. The grantee agrees to assume all the obligations and is to receive all the benefits to be derived from a deed for the last described premises made by Lewis C. Beem and wife to B. P. Hall, September 3rd., 1901, and recorded in Vol. 86, Page 39 of Records of Deeds of Union County, Ohio, Being the same premises purchased by grantor from B. P. Hall and wife, April 26th, 1909, and recorded in Deed Records of Union County, Ohio, Vol. 99, Page 179.

Third Tract: Also the following real estate situate in the County of Union, in the State of Ohio, and in the town of Richwood, and bounded and described as follows: Being all of Lots Number Eight Hundred and Thirty-eight (838) and Eight Hundred and Thirty-nine (839) in The Homestead Land Co.'s Homestead Addition to the town of Richwood, Ohio, as recorded in Plat Book Vol. 1, Pages 290 and 291, Union County Records.

You are therefore ordered by said Court that without unnecessary delay and on oath you proceed and appraise

THE COL. & B. MFG. CO. 73503

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said real estate upon actual view at its fair cash value and make report of your proceedings to this Court.

Witness my hand and official seal at Marysville, Ohio, this 13th. day of February, 1935.

Seal

L. W. Hazen - Probate Judge.

Oath of appraisers.

Oath of Appraisers.

Oath of appraisers. State of Ohio, Union County, ss:

On the 13th. day of February, 1935, before me personally appeared B. E. Durfey, G. M. Kelly and W. W. Daniels, the within named appraisers and made oath that they did, upon actual view, truly and impartially appraise at its fair cash value the within described real estate in pursuance of the within order of the Probate Court of said County.

Seal

R. L. Cameron - Notary Public.

Report of appraisers.

Report of Appraisers.

Report of appraisers. We, the undersigned, heretofore appointed appraisers, being first duly sworn, do appraise the within described real estate after having actually viewed the same, as follows:-

First Tract at $2000.00
Second Tract at $1800.00
Third Tract at $ 50.00

Witness our hands this 18th. day of February, 1935.

B. E. Durfey.
G. M. Kelly.
W. W. Daniels.
} appraisers.

Filed Feb. 28-1935. Executor's Bond.

Executor's Bond.

In Proceedings to Sell Real Estate.

Filed Feb. 28-1935. Executor's Bond. Know all Men by these Presents: That we Richard L. Cameron and The Ohio Casualty Insurance Co. 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 20th. day of February 1935.

The condition of the above obligation is such, that whereas, the above bound Richard L. Cameron was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, executor of the estate of W. D. Cameron deceased.

And whereas, the said Richard L. Cameron 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 20th. day of February 1935 made an order requiring said executor to execute a bond according to the statute in such cases made and provided.

Now, if the said Richard L. Cameron, executor as aforesaid, shall account for all the further assets arising from the sale of said Real Estate and that shall remain after

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Filed Mar. 2-1935. Order for Private Sale.

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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.

Richard L. Cameron.
The Ohio Casualty Insurance Co.
By- Charlotte Henderson- Atty in-fact.

This Bond approved in open Court, this 28 day of February 1935.

L. W. Hazen- Probate judge.

Filed Mar. 2- 1935. Order for Private Sale.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of W. D. Cameron, deceased,
Plaintiff,
-vs-
Kate C. Johnson, et al.,
Defendants.

No. 12869.
Order for Private Sale.

To Richard L. Cameron, executor of the estate of W. D. Cameron, deceased, Greeting:

Whereas, at the January Term of the Probate Court held in Marysville in and for said county, on the 2nd. day of March, 1935, in a certain action therein pending wherein Richard L. Cameron, executor of the Last Will of W. D. Cameron, deceased, is plaintiff, and Kate C. Johnson, et al., are defendants, it was ordred, adjudged and decreed that you proceed to sell the real estate mentioned in the petition at private sale for not less than the appraised value thereof agreable to the statute regulating the sale of real estate by executors, and that you make return of your proceedings in the premises to the said Probate Court and bring this order with you. The said real estate is described in the petition as follows:

First Tract: Situate in the County of Union, in the State of Ohio, and in the village of Richwood and part of Survey No. 6307 and bounded and described as follows: Being all of In- Lots Nos. 143 and 144 in said village of Richwood as the same are designated upon the recorded plat. Also a parcel of land lying North of Bomford Street in said village, and East of In- Lot No. 143 extending to the alley North of said Lot and East to Pearl Street in said village of Richwood.

Second Tract: Also the following real estate situate in the County of Union, in the State of Ohio, and in the village of Richwood and bounded and described as follows: Being a part of In- Lot number sixty- three (63). Beginning at a point in the East line of said lot and distant eleven (11) feet South of the Northeast corner of said Lot; thence parallel with the North line of said Lot fifty (50) feet West; thence South seventeen (17) feet; thence parallel with the north line of said lot fifty (50) feet East; thence North

Rec. Page 585)

THE COL. & B. MFG. CO. 73503

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seventeen (17) feet to the place of beginning. Also, being the North half of the brick and stone wall fifty (50) feet in length of the brick building situate on the corner of Franklin and Biagrove Streets in said village and the ground upon which the same is located, and all the rights of grantor thereunder. Also, being a part of Lot No. Sixty-three (63) in the original plat of said village and described as follows: Beginning at a point on the West line of Franklin Street eleven feet South of the North line of said Lot No. 63 and on the dividing line between the properties of (formerly) Lewis C. Beem and the property formerly owned by B. P. Hall, above described; thence West along said dividing line twenty (20) feet, or more if more should be needed for the improvement mentioned hereafter; thence north four (4) feet; thence East parallel with said dividing line to the West line of Franklin Street; thence South to the place of beginning, to have and to use for the purpose of erecting and maintaining thereon a stairway to the upper story of the building now on the ground of grantee. The grantee agrees to assume all the obligations and is to recive all the benefits to be derived from a deed for the last described premises made by Lewis C. Beem and wife to B. P. Hall, September 3rd., 1901, and recorded in Vol. 86, Page 39 of Records of Deeds of Union County, Ohio, Being the same premises purchased by grantors from B. P. Hall and wife, April 26th, 1909, and recorded in Deed Records of Union County, Ohio, Vol. 99, Page 179.

Third Tract: Also the following real estate situate in the County of Union, in the State of Ohio, and in the Town of Richwood, and bounded and described as follows: Being all of Lots Number Eight Hundred and Thirty-eight (838) and Eight Hundred and Thirty-nine (839) in the Homestead Land Co's. Homestead Addition to the town of Richwood, Ohio, as recorded in Plat Book Vol. 1, Pages 290 and 291 Union County Records.

Witness my hand and the Seal of said Court at Marysville, Ohio, this 2nd. day of March, 1935.

(Seal) L. W. Hazen - Probate Judge.

Affidavit to Report of Sale.

Filed Apr. 7-1937. Application to Modify Order for Private Sale of Real Estate.

Report of Private Sale.

Report of Private Sale.

In obedience to the command of the within order of sale I did on the — day of March, 1935, offer said property at private sale, and ——, having offered for the first tract thereof the sum of $——, and the same being not less than the appraised value of said property, I sold the same to said —— for that sum; and —— having offered for the second tract thereof the sum of $——, and the same being not less than the appraised value of said property, I sold the same to said —— for that sum; and —— having offered for the third tract thereof the sum of $——, and the same being not less than the appraised value

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Executor of the Last Will and Testament of W. D. Cameron, deceased.

affidavit to Report of Sale.

affidavit to Report of Sale.

State of Ohio, Union County, ss:

Richard L. Cameron, being first duly sworn says that the private sales of property made under the within order and report above made was made after diligent endeavor to obtain the best price for said property, and that the sales reported are for the highest price that could be obtained!

x

Subscribed in my presence and sworn to before me this — day of March, 1935.

x

—Notary Public.

Filed Apr. 7-1937. Application to Modify Order for Private Sale of Real Estate.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased, Plaintiff,

-vs-

Kate C. Johnson, et al., Defendants.

No. 12869.

Application to Modify Order for Private Sale of Real Estate.

Now comes Richard L. Cameron, Executor of the Estate of William D. Cameron, deceased, and says that on the 2nd. day of March, 1935, the Probate Court for Union County, Ohio, ordered this applicant to sell the real estate belonging to the estate of William D. Cameron, deceased, at private sale for not less than the appraised value thereof; that the Executor was able to sell the Third Tract described in the petition for the appraised value of $50.00 but has been unable to sell or dispose of the First Tract and Second Tract described in the petition at the appraisal placed thereon. That diligent effort has been made to find a buyer who would take said real estate at the appraised value but your applicant has been unable to find any such buyer. That under the provisions of the Will of William D. Cameron, deceased, full power and authority to sell and convey real estate and to make, execute and deliver deeds therefor is bestowed upon the Executor of said estate.

That a purchaser has now been found who offers for the purchase of said First Tract of said real estate a sum not less than $1500.00. That said sum of $1500.00 is in excess of two-thirds of the appraised value at which said sum said real estate could sell if offered at public auction.

THE COL. B. B. MFG. CO 73503

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That all of the adult heirs to said estate have signed waivers which are filed with this application, consenting that said real estate be sold at private sale for not less than $1500.00.

That your applicant believes that it is for the best interest of said estate, to sell said First Tract of said real estate at private sale for not less than the sum of $1500.00, and that a re-appraisal of said real estate or an offering of the same at public auction would only increase the expense of sale and would not tend to bring any greater price for the same.

Wherefore, your applicant asks this Court for an order authorizing him to sell said First Tract of real estate described in said petition at private sale for a sum not less than $1500.00.

Richard L. Cameron.

State of Ohio, Union County, ss.

Richard L. Cameron, being first duly sworn, says that he is the Executor of the estate of William D. Cameron, deceased, and that the facts stated and allegations made in the foregoing application are true as he verily believes.

Richard L. Cameron.

Sworn to before me and signed in my presence this 23rd. day of March, 1937.

Seal

Mary B. Aurine - Notary Public.

Probate Court, Union County, Ohio.

Filed
Apr. 7- 1937.
Waiver of Re-appraisement or Public Sale and Consent for Court to Fix Sale Price.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased,
Plaintiff,
-vs-
Kate C. Johnson, et al.,
Defendants.

No. 12869.
Waiver of Re-appraisement or Public Sale and Consent for Court to Fix Sale Price.

We, the undersigned, parties defendant in the above entitled action, and heirs and legatees under the Will of William D. Cameron, deceased, being fully advised of the matters and things set forth in the application filed by the plaintiff for an order to sell the First Tract of real estate described in the petition at private sale at not less than $1500.00, hereby waive service of process upon such application and consent that said order may issue from this Court as prayed for in the petition.

Mrs. Vera M. Reed.
Cora Mattison. Guardian of Elizabeth Mattison and Benjamin D. Mattison, Minors.

Filed
Apr. 7- 1937.
Entry.

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Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased, Plaintiff,

-vs-

Kate C. Johnson, et al., Defendants.

No. 12869.
Waiver of Re-Appraisement or Public Sale and Consent for Court to Fix Sale Price.

We, the undersigned, parties defendant in the above entitled action, and heirs and legatees under the Will of William D. Cameron, deceased, being fully advised of the matters and things set forth in the application filed by the plaintiff for an order to sell the First Tract of real estate described in the petition at private sale at not less than $1500.00, hereby waive service of process upon such application and consent that said order may issue from this Court as prayed for in the petition.

Kate Cameron Johnson.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased, Plaintiff,

-vs-

Kate C. Johnson, et al., Defendants.

No. 12869.
Waiver of Re-appraisement or Public Sale and Consent for Court to Fix Sale Price.

We, the undersigned, parties defendant in the above entitled action, and heirs and legatees under the Will of William D. Cameron, deceased, being fully advised of the matters and things set forth in the application filed by the plaintiff for an order to sell the First Tract of real estate described in the petition at private sale at not less than $1500.00, hereby waive service of process upon such application and consent that said order may issue from this Court as prayed for in the petition.

Ernest A. Cameron.

Filed
Apr. 7- 1937.
Entry.

In the Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased, Plaintiff,

-vs-

Kate C. Johnson, et al., Defendants.

No. 12869.
Entry.

This day this cause came on to be heard upon the application of Richard L. Cameron, as executor of the estate of William D. Cameron, deceased, for an order to sell the first tract of real estate described in the petition herein for less than the appraised value, to-wit; not less than

THE COL. B. B. MFG. CO 73503

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$1500.00, and upon the evidence; and the Court, being fully advised in the premises, finds that all of the parties defendant have waived the issuing of process upon said application, and being duly notified of the pendency of the same, have consented that said order may issue from this Court as prayed for in the petition; and the Court further finds that said first tract of land has been repeatedly offered by the executor of said estate for the appraised value thereof without a purchaser being found for the same, and that under the provisions of the will of said decedent the said executor has full power and authority to sell and convey real estate, and that it will be for the best interest of said estate to sell said first tract of real estate described in the petition at a sum not less than $1500.00.

It is therefore adjudged and decreed that said Richard L. Cameron as such executor, shall proceed to sell said first tract of real estate at private sale for not less than the sum of $1500.00 and for the best price he can obtain for the same, and shall make due report of his proceedings hereunder to this Court.

L. W. Hazen - Probate judge.

Filed
Apr. 7- 1937.
Repot of Private Sale of First Tract of Real Estate Described in the Petition.

In the Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased,
Plaintiff,
-vs-
Kate C. Johnson, et al.,
Defendants.

No. 12869.
Repot of Private Sale of First Tract of Real Estate Described in the Petition.

In obedience to the command of the Court upon the order of sale heretofore issued herein, I did, on the 7th. day of April, 1937, offer said first tract of real estate described in the petition at private sale and Cora Matteson having offered therefor the sum of $1500.00, and the same being not less than the value at which this Court has ordered said property to be sold, have sold said tract of real estate to the said Cora Matteson for that sum.

Richard L. Cameron - Executor of the Last Will of William D. Cameron, deceased.

State of Ohio, Union County, ss.

Richard L. Cameron, being first duly sworn, says that the private sale of the first tract of real estate described in the petition made under the order of this Court and reported above was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained therefor.

Richard L. Cameron.

12869

Filed
Apr. 7- 1937.
Entry Confirming Sale of First Tract of Real Estate, Ordering Deed and Distribution

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Filed Apr. 7-1937. Entry Confirming Sale of Tract of Real Estate, Ordering Deed and Distribution

Sworn to before me and signed in my presence this 7th. day of April, 1937.

Seal

Mary B. Aurine - Notary Public.

In the Probate Court, Union County, Ohio.

No. 12869.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased, Plaintiff,

-vs-

Kate C. Johnson, et al., Defendants.

Entry Confirming Sale of Tract of Real Estate, Ordering Deed and Distribution.

This day this cause came on to be heard upon the report of Richard L. Cameron, executor of the Will of William D. Cameron, deceased, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order, and the Court, having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made and for the best price that could be obtained for said real estate, it is ordered that the same be and it hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said William D. Cameron in said real estate to the said Cora Matteson upon the payment of the purchase money therefor.

It is further ordered that said executor, out of the money in his hands, pay:

First. To the Treasurer of this county the taxes upon said real estate in the sum of $ 10.91

Second. The costs and expenses incurred in the sale of said real estate including an attorney fee of $25.00 to Cameron & Cameron, and of the per cent of said Executor, herein, in the sum of $30.00, amounting to the total sum of $ 55.00

Third. It is further ordered that the balance of said proceeds amounting to the sum below is to be accounted for by said Executor according to law. $1434.09

And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein taxed at $12.00, out of the proceeds of said sale.

L. W. Hazen - Probate Judge.

THE COL. B. B. MFG. CO. 73503

13303
Filed
Dec. 31-1936.

In the Matter of The Estate
Estate of Maggie Baker,
Deceased. Admr. No. 28716.
Edna Bystrom, administratrix
with the Will annexed of the
estate of Maggie Baker,
deceased,

Plaintiff,

-vs-

Mary Durfee, et al,

Defendants.

Plea before the Court of Probate, within and for the County of Lucas, and State of Ohio, at a term thereof, begun and held at the Court House in the City of Toledo, on Friday, the first day of May in the year of our Lord, one thousand Nine Hundred and thirty-six before the

Honorable Charles E. Chittenden,
Sole Judge of said Court.

The State of Ohio, County of Lucas, ss: Lucas Probate Court.

Be it remembered, that heretofore to-wit: on the 27th. day of August A. D. 1936 there was filed in said court, a petition to sell real estate in the above entitled cause, which petition is in the words and figures as follows, viz:

In the Probate Court
of Lucas County, Ohio.

Edna Bystrom, administratrix
with the Will annexed of the
estate of Maggie Baker, deceased,

Plaintiff,

-vs-

Mary Durfee, Richwood, Ohio,
sole surviving next of kin and
heir at law of Miles Baker,
deceased, and Arminda Dillon,
3939 Lagrange St., Toledo, Ohio,
sole legatee under the Last Will
and Testament of Maggie Baker,
deceased, and George D. Tipton,
adm. of the estate of Miles
Baker, deceased, Marysville, Ohio,

Defendants.

Petition of Administratrix
to Sell Real Estate.

No. 28716.

Plaintiff is the duly appointed, qualified and acting administratrix with the will annexed of the estate of Maggie Baker, deceased, late of this County, and that as near as can be ascertained the amount of valid debts against said deceased is Fifteen Hundred Dollars ($1500.00) and that the cost of administering said estate will be about Fifty Dollars ($50.00).

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Plaintiff further states that the total value of the pusonal property of the said decedent was fixed by the appraisers of said estate at Fifty-seven Dollars ($57.00), said appraisement not having been excepted to; and that said pusonal property is wholly insufficient to pay the debts and costs as aforesaid.

Said decedent died sized in fee simple of the following described real estate situated in the Township of Claibourne, County of Union and State of Ohio, and further described as follows:

7.62 acres in Richwood School District, Claibourne Township, Virginia Military Survey #6307.

2.88 acres in Richwood Corporation, Claibourne Township, Virginia Military Survey #6307, containing 10 acres more or less and also known as the "Baker Place." Also known and described as:

Beginning at the intersection of the center of the Landon Gravel Road with the Richwood and Essex Gravel Road thence N. 7¼° W. 42.16 poles to the S.W. corner of a two acre lot now owned by Alex Pound, Pound's gate post bears N. 83 3/4° E. 36.07 lengths; thence N. 83 3/4° E. 41.16 poles to a tile; thence S. 7½° W. 47.40 poles to a harrow tooth in the center of the Landon Gravel Road; thence with the center of said road N. 87 3/4° W. 33.64 poles to the place of beginning.

Said real estate was included in the inventory of this estate pursuant to the order of this court and appraised at One Thousand Dollars ($1000.00).

Said decedent died February 8th, 1935, leaving surviving her her spouse, Miles Baker, then a resident of Columbus, Ohio, who died June 1st, 1935 in Franklin County, Ohio, leaving the defendant, Mary Durfee as his sole surviving next of kin and heir at law.

The defendant, Arminda Dillon is the sole legatee of the decedent, is the only person entitled to the next estate of inheritance of said decedent in such estate.

Wherefore, plaintiff prays that said real estate be sold, that the rights, interests and liens of all parties may be fully determined, adjusted and protected and that your petitioner be authorized to sell said real estate according to the Statute in such cases made and provided, and for such other and further relief as she may be entitled to.

Barber & Cochrane
Attorneys for Plaintiff.

THE COL. B. B. MFG. CO 73503

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State of Ohio, Lucas County, ss:

Edna Bystrom, being first duly sworn, upon her oath deposes and says that she is the duly appointed, qualified and acting administratrix with the will annexed of the estate of Maggie Baker, dec., that the facts stated in the foregoing petition are true, as she truly believes.

Edna Bystrom.

Sworn to before me and subscribed in my presence this 10th. day of July, 1936.

John C. Cochrane
Notary Public, Lucas County, Ohio.

Praecipe: To the Clerk:-

Please issue summons to the Sheriff of Union County, Ohio, returnable according to law, for the defendant, Mary Durfee, Richwood, Ohio, and endorse thereon: "Petition to sell real estate."

Farber & Cochrane,
Attorneys for Plaintiff.

Filed Aug. 27, 1936.

In the Probate Court of Lucas County, Ohio.

Edna Bystrom, administratrix with the Will annexed of the estate of Maggie Baker, deceased,

Plaintiff,

-vs-

Mary Durfee, Richwood, Ohio, sole surviving next of kin and heir at law of Miles Baker, deceased, and Arminda Dillon, 3939 Lagrange Street, Toledo, Ohio, sole legatee under the Last Will and Testament of Maggie Baker, deceased, and George D. Tipton, administrator of the estate of Miles Baker, deceased, Marysville, Ohio,

Defendants.

Entry of appearance and Consent to Sale.

George D. Tipton, as administrator of the estate of Miles Baker, deceased, a party defendant in the above entitled action being a competent adult person, hereby waives the issuing and service of summons upon him and voluntarily enters his appearance as such defendant and consents to the sale of the real estate described in the petition as therein prayed for.

George D. Tipton
Administrator of the estate
of Miles Baker.

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13303 Filed Aug. 27, 1936.

In the Probate Court of Lucas County, Ohio.

Edna Bystrom, administratrix with the Will Annexed of the estate of Maggie Baker, deceased,

Plaintiff,

-vs-

Mary Durfee, Richwood, Ohio, sole surviving next of kin and heir at law of Miles Baker, deceased, and Arminda Dillon, 3939 Lagrange St., Toledo, Ohio, sole legatee under the Last Will and Testament of Maggie Baker, deceased, and George D. Tipton, Adm. of the estate of Miles Baker, deceased, Marysville, Ohio.

Defendants.

Entry of Appearance and Consent to Sale.

No. 28716.

The undersigned, Arminda Dillon, being the sole legatee under the Last Will and Testament of Maggie Baker, deceased, defendant in the above entitled action, being a competent adult person, hereby waives the issuing and service of summons upon her and voluntarily enters her appearance as such defendant and consents to the sale of the real estate described in said petition as therein prayed for.

Arminda Dillon.

Filed Aug. 27, 1936.

In the Probate Court of Lucas County, Ohio.

Edna Bystrom, Administratrix with the Will Annexed of the estate of Maggie Baker, deceased,

Plaintiff,

-vs-

Mary Durfee, et al.,

Defendants.

Answer.

Now comes George D. Tipton, one of the defendants named in the plaintiff's petition and says, that he is the duly appointed, qualified and acting administrator of the estate of Miles Baker, deceased, late of Union County, Ohio, and that he was appointed as such administrator by and qualified in the Probate Court of Union County, Ohio, and for answer to the plaintiff's petition says, that;

He admits the plaintiff is the duly appointed, and qualified and acting administratrix with the will

THE COL. O. B. MFG. CO 73503

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annexed & the estate & Maggie Baker, deceased.

That & the said decedent did seized in fee simple & the following described real estate situated in the Township & Claibourne, County & Union and State & Ohio. Containing 10½ acres more & less as set forth and described in the plaintiff's petition, and more definitely described as follows, to-wit:

Beginning at the intersection & the center & the Landon Gravel Road with the Richwood and Essex Gravel Road thence N. 7¼° W. 42.16 poles to the S. W. corner & a two acre lot now owned by Alex Pound, Pound's gate post bears N. 83 3/4° E. 36.07 lengths; thence N. 83 3/4° E. 41.16 poles to a tile; thence S. 7½° W. 47.40 poles to a harrow tooth in the center & the Landon Gravel Road; thence with the center & said road N. 87 3/4° W. 33.64 poles to the place & beginning.

That, the said Maggie Baker died on the 8th. day & February, 1935, leaving surviving her, her spouse, Miles Baker, who died on the 1st. day & June, 1935, in the city & Columbus, County & Franklin and State & Ohio.

& Further answering the said plaintiff's petition this defendant denies each and every statement and allegation made and contained therein which are not herein specifically admitted to be true.

Further answering and by way & cross-petition says, that the said Miles Baker, & as surviving spouse & the said Maggie Baker, deceased, upon her death, under section #10509-54 & the General Code & Ohio was entitled to twenty & percentum & the appraised value & her property, real & and personal, comprised in the inventory, but in no event less than $ 000.00, if there be so much comprised in the inventory.

& That, the said Miles Baker prior to the death & the said Maggie Baker had been adjudged insane and was at the time & her death committed in the State Hospital at Columbus, Ohio and where he died on June 1st, 1935.

That by reason & said insanity and commitment he was unable to make a selection, or was a guardian appointed for him to make a selection and at the time & his death no selection had been made and by reason thereof such sum as he was entitled to receive in money is now a charge against the real estate & which the decedent, Maggie Baker, died seized, and as described in the plaintiff's petition; which sum this defendant claims he is entitled to receive as administrator & the estate of the said Miles Baker, deceased.

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Further, this defendant says that the said Miles Baker died leaving no surviving spouse, no children or there descendents, but left of the following named as his next of kin and the only persons having or entitled to the next estate of inheritance from him, to-wit;

Mary Durley, his sister.

John Baker and Will Baker who are sons of Joseph Baker deceased, who was a brother of the said Miles Baker, deceased.

Wilbur Long and John Long who are sons of Jessie Long, deceased who was a daughter of John Baker, deceased, who was a brother of Miles Baker, deceased.

Frances Myers, a daughter of Frank Baker, deceased, who was a brother of Miles Baker, deceased.

John Tipton, Miles Tipton and George D. Tipton sons of Barbara Ann Tipton, deceased, who was a sister of Miles Baker, deceased.

John Hill, a son of Elizabeth Hill, deceased, who was a sister of the said Miles Baker, deceased, and Floyd Hildreth, son and Margaret Kinzy, daughter of Anna Hill Hildreth, deceased, who was a daughter of Elizabeth Hildreth, deceased, who was a sister of Miles Baker, deceased.

Wherefore, the said George D. Tipton as administrator of the estate of the said Miles Baker, deceased, prays that his interest in the premises be fully protected, amount due him from said estate be determined. That, the said real estate be sold as prayed for in the plaintiff's petition, and that whatever interest he may be, by the court, ordered transferred from said real estate to the fund realized from the sale thereof and he be paid therefrom such an amount as the court may find he is justly entitled to receive and for such other and further findings and orders in the premises as the court may find to be just and equitable.

Milo L. Myers - Attorney for George D. Tipton, Marysville, Ohio.

State of Ohio, Union County, ss.

George D. Tipton being duly sworn says that the facts stated and the allegations made and contained in the foregoing are true as he believes.

George D. Tipton.

Sworn to before me and signed in my presence this 20th. day of August, 1936.

Seal

Milo L. Myers - Notary Public -
My Commission expires
Sept. 18, 1938.

THE COL. B. & B. MFG. CO. 73503

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Upon the 27th. day of August A. D. 1936, summons was issued in said cause, which summons and the return filed hereon the 8th day of September, A. D. 1936, is in the words and figures as follows, viz:

Summons on Petition to Sell Real Estate.

The State of Ohio, Lucas County. Probate Court.

To the Sheriff of Union County:

You are commanded to notify Mary Durfee, Richwood, Ohio, that on the 27th. day of August, A. D. 1936, Edna Bystrom, admx. with will annexed of the estate of Maggie Baker, deceased, filed her petition in the Probate Court of said Lucas County, Ohio, against her and others; the object and prayer of which petition is to obtain an order for the sale of certain Real Estate belonging to said decedent, in said petition described, for the purpose of paying debts; and that unless she answer by the 26th. day of September, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this writ on the 7th. day of September, 1936.

Witness my hand and the seal of said Court, this 27th. day of August, 1936.

Charles E. Chittenden,
Judge and ex-officio Clerk
of the Probate Court of said County.
By- C. C. Ruppel, Deputy Clerk.

(Seal)

Sheriff's Return.

The State of Ohio, Union County.

Received this writ August 28th. 1936, at 9:00 o' clock A. M., and on the 29th. day of August 1936, I served the same by delivering a copy thereof personally to the within named Mary Durfee.

Sheriff Fees.

Service & Return, first name	.75
Additional names, at .25¢	
48 miles traveled at .08	3.84
Docket	
Postage	.05
Total	$ 4.64

William Rausch, Sheriff.
By- A. Grigsby, Deputy.

We, the undersigned, defendants named herein, do each of us acknowledge due and legal service of the within summons.

Upon the 15th. day of December, A. D. 1936, an order in said cause was made an entry of which appears on the journal of this court in the words

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and figures as follows, viz:
Edna Byptrom, administratrix with the Will Annexed of the estate of Maggie Baker, deceased,
Plaintiff,

-vs-

Mary Durfee, Richwood, Ohio, sole surviving next of kin and heir at law of Miles Baker, deceased, and Arminda Dillon, 3939 Lagrange St., Toledo, Ohio, sole legatee under the Last Will and Testament of Maggie Baker, deceased, and George D. Tipton, Adm. of the estate of Miles Baker, deceased, Marysville, Ohio.

Defendants.

Adm. No. 28716.

On this 15th. day of December, 1936, this cause came on further to be heard and the plaintiff as administratrix with the will annexed of the Estate of Maggie Baker, deceased, has tendered to the court her additional bond as such administratrix as heretofore ordered in the sum of One Thousand Dollars ($1000.00) with Ramon Perez, Florence Perez and Mary A. Kelfer as sureties thereon, it is ordered that said bond be and it is hereby approved.

Thereupon plaintiff represented to the court that the debts and liabilities of said estate amounting to Fifteen Hundred Dollars ($1500.00) were either directly or by assignment held by one Arminda Dillon, and that plaintiff had received an offer from the said Arminda Dillon whereby she agrees to cancel and surrender up all of her claims against the estate of Maggie Baker, deceased, and further assumes and agrees to pay court costs, costs of administration, including administratrix's and attorneys' fees and any amounts found to be due George D. Tipton as administrator of the estate of Miles Baker, deceased.

That the above offer is substantially more than the appraised value of said property, and after due investigation found by the plaintiff to be considerably more than could be realized by public sale.

Thereupon upon motion of the plaintiff, and it appearing to the court that it would be more to the interest of the estate of Maggie Baker, deceased, to sell the said real property in said petition described at private sale rather than at public sale;

THE COL. B. B. MFG. CO 73503

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It is, therefor, by the court ordered, adjudged and decreed that plaintiff proceed to sell said real property at private sale to the said Arminda Dillon in consideration of her cancellation and surrender of claims she owns directly or by assignment and the payment by her of the claims and expenses of the estate of Maggie Baker, deceased, as above set forth.

(Signed). Chas. E. Chittenden,
Probate judge.

Filed Dec. 15, 1936.

Bond of Administrator, Executor or Guardian in Proceeding to Sell Real Estate.

Know All Men by These Presents: That we, Edna Bystrom, Ramon Perez, Florence Perez and Mary A. Keller are held and firmly bound unto the State of Ohio, in the penal sum of One Thousand ($1000) Dollars, for the payment of which we hereby jointly and severally bind ourselves, our heirs, executors and administrators.

Signed by us, and dated at Toledo, Ohio, this 14th. day of December, a. D. 1936.

The condition of the above obligation is such, That whereas the above bound Edna Bystrom was heretofore duly appointed and qualified by the Probate Court of Lucas County, Ohio, administratrix of the estate of Maggie Baker, deceased.

And whereas, the said Edna Bystrom as such administratrix has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Maggie Baker described in said petition;

And whereas said Court, on the — day of — 19—, made an order requiring said administratrix to execute a bond according to the statute in such cases made and provided.

Now, if the said Edna Bystrom as administratrix aforesaid, shall faithfully discharge her duties and pay and account for all moneys arising from the sale of the real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

Executed in Presence of:
John C. Cochrane
Esther Schultz

Edna Bystrom.
Ramon Perez.
Florence Perez.
Mary A. Keller.

This Bond approved in open Court, this 16th. day of December 1936.

Chas. E. Chittenden,
Probate judge.

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Property Statement of Sureties.

The State of Ohio, Lucas County.

Ramon Perez and Florence Perez, one of the sureties on the bond of Edna Bystrom for the sale of certain Real Estate by her, as administratrix of the estate of Maggie Baker, deceased, dated the 14th. day of December A. D. 1936, says that they are resident of Toledo in the County of Lucas and State of Ohio, that they own real property worth Three Thousand Dollars over and above all encumbrances, and that they have property in the State liable to execution equal to that amount.

Ramon Perez.
Florence Perez.

Sworn to before me and signed in my presence, this 14th. day of December, 1936.

Seal

John C. Cochrane
Notary Public - Lucas County, Ohio.

The State of Ohio, Lucas County.

Mary A. Keller, one of the sureties on the bond of Edna Bystrom for the sale of certain Real Estate as administratrix of the estate of Maggie Baker, deceased, dated the 14th. day of December A. D. 1936, says that she is a resident of Toledo in the County of Lucas and State of Ohio, that she owns real property worth Three Thousand Dollars over and above all encumbrances, and that she has property in the State liable to execution equal to that amount.

Mary A. Keller.

Sworn to before me and signed in my presence, this 14" day of December, 1936.

Seal

John C. Cochrane
Notary Public - Lucas County, Ohio.

On the 16th. day of December, A. D. 1936, an order in said cause was made an entry of which appears on the journal of this court in the words and figures as follows, viz:

In the Matter of the estate of Maggie Baker, deceased. | Admn. No. 28716.

This day this matter came on to be heard upon the petition of the plaintiff for authority to sell real estate of the above decedent to pay debts of her estate, and the entry of appearance and consent to the sale filed herein by the defendants, Augusta Dillon and George D. Tipton as administrator of the estate of Miles Baker, deceased, together with the

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answer of the defendant, George D. Tipton as administrator of the estate of Miles Baker, deceased, who was the surviving spouse of plaintiff's decedent, Maggie Baker, deceased, wherein said defendant, George D. Tipton as administrator of the estate of Miles Baker, deceased, makes certain claims against said estate of Maggie Baker, deceased, and joins with plaintiff in her prayer that the real estate described in plaintiff's petition be sold and that any interest the court may find due the defendant, George Tipton as administrator of the estate of Miles Baker, deceased be ordered by the court transferred from said real estate to the fund realized from the sale thereof. The court further finds that the defendant, Mary Dunfee has been duly and legally served with summons according to law and that she is in default for answer or demurrer to the petition of the plaintiff heretofore filed herein and that such service of summons is hereby approved.

The court further finds from the evidence that all necessary parties are before the court and that the prayer of the petition of the plaintiff should be granted; that the real estate discribed in the petition was appraised by the appraisers of the estate at One Thousand Dollars ($1000.00) and that a further appraisement is dispensed with.

The court further finds that the bond heretofore given by the plaintiff as administratrix of the estate of Maggie Baker, deceased, in the amount of Two Thousand Dollars ($2000.00) is insufficient and it is ordered that she file an additional bond with sufficient securities to be approved by this court in the sum of One Thousand Dollars ($1000.00).

And it is further ordered that said Edna Bystrom as such administratrix, sell said real estate at private sale for the best price obtainable but not less than One Thousand Dollars ($1000.00), being the appraised value thereof.

It is further ordered that said Edna Bystrom as such administratrix make return of this sale without unnecessary delay.

(Signed). Chas. E. Chittenden,
Probate judge.

Filed Dec. 23, 1936.

Order of Private Sale.

The State of Ohio, Lucas County. Probate Court.

To Edna Bystrom, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as administratrix

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with the will annexed of the estate of Maggie Baker, deceased, are Plaintiff and Mary Dufee, et al. are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than One Thousand Dollars ($1,000.00), the appraised value thereof, the following described premises, to-wit: situated in the Township of Claibourne, County of Union and State of Ohio:

7.62 acres in Richwood School District, Claibourne Township, Virginia Military Survey #6307.

2.88 acres in Richwood Corporation, Claibourne Township, Virginia Military Survey #6307, containing 10 acres more or less and also known as the "Baker Place." Also known and described as:

Beginning at the intersection of the center of the Landon Gravel Road with the Richwood and Essex Gravel Road thence N. 7¼° W. 42.16 poles to the S.W. corner of a two acre lot now owned by Alex Round, Round's gate post bears N. 83 3/4° E. 36.07 lengths; thence N. 83 3/4° E. 41.16 poles to a tile; thence S. 7½° W. 47.40 poles to a hanon tooth in the center of the Landon Gravel Road; thence with the center of said road N. 87 3/4° W. 38.64 poles to the place of beginning.

Said sale to be upon the following terms: "in consideration of the cancellation and surrender of claims Armida Dillon owns directly or by assignment and the payment by her of the claims and expenses of the estate of Maggie Baker, deceased, as set forth".

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this court.

Witness my signature and the seal of said Probate Court at Toledo, Ohio, this 15th. day of December 1936.

(Seal)

Charles E. Chittenden-Probate Judge.
By- C. C. Ruppel - Deputy Clerk.

Return.

To the Probate Court of Lucas County, Ohio.

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

Dated the 21st. day of December, 1936.

Edna Bystrom.

Report of Private Sales.

In obedience to the command of the within order of sale, I did on the 21st. day of December, 1936, offer said property, at private sale, and Armida Dillon having offered therefor the sum of Fifteen Hundred

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Dollars ($1500.00) and the same being not less than the appraised value of said property, I sold the same to said Arminda Dillon for that sum.

Edna Bystrom.

Affidavit to Report of Private Sale.

The State of Ohio, Lucas County, ss.

Edna Bystrom, being duly sworn, says that the private sale of property made under the within order and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Edna Bystrom.

Sworn to before me and subscribed in my presence, this 21st. day of December 1936.

(Seal) John C. Cochrane - Notary Public, Lucas County, Ohio.

On the 23rd. day of December, A. D. 1936, an order in said cause was made, an entry of which appears on the journal of this court in the words and figures as follows, viz:

Edna Bystrom, Admrx. of the estate of Maggie Baker, deceased, Plaintiff, -vs- Mary Dunfee, et al., Defendants. | Admr. No. 28716.

This day this cause came on to be heard on the report of Edna Bystrom, as administratrix of the estate of Maggie Baker, deceased, and 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. 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 Maggie Baker in said real estate to the purchaser, Arminda Dillon, upon said purchaser cancelling and surrendering up her obligations against the estate, and payment of taxes due against the property, costs of administration, including the land sale proceedings and attorney fees.

Chas. E. Chittenden.

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Certificate to Copies.

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

I, Charles E. Chittenden, Judge and ex-officio Clerk of the Probate Court, within and for said County, having the custody of the Files, Journals and Records of said Court, do hereby certify that the foregoing is a true copy of the entire proceedings to sell land in the matter of the estate of Maggie Baker, deceased, as the same appear upon the records of said Court; and I further certify, that I have carefully compared the foregoing copy with the original record, and that the same is a full and correct transcript thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court, at Toledo, Ohio, this 26th. day of December, A. D. 1936.

Chas. E. Chittenden Probate Judge,
Seal and ex-officio Clerk of said Court.

The State of Ohio, Lucas County, ss.

I the undersigned sole Judge of the Probate Court, within and for said County and State, the same being a Court of law and of record, do hereby certify that under the laws of the State of Ohio the Judge of the Probate Court is ex-officio the Clerk of his own Court. And I further certify that I the said Charles E. Chittenden, whose genuine signature is attached to the foregoing certificate, am, and was at the time of signing the same, ex-officio Clerk of said Probate Court, and as such, full faith and credit are due my acts, and that the above certificate and attestation are in due form of law, and made by the proper officer.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court, at Toledo, Ohio, this 26th. day of December, A. D. 1936.

Chas. E. Chittenden
Seal judge as aforesaid.

THE COL. B. B. MFG. CO. 73503

13265
Filed
Oct. 15-1936.
Hooper & Saudere,
Attorneys.

Petition to Sell Real Estate.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, minors,
Plaintiff,

-vs-

Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger,
Defendants.

No. 13265.
Petition.

Plaintiff is the duly appointed, qualified and acting guardian of Miriam Dellinger and Mc Kinley Dellinger and brings this action as such guardian.

Said wards are each seized in fee simple of an undivided one-fortieth interest in the following described real estate:

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

Beginning at a stone in the northeast corner of Survey Nos. 7472 and 7677 and in the south line of Survey No. 4805; thence S. 80½° E. with the south line of Survey No. 4805, 81 poles to a stone in the east corner of Survey No. 4805; thence with the east line of said Survey No. 4805, N. 4½° W. 137.16 poles to a stone; thence with another line of Survey No. 4805, N. 1° E. 34.65 poles to a stake; thence N. 81¾° W. 64.70 poles to a stake; thence S. 3° W. 116.50 poles to the center of Little Darby Creek; thence up the creek with the center thereof 3.80 poles; thence S. 2¾° W. 42.77 poles to the center of the Post Road; thence with the center of the Post Road S. 73¼° E. 10.18 poles; thence S. 27½° W. 5.80 poles to the beginning, being part of Survey No. 4805 and containing 77-90/100 acres, more or less, excepting a right-of-way across said lands as granted to John T. Bennett by L. A. Burnham.

Also the following premises, situated in the County of Union, in the State of Ohio, and in the Township of Union, and part of Survey No. 10338 and bounded and described as follows:

Beginning at a stone in the north line of said Survey No. 10338; thence with said line south 87° W. 71.32 poles to a stone and brick northwest corner to said survey in the East line of Survey No. 4805; thence with said line S. 3° E. 124 poles to a stake in said line and on the north bank of Little Darby Creek; thence eastwardly with the north bank of the creek at low water mark 77 poles to a point in the creek

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(ritness a stone on the bank 2 poles N. 1° E. from the corner; thence N. 1° E. 110 poles to the beginning, containing 60 acres, more or less.

The defendant, Margaret M. Dellinger, is the mother of the said Miriam Dellinger and Mc Kinley Dellinger, and the defendants, Margaret M. Dellinger, Ernestine Rausch Victoria Dellinger and Lincoln Dellinger, are the only persons entitled to the next estate of inheritance upon the said wards in said real estate; there are no other persons who have any interest in said real estate.

It is necessary to sell said real estate for the support and education of said wards and it would be to the benefit of said wards if said real estate were sold.

Wherefore, plaintiff prays the court to set this petition for hearing and to issue summons to the Sheriff of this County for the defendants, returnable according to law, and for an order authorizing the plaintiff to sell said real estate, and for such other and further relief in the premises as the court deems just and equitable.

Hooper & Sanders.
Attorneys for Plaintiff.

State of Ohio, Union County, ss:

Lincoln Dellinger, being first duly sworn, says that he is the plaintiff therein, and that the facts stated and allegations contained in the foregoing petition are true as he verily believes.

Lincoln Dellinger.

Bath.

Sworn to before me and subscribed in my presence this 10th. day of October, 1936.

(Seal) Ruth Hess - Notary Public.

In the Probate Court, Union County, Ohio.

Filed Oct. 15-1936. Entry of appearance and Consent to Sale.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors, Plaintiff,

-vs-

Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger, Defendants.

No. 13265.
Entry of Appearance and Consent to Sale.

Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger, parties defendant in the above entitled action, being competent, adult persons, hereby waive the issuing and service of summons and praecipe upon them, and each of them, and voluntarily enter their appearances herein as such defendants, and consent to

THE COL. B. B. MFG. CO. 73503

13265

the sale of the real estate described in the petition as therein prayed for.

Lincoln Dellinger.
Victoria Dellinger.
Margaret Dellinger.
Ernestine Rausch.

Filed Oct. 15-1936. Pracipe.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors, Plaintiff,

-vs-

Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger, Defendants.

No. 13265.
Pracipe.

To the Judge, Clerk Ex-Officio:

Issue summons in the above entitled cause for the defendants, Miriam Dellinger and Mc Kinley Dellinger, to the Sheriff of Union County, Ohio, and make the same returnable according to law.

Endorse summons, "Action for sale of real estate of minors, Miriam Dellinger and Mc Kinley Dellinger, by their guardian, Lincoln Dellinger."

Hooper & Sanders.
Attorneys for Plaintiff.

Filed Oct. 15-1936. application for appointment of Guardian Ad Litem.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, minors, Plaintiff,

-vs-

Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger, Defendants.

No. 13265.
application for appointment of Guardian ad Litem.

Now come Miriam Dellinger and Mc Kinley Dellinger, the wards and defendants in the above entitled cause, and being 19 and 16 years of age, respectively, and upon whom summons has been duly served according to law, and suggest that C. A. Hooper, who is a suitable person, be appointed as guardian ad litem for them in this action.

Mirriam Dellinger.
Mc Kinley Dellinger.

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Filed Oct. 15-1936. Answer of Guardian ad Litem.

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Filed Oct. 16-1936. Summons.

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To

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Filed
Oct. 15-1936.
Answer of
Guardian
ad Litem.

In the Probate Court,
Lincoln Dellinger, as Guardian
of Miriam Dellinger and
Mc Kinley Dellinger, Minors,
Plaintiff,
-vs-
Miriam Dellinger, Mc Kinley
Dellinger, Margaret M. Dellinger,
Ernestine Rausch, Victoria
Dellinger and Lincoln
Dellinger,
Defendants.

Union County, Ohio.

No. 13265.
Answer of Guardian ad Litem.

Now comes C. A. Hooper, who has been duly appointed by the court as guardian ad litem for Miriam Dellinger and Mc Kinley Dellinger, minors of the ages of 19 and 16 years, respectively, and for answer to the petition of said Lincoln Dellinger, guardian, says that it is necessary to sell the real estate described in the petition for the education and support of the said Miriam Dellinger and Mc Kinley Dellinger, and that it would be to the best interests of said wards if said real estate were sold.

Wherefore, this answering defendant prays the court to protect the rights of the said Miriam Dellinger and Mc Kinley Dellinger, and for such other and further relief in the premises as justice and the interests of said minor wards shall require.

C. A. Hooper - Guardian Ad Litem.

Filed
Oct. 16-1936.
Summons.

Summons on Petition to Sell Real Estate.
Sheriff - Minors.

The State of Ohio, Union County. Probate Court.

To the Sheriff of said County:

You are commanded to notify Miriam Dellinger and Mc Kinley Dellinger, Irwin, Ohio; in Case No. 13265; Lincoln Dellinger, as Guardian of Miriam and Mc Kinley Dellinger, Minors, Plaintiff, vs- Miriam - Mc Kinley - Margaret M. Dellinger and Ernestine Rausch, Victoria and Lincoln Dellinger, Defendants, making service of this summons upon such minors as are over fourteen years of age, and also upon the guardian, father, mother or Custodian of said minors, in the order named; that on the 15th. day of October A.D. 1936, Lincoln Dellinger - Guardian of Miriam and Mc Kinley Dellinger - 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 deceased, and in said petition described, for the purpose of paying for their Education. "Action for sale of Real Estate of

THE COL. & B. MFG. CO. 73503

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Minors, Miriam Dellinger and Mc Kinley Dellinger, by their Guardian, Lincoln Dellinger."

Hooper and Sanders - Attorneys.

And that unless they answer by the 14th. day of November, 1936, said petition will be taken as true, and an order granted accordingly.

Said Sheriff will make due return of this summons on the 26th. day of October 1936.

Witness my hand and the seal of said Court, this 15th. day of October, 1936.

L. W. Hazen - Judge and ex-officio Clerk of the Probate Court of said County.

Seal

Sheriff's Return.

The State of Ohio, Union County.

Sheriff Fees	
Service & Return, first name	$ .75
1 Additional name, at 25¢	.25
22 miles traveled at 8¢	1.76
Total	$ 2.76

Received this writ October 15, 1936, at 3 o'clock P. M., and on the days and in the manner hereinafter named, I served the same on the within named defendants, viz: October 16, 1936, on Miriam Dellinger and Mc Kinley Dellinger, minors, by personally handing to each of them a true and certified copy of this writ.

William Rausch - Sheriff.
By - A. Grigsby - Deputy.

In the Probate Court, Union County, Ohio.

Filed Oct. 15- 1936. Entry.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors, Plaintiff,

-vs-

Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger, Defendants.

No. 13265. Entry.

Upon application of Miriam Dellinger and Mc Kinley Dellinger, they being minors of the ages of 19 and 16 years, respectively, and upon whom summons has been duly served according to law in this action, and upon their request that C. A. Hooper, who is a suitable person, be appointed as guardian ad litem for this action, it is ordered that the said C. A. Hooper be, and he hereby is, appointed guardian ad litem for said Miriam Dellinger and Mc Kinley Dellinger for this action.

L. W. Hazen - Probate Judge.

13265 Filed June 10-1937. Entry.

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Filed June 10-1937. Application for Private Sale.

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Filed
June 10-1937.
Entry.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian
of Miriam Dellinger and
Mc Kinley Dellinger, Minors,
Plaintiff,

-vs-

Miriam Dellinger, et al.,
Defendants.

No. 13265.
Entry.

This day this cause came on to be heard on the petition of the plaintiff, the answer of C. A. Hooper as guardian ad litem for the minor defendants, Miriam Dellinger and Mc Kinley Dellinger, and the evidence.

And the court finds that all of the defendants herein have been duly and legally served with process and have all answered the petition or have voluntarily entered their appearances herein and have consented to an immediate sale of the real estate as prayed for, and that all necessary parties are before the court; the court further finds that Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger are the only persons entitled to the next estate of inheritance from said wards in said real estate, and that there are no other persons who have any interest in said real estate; that it is necessary to sell said real estate for the support of said wards and for the payment of the just debts of said wards, and that it would be to the advantage of said wards if said real estate were sold.

It is therefore ordered that Milton Rausch, H. C. Dellinger and George Schindler, three judicious and disinterested persons of the vicinity, not next of kin of the petitioner, be, and they hereby are, appointed to appraise said real estate at its true value in money.

It is further ordered that the said Lincoln Dellinger as guardian of Miriam Dellinger and Mc Kinley Dellinger give an additional bond in the sum of $100.00 before proceeding with said sale.

L. W. Hazen - Probate Judge.

Filed
June 10-1937.
Application
for Private
Sale.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian
of Miriam Dellinger and
Mc Kinley Dellinger, Minors,
Plaintiff,

-vs-

Miriam Dellinger, et al.,
Defendants.

No. 13265.
Application for Private Sale.

Now comes Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, minors, and respectfully represents to the court that it is necessary to sell the real estate belonging to his wards in order to support

THE COL. B. B. MFG. CO. 73503

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said wards and to pay the debts of said wards.

Wherefor, said Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, asks that he be granted an order authorizing and directing him to sell said real estate at private sale for not less than the appraised value thereof.

Lincoln Dellinger.

State of Ohio, Union County, ss:

Lincoln Dellinger, being first duly sworn, says that he is the guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors, and that the facts stated and allegations contained in the foregoing application are true as he verily believes.

Lincoln Dellinger.

Sworn to before me and subscribed in my presence this 8th. day of June, 1937.

Seal Eugene Sanders - Notary Public.

Filed June 10-1937. Order to appraisers.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors, Plaintiff, -vs- Miriam Dellinger, et al., Defendants.

No. 13265. Order to Appraisers.

To Milton Rausch, H. C. Doellinger and George Schieber, the court reposing confidence in your judgment on the 8th. day of June, 1937, in a certain case to sell real estate now pending in said court wherein Lincoln Dellinger, as guardian of Miriam Dellinger and Mc Kinley Dellinger, is plaintiff, and Miriam Dellinger, Mc Kinley Dellinger, Margaret M. Dellinger, Ernestine Rausch, Victoria Dellinger and Lincoln Dellinger, are defendants, appointed you appraisers of the following described real estate:

Situated in the County of Union, in the Township of Union and in the State of Ohio, and being an undivided two-fortieths interest in the following real estate, to-wit:

Beginning at a stone in the northeast corner of Survey Nos. 7472 and 7677 and in the south line of Survey No. 4805; thence S. 80½° E. with the south line of Survey No. 4805, 81 poles to a stone in the east corner of Survey No. 4805; thence with the east line of said Survey No. 4805, N. 4½° W. 137.16 poles to a stone; thence with another line of Survey No. 4805, N. 1° E. 34.65 poles to a stake; thence N. 81¾° W. 64.70 poles to the center of the Post Road; thence with the center of the Post Road S. 73¼° E. 10.18 poles; thence S. 27½° W. 5.80 poles to the beginning, being part of Survey No. 4805 and con-

Filed June 10-1937. Oath of appraisers.

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Also the following premises, situated in the County of Union, in the State of Ohio, and in the Township of Union, and part of Survey No. 10338 and bounded and described as follows:

Beginning at a stone in the north line of said Survey No. 10338; thence with said line south 87° W. 71.32 poles to a stone and brick northwest corner to said survey in the East line of Survey No. 4805; thence with said line S. 3° E. 124 poles to a stake in said line and on the north bank of Little Darby Creek; thence eastwardly with the north bank of the creek at low water mark 77.5 poles to a point in the creek (witness a stone on the bank 2 poles N. 1° E. from the corner; thence N. 1° E. 116 poles to the beginning, containing 50 acres, more or less.

You are therefore ordered by said court that without unnecessary delay and on oath to proceed and appraise said real estate upon actual view at its fair cash value and to make report of your proceedings to this court; and bring this order with you.

Witness my hand and official seal at Marysville, Ohio, this 8th. day of June, 1937.

Seal L. W. Hazen - Probate Judge.

Filed June 10-1937. Oath of appraisers.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors, Plaintiff,

-vs-

Miriam Dellinger, et al., Defendants.

No. 13265. Oath of Appraisers.

State of Ohio, Union County, ss:

On the 8th. day of June, 1937, before me personally appeared Milton Rausch, H. C. Doellinger and George Schneider, the within named and made oath that they would upon actual view truly and impartially appraise at its fair cash value the within described real estate in pursuance of the within order of the Probate Court of said county.

M. L. Rausch.
H. C. Doellinger.
Geo. P. Schneider.

Sworn to before me and subscribed in my presence this 8th. day of June, 1937.

Seal Gwynn Saunders - Notary Public.

THE COL. G. B. MFG. CO. 73503

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Report of Appraisers.

We do appraise the within described real estate, on our oath aforesaid, after having actually viewed the same, as follows: The undivided one-fiftieth interest of Miriam Dellinger at $50.00; and the undivided one-fortieth interest of Mc Kinley Dellinger at $50.00.

Witness our hands this 8th. day of June, 1937.

W. L. Rausch.
H. C. Doellinger.
Geo. P. Schindler.

Filed June 10-1937. Additional Bond.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, Minors, Plaintiff,

vs.

Miriam Dellinger, et al., Defendants.

No. 13265. Additional Bond.

Know all men by these presents: That we, Lincoln Dellinger, principal, and Margaret M. Dellinger and Victoria Dellinger, as sureties, are firmly bound under the State of Ohio in the penal sum of One Hundred Dollars to the payment of which we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

The condition of this obligation is such, that whereas in a certain cause pending in the Probate Court of Union County, Ohio, wherein Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, is plaintiff, and Miriam Dellinger, et al., are defendants, the said Lincoln Dellinger has been ordered by said court to sell certain real estate of said wards to support said wards and to pay the debts of said wards.

Now, if the said Lincoln Dellinger, Guardian as aforesaid, shall faithfully discharge his duties in the premises and full account for all money arising from such sale according to law, then this obligation to be void, otherwise to be in full force and effect.

Lincoln Dellinger.
Margaret Dellinger.

13265
Filed June 10-1937. Order to Guardian for Private Sale.

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June 10-1937.
Order to
Guardian
for Private
Sale.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian
of Miriam Dellinger and
Mc Kinley Dellinger, Minors,
Plaintiff,
-vs-
Miriam Dellinger, et al.,
Defendants.

No. 13265.
Order to Guardian for
Private Sale.

To Lincoln Dellinger, Greeting:

Whereas, in the Probate Court of Union County, Ohio, in a certain action therein pending wherein Lincoln Dellinger, as Guardian of Miriam Dellinger and McKinley Dellinger, is plaintiff, and Miriam Dellinger, et al., are defendants, it was ordered, adjudged and decreed that you proceed to sell the real estate mentioned in the petition, at private sale, for a price not less than the appraised value thereof, agreable to the statute regulating the sale of real estate by guardians, and that you make return of your proceedings in the premises to the said Probate Court, and bring this order with you. The said real estate is described in the petition as follows, to-wit:

Situated in the County of Union, in the Township of Union, and in the State of Ohio, and being an undivided two-fortieths interest in the following real estate, to-wit:

Beginning at a stone in the northeast corner of Survey Nos. 7472 and 7677 and in the south line of Survey No. 4805; thence S. 80½° E. with the south line of Survey No. 4805, 81 poles to a stone in the east corner of Survey No. 4805; thence with the east line of said Survey No. 4805, N. 4½° W. 137.16 poles to a stone thence with another line of Survey No. 4805, N. 1° E. 34.65 poles to a stake; thence N. 81¾° W. 64.70 poles to a stake; thence S. 3° W. 116.50 poles to the center of Little Daby Creek; thence up the creek with the center thereof 3.80 poles; thence S. 2¾° W. 42.77 poles to the center of the Post Road; thence with the center of the Post Road S. 73¼° E. 10.18 poles; thence S. 27½° W. 5.80 poles to the beginning, being part of Survey No. 4805 and containing 77-90/100 acres, more or less, excepting a right-of-way across said lands as granted to John F. Bennett by L. A. Burnham.

Also the following premises, situated in the County of Union, in the State of Ohio, and in the Township of Union, and part of Survey No. 10338 and bounded and described as follows:

THE COL. B. B. MFG. CO. 73503

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Beginning at a stone in the north line of said Survey No. 10338; thence with said line south 87° W. 71.32 poles to a stone and brick northwest corner to said survey in the East line of Survey No. 4805; thence with said line S. 3° E. 124 poles to a stake in said line and on the north bank of Little Darby Creek; thence eastwardly with the north bank of the creek at low water mark 77 poles to a point in the creek (witness a stone on the bank 2 poles N. 1° E. from the corner; thence N. 1° E. 110 poles to the beginning, containing 50 acres, more or less.

Witness my hand and the seal of said Court, at Marysville, Ohio, this 8th. day of June, 1937.

(Seal) E. W. Hazen - Probate judge.

Filed June 10-1937. Report of Private Sale

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian of Miriam Dellinger and McKinley Dellinger, Minors,

Plaintiff,

-vs-

Miriam Dellinger, et al,

Defendants.

No. 13265.
Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 8th. day of June, 1937, offer said property, at private sale, and Margaret M. Dellinger, having offered therefor the sum of $100.00, and the same being more than the appraised value of said property, I sold the same to said Margaret M. Dellinger for that sum.

Lincoln Dellinger - Guardian of Miriam Dellinger and McKinley Dellinger.

State of Ohio, Union County, ss:

Lincoln Dellinger, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Lincoln Dellinger.

Sworn to before me and subscribed in my presence this 8th. day of June, 1937.

Guyon Sanders - Notary Public.

(Seal)

Filed June 10-1937. Entry Confirming appraisement.

Filed June 10-1937. Entry Confirming Sale and Ordering Deed.

13265 Filed June 10-1937. Entry approving Bond and Ordering Private Sale.

Lincoln of Miriam McKinley Miriam

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13265
Filed
June 10-1937.
Entry
approving Bond
and Ordering
Private Sale.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian
of Miriam Dellinger and
Mc Kinley Dellinger, Minors,
Plaintiff,

-vs-

Miriam Dellinger, et al.,
Defendants.

No. 13265.
Entry approving Bond and Ordering Private Sale.

It further appearing to the court that the plaintiff has given additional bond in the sum of One Hundred ($100.00) Dollars with approved sureties conditioned according to law, the said bond is hereby approved.

And the court further finds, upon the application of Lincoln Dellinger, Guardian, to sell said real estate at private sale, that it is necessary to sell said real estate in order to support said wards and to pay the debts of said wards.

It is therefore ordered, adjudged and decreed that the said Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, minors, proceed to sell the real estate belonging to said wards, at private sale, for not less than the appraised value thereof, and to make due return of his proceedings to this court.

L. W. Hazen - Probate judge.

Filed
June 10-1937.
Entry
Confirming
appraisement.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian
of Miriam Dellinger and
Mc Kinley Dellinger, Minors,
Plaintiff,

-vs-

Miriam Dellinger, et al.,
Defendants.

No. 13265.
Entry Confirming Appraisement.

This day this matter came on to be further heard on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

L. W. Hazen - Probate Judge.

Filed
June 10-1937.
Entry
Confirming
Sale and
Ordering
Deed.

In the Probate Court, Union County, Ohio.

Lincoln Dellinger, as Guardian
of Miriam Dellinger and
Mc Kinley Dellinger, Minors,
Plaintiff,

-vs-

Miriam Dellinger, et al.,
Defendants.

No. 13265.
Entry Confirming Sale and
Ordering Deed.

This day this cause came on to be heard on the report of Lincoln Dellinger, Guardian of Miriam Dellinger and Mc Kinley Dellinger, of his proceedings under the

THE COL. B. B. MFG. CO. 73503

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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 ordred 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 Miriam Dellinger and Mc Kinley Dellinger in said real estate, to the purchaser, Margaret M. Dellinger, upon receipt from the purchaser of the sum of $100.00 in cash.

It is further ordred that said Lincoln Dellinger, as Guardian of Miriam Dellinger and Mc Kinley Dellinger, account for the money in his hands according to law.

L. W. Hazen - Probate judge.

13399
Filed
June 17- 1937.

In the Matter of The Estate of Rosa D. Campbell, Deceased. Probate Court, Champaign County, Ohio.

Florence Overfield Clark,
Executrix of the Estate of
Rosa D. Campbell, deceased,
Plaintiff,

-vs-

Lincoln Earl Clark,
Marguerite Clark and
Florence Overfield Clark,
Defendants.

Case No. 13463 - a.
Petition to Sell Real Estate.

Now comes Florence Overfield Clark and for a cause of action says that she is the duly appointed, qualified and acting Executrix of the Estate of Rosa D. Campbell, deceased, and was appointed as such on the 8th. day of December, 1936, by and qualified in the Probate Court of Champaign County, Ohio; that the said Rosa D. Campbell at the time of her death owned personal property of the value of $786.30 as near as can be ascertained at this time, and that by the terms and provisions of her Last Will & Testament she specifically bequeathed $500.00 thereof to Carolyn Louise Clark.

That she left debts, including her funeral expenses and expenses of her last sickness, in the amount of $350.00 as near as can be ascertained, and the costs of administering her estate will be approximately $300.00, and her said personal property is insufficient to pay the said special bequest, debts and cost of administration.

That the said Rosa D. Campbell did seized and the owner of the following described real estate, to-wit:

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Situated in the Village of North Lewisburg, County of Champaign and State of Ohio, to-wit:

Being Lot No. 325 old or original number One in the Andas Addition to said Village as shown by the recorded plat thereof.

Also, The following described real estate, situated in the Village of Marysville, County of Union and State of Ohio, to-wit:

Beginning at the intersection of South Maple and Seventh Streets, and at the Northwest corner thereof; thence Westerly along the North line of Seventh Street 184 ft. to a stake, which is the beginning corner of the premises herein conveyed; thence Northerly and parallel with Maple Street 118 ft. to a stake; thence Westerly 40 ft. to a stake at the Northeast corner of the Geage Willison Lot; Thence Southerly along the line of said Willison's Lot 117½ ft. to a stake in the North line of Seventh Street; thence Easterly along the North line of Seventh Street 40 ft. to the place of beginning.

That it is necessary to sell the said real estate to pay the debts and expenses of administration and to make distribution.

That the first tract herein described was appraised at $750.00, and the second tract herein described was appraised at $1,500.00 by the appraisers of the estate as shown by the Inventory & Appraisement thereof filed in this court.

That the said Rosa D. Campbell died leaving no surviving spouse or children, but left the defendant Lincoln Earl Clark, her nephew, and the said Florence Overfield Clark, her niece, and the only persons having the next estate of inheritance from said decedent.

That the said defendant, Marguerite Clark, is the wife of the said defendant, Lincoln Earl Clark.

Wherefore, the plaintiff, Florence Overfield Clark as Executrix of the Estate of Rosa D. Campbell, deceased, prays that she be authorized and directed to sell the real estate herein described for the purpose of paying the debts of the decedent, the expenses of administering her estate and distribution, and for such other and further order and relief in the premises as the Court may find to be just and equitable.

Milo L. Myers - Attorney for Plaintiff.

State of Ohio, Union County, ss:

Florence Overfield Clark, being duly sworn, says that the facts stated and the allegations made and contained in the foregoing Petition are true as she believes.

Florence Overfield Clark.

Sworn to before me and subscribed in my presence this 20 th. day of February, A. D. 1937.

Arthur D. Love - Notary Public.
528 N. Main St., Marysville, Ohio.
(Fee claimed .80¢)

Filed 2/27/37
Jr. 46 - Pg. 190

THE COL. B. B. MFG. CO 73503

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Journal Entry.

Probate Court, Champaign County, Ohio.

Florence Overfield Clark,
Executrix of the Estate of
Rosa D. Campbell, deceased,
Plaintiff,

-vs-

Lincoln Earl Clark, et al.,
Defendants.

Case No. 13453-A.
Journal Entry.

This day came Florence Overfield Clark, as Executrix of the Estate of Rosa D. Campbell, deceased, and files in this court her Petition praying for the sale of the real estate therein described to pay the debts of said estate.

Therefore, it is ordered that the said Petition be heard on the 26th. day of April, A. D. 1937, at 1:00 o'clock P. M., and that the said defendants be notified of the pendency and prayer thereof as required by law.

W. L. Garber - Probate Judge.

Filed 2/27/37.
Jr. 46 - Page 190.

Answer.

In the Probate Court of Champaign County, Ohio.

Florence Overfield Clark,
Executrix of the Estate of
Rosa D. Campbell, deceased,
Plaintiff,

-vs-

Lincoln Earl Clark, et al.,
Defendants.

Case No. 13453-A
Answer.

Now comes Florence Overfield Clark and for Answer to the Petition herein filed admits all the facts stated and the allegations therein contained, hereby enters her appearance herein and consents to the sale of the said real estate in the Petition described, as and for the purposes therein stated and contained.

Further the said Florence Overfield Clark says that on the 4th. day of May, 1936, at the time Rosa D. Campbell purchased the second tract as described in the plaintiff's Petition, she, the said Florence Overfield Clark, upon the request of the decedent paid $100.00 of the consideration, and which interest she has in said premises, and that the said decedent during her lifetime held the said premises, to that extent in trust for this defendant, and that she still has the said interest therein.

Wherefore, the said Florence Overfield Clark prays that her interest in the said premises be protected and that from the proceeds of the sale she be allowed and paid the said sum of $100.00 with interest at six per cent. from the 4th. day of May, 1936.

Florence Overfield Clark.

13399
Affidavit for Service.

Entry Ordering Service by Publication.

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State of Ohio, Union County, ss:

Florence Overfield Clark being duly sworn says that the facts stated and the allegations made and contained in the foregoing are true as she believes.

Florence Overfield Clark.

Sworn to before me and subscribed in my presence this 20th. day of February, A. D. 1937.

Arthur D. Love - Notary Public.
528 N. Main St., Marysville, Ohio.

Affidavit for Service.

Probate Court, Champaign County, Ohio.

Florence Overfield Clark,
Executrix of the Estate of
Rosa D. Campbell, Deceased,
Plaintiff,

-vs-

Lincoln Earl Clark, et al.,
Defendants.

No. 13453-a.
Affidavit for Service.

The State of Ohio, Union County, ss:

On this 23d. day of February, 1937, personally appeared before me the undersigned, a Notary public within and for said county and state aforesaid Florence Overfield Clark, who being duly sworn, says that she is the plaintiff in the above entitled cause, that the defendants, Lincoln Earl Clark and Marguerite Clark reside at River Road, Comstock Park in the State of Michigan and service of summons cannot be made on said defendants within this State; and the case is one of those mentioned in the General Code of Ohio, Section #11292.

Florence Overfield Clark.

Sworn to before and signed in my presence by the said Florence Overfield Clark this 20th. day of February, 1937.

Arthur D. Love - Notary Public.
Marysville, Ohio.
Fee Claimed.

Filed 2/27/37

Probate Court, Champaign County, Ohio.

Entry Ordering Service by Publication.

Florence Overfield Clark,
Executrix of the Estate of
Rosa D. Campbell, Deceased,
Plaintiff,

-vs-

Lincoln Earl Clark, et al.,
Defendants.

Case No. 13453-a.
Entry Ordering Service by Publication.

This day came the plaintiff and filed herein an affidavit for the purpose of procuring service by publication; and it appearing to the court that the defendants Lincoln Earl Clark and Marguerite Clark are non-residents of the State of Ohio, that they

THE COL. P. S. MFG. CO 73503

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reside at River Road, Comstock Park, in the State of Michigan, and that service of summons cannot be made on them within this State.

Therefore, it is ordered that service be made on them by publication and that the same be made for six consecutive weeks, in a newspaper printed in this county, that said notice 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.

M. L. Staver - Probate Judge.

Filed 2/27/37.

Jv. 46- Pg. 190.

Legal Notice.

Legal Notice.

The State of Ohio, Champaign County, ss:

Lincoln Earl Clark and Marguerite Clark, who reside at River Road, Comstock Park, Michigan, will take notice that Florence Deerfield Clark, Executrix of the estate of Rosa D. Campbell, deceased, on the 27th. day of February, 1937, filed her petition in the Probate Court of Champaign County, Ohio, alleging therein that the personal estate of the said decedent is insufficient to pay her debts and the charges of administering her estate; and for distribution, and that she died seized in fee simple of the following described real estate:

Situated in the Village of North Lewisburg, County of Champaign, State of Ohio, to-wit:

Being Lot No. 325 old or original number One in the Cudar Addition to said Village as shown by the recorded plat thereof.

Also, the following described real estate, situated in the Village of Marysville, County of Union and State of Ohio, to-wit:

Beginning at the intersection of South Maple and Seventh Streets, and at the Northwest corner thereof; thence Westerly along the North line of Seventh Street 184 ft. to a stake, which is the beginning corner of the premises herein conveyed; thence Northerly and parallel with Maple Street 118 ft. to a stake; thence Westerly 70 ft. to a stake at the Northeast corner of the George Willison Lot: Thence Southerly along the line of said Willison's Lot 117½ ft. to a stake in the North line of Seventh Street; thence Easterly along the North line of Seventh Street 70 ft. to the place of beginning.

The prayer of the said petition is for sale of said premises, for the payment of the debts and make distribution.

The persons first above mentioned will further take notice that they have been made parties defendant to

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Journal Entry, Finding Sale Necessary, Disposing with Bond and Further Appraisement, Ordering Private Sale.

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said petition and that they are required to answer the same on or before the 24th. day of April, 1937.

Florence Overfield Clark-
Executrix of the Estate of
Rosa D. Campbell, Deceased.

Milo L. Myers, Attorney.
Marysville, Ohio.

Personally appeared before me Herman E. Harner, Business Manager The Urbana Citizen, daily newspaper, published at Urbana, Ohio, and made oath, that the notice hereto attached was published six consecutive weeks on and next after March 2, 1937, in said paper, printed in and of general circulation in the County aforesaid.

Herman E. Harner.

Sworn to by Herman E. Harner and by him subscribed before me, this 7th. day of April, 1937.

Lillie Kaplaugh - Notary Public.
My commission Expires Nov. 13, 1938.

Printer's Fee, $6.30 - squares, $22.05.

Journal Entry, Finding Sale Necessary, Dispensing with Bond and further Appraisement, Ordering Private Sale.

In the Probate Court of Champaign County, Ohio.

No. 13453. a.

Journal Entry, Finding Sale Necessary, Dispensing with Bond and further Appraisement, Ordering Private Sale.

Florence Overfield Clark, as Extrx. of the Estate of Rosa D. Campbell, Deceased, Plaintiff.

-vs-

Lincoln Earl Clark, et al., Defendants.

This day this matter came on to be heard upon the Petition of the Plaintiff for authority to sell certain real estate of the decedent's estate, to pay the debts, of the said Estate, and the defendant, Florence Overfield Clark having by her Answer having consented to the sale of the said real estate as prayed for, and the other defendants having been duly served by publication which said service by publication is hereby approved by the Court, and the said other defendants being in default for answer. The Court finds from the evidence that all necessary parties are now before the Court and that the prayer of the petition should be granted; that the real estate described in the petition was appraised by the appraisers of the personal estate at $2250.00 and at further appraisement is hereby dispensed with. The Court further finds that the Will of the Testatrix providing that no Bond be required of the Executrix, the giving of any Bond in this proceeding is hereby dispensed with. And it appearing to the Court that it would be more for the interests of the said estate to sell the said real estate at private

THE COL. D. B. MFG. CO. 73503

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sale, it is now ordred that Flounce Overfield Clark as such Executrix proceed to sell said real estate in the petition described as provided by law, at private sale, for not less than the appraised value and upon the following terms: Cash.

Dated April 26, 1937.

Leo E. Burcher
Probate Judge.

application to Sell Real Estate at Private Sale.

Probate Court, Champaign County, Ohio.

application.

Flounce Overfield Clark,
Executrix of Rosa D. Campbell,
Dec.,
Plaintiff,

-vs-

Lincoln Earl Clark et al.
Defendants.

No. 13453-a.
Application.

The said Plaintiff represents that it would be for the best interests of the said Estate of Rosa D. Campbell to sell the Real estate described in the petition in this case at private sale, for the following reasons:

Can be sold forthwith at the appraisement for cash.

Same expenses of advertisement.

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

Flounce Overfield Clark-
Executrix of Estate of Rosa D.
Campbell, Dec.

The State of Ohio, Champaign County.

Flounce Overfield Clark, being duly sworn, says that the various matters set forth in the foregoing Application are true as she verily believes.

Flounce Overfield Clark.

Sworn to before me and signed in my presence this 26 day of April, A. D. 1937.

Seal

D. M. Gibbe - Notary Public.
Champaign County.
My commission expires June 1, 1938.

affidavit of Disinterested Person.

Affidavit of Disinterested Person.

The State of Ohio, Champaign County.

William L. Dimond and P. H. Gifford, 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.

William L. Dimond.
P. H. Gifford.

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Order Private Sale.

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Sworn to before me and signed in my presence this 26th. day of April, 1937.

D. M. Gibbs - Notary Public, Champaign Co. My commission expires June 1, 1938.

Seal

Filed April 26, 1937.

Order of Private Sale.

Order of Private Sale.

The State of Ohio, Champaign County, Probate Court.

To Florence Brenfield Clark, Executrix of the estate of Rosa D. Campbell, deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as Executrix of the estate of Rosa D. Campbell, deceased, are Plaintiff and Lincoln Earl Clark et al. are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than the appraised value thereof, the following described premises, to-wit:

Situated in the Village of North Lewisburg, County of Champaign and State of Ohio, to-wit: Being Lot No. 3336 old or original number One in the Andaco addition to said Village as shown on the recorded plat thereof.

Also, the following described real estate, situated in the Village of Marysville, County of Union and State of Ohio, to-wit:

Beginning at the intersection of South Maple and Seventh Streets, and at the Northwest corner thereof; thence Westerly along the North line of Seventh Street 184 ft. to a stake, which is the beginning corner of the premises herein conveyed; thence Northerly and parallel with Maple Street 118 ft. to a stake; thence Westerly 40 ft. to a stake at the Northeast corner of the George Willison Lot; thence Southerly along the line of said Willison's Lot 117½ ft. to a stake in the North line of Seventh Street; thence Easterly along the North line of Seventh Street 40 ft. to the place of beginning.

Said sale to be upon the following terms: Cash.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Urbana, Ohio, this 26th. day of April, 1937.

Leo E. Burcher - Probate Judge.
By - Marie B. Donnell - Deputy Clerk.

Seal

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Return

Return.

To the Probate Court of Champaign 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, 1937.

Florence Overfield Clark.

Report of Private Sale.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 1st. day of May, 1937, offer said property, at private sale, and Charles D. Webb having offered for Tract No. 1 the sum of Seven Hundred and Fifty Dollars ($750.00), and Arthur D. Lowe having offered for Tract No. 2 the sum of Fifteen Hundred Dollars ($1500.00) and the same being not less than the appraised value of said property, I sold the same to said Charles D. Webb and Arthur D. Lowe for said sums.

Florence Overfield Clark.

Affidavit to Report of Private Sale.

Affidavit to Report of Private Sale.

The State of Ohio, Union County, ss:

Florence Overfield Clark, being duly sworn, says that the private sale of property made under the within order and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Florence Overfield Clark.

Sworn to before me and subscribed in my presence, this 4 th. day of May, 1937.

(Seal) Milo L. Myers - Notary Public.

Entry Confirming Sale.

Probate Court, Champaign County, Ohio.

Florence Overfield Clark,
Executrix of the Estate of
Rosa D. Campbell, deceased,
Plaintiff.

-vs-

Lincoln Earl Clark,
Marguerite Clark and
Florence Overfield Clark,
Defendants.

Case No. 13453.
Entry Confirming Sale.

This day this cause came on to be heard on the report of Florence Overfield Clark as Executrix of the estate of Rosa D. Campbell, 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; the court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being

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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 further appearing to the court on said report that Charles D. Webb of Marysville, Ohio, purchased the first tract as described in said report at $750.00, the appraised value thereof; and Arthur D. Love, of Marysville, Ohio, purchased the second tract as described in said report at $1500.00, the appraised value thereof.

Therefore it is ordered that the plaintiff, Florence Overfield Clark as Executrix of the estate of said Roca D. Campbell, deceased, execute good and sufficient deeds of all the right, title and interest of the said Roca D. Campbell in said real estate, to the purchasers.

It is further ordered that this cause be continued for distribution.

Leo E. Buroker - Probate Judge.

Approved:
Milo L. Myers - Attorney for Plaintiff.
Gibbs & Gibbs - Attorneys for Lincoln Earl Clark and Marguerite Clark.

Certificate to Copies.

Certificate to Copies.

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

I, Leo E. Buroker, Judge and ex-officio Clerk of the Probate Court within and for said County, having the custody of the files, journals and Records of said Court, do hereby certify that the foregoing is a true copy of Petition to Sell Real Estate; Order fixing time for Hearing; Answer of Florence Overfield Clarke; Affidavit for service; Journal Entry - Ordering service by publication; Proof of Publication; Journal Entry - Finding sale necessary, etc; Ordering Private Sale; Application to Sell at Private Sale; Affidavit of Disinterested Person; Order of Private Sale, etc. Order Confirming Sale, etc. In the matter of the Sale of Real Estate in the Estate of Roca D. Campbell, deceased, case No. 13453 - A, as the same appear upon the records of said Court; and I further certify that I have carefully compared the foregoing copy with the original record, and that the same is a full and correct transcript thereof.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at Urbana, Ohio, this 7th. day of May, A. D. 1937.

Seal

Leo E. Buroker - Probate Judge and ex-officio Clerk of said Court.

13399. The State of Ohio, Champaign County, ss.

I, the undersigned, sole Judge of the Probate Court, within and for said County and State, the same being a Court of law and of record, do hereby certify that under the laws of the State of Ohio the Judge of the Probate Court is ex-officio the Clerk of his own Court. And I further certify that I, the said Leo E. Buroker whose genuine signature is attached to the foregoing certificate, am, and was at the time of signing the same, ex-officio Clerk of said Probate Court, and as such, full faith and credit are due my acts, and that the above certificate and attestation are in due form of law, and made by the proper officer.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at Urbana, Ohio, this 7th. day of May, A. D. 1937.

(Seal) Leo E. Buroker - Judge as aforesaid.

12822 Filed July 1-1937.

Petition to Sell Real Estate.

(From Page 116.)

J. C. Brannon, Executor of the Estate of Joseph Roff, Deceased, Plaintiff. -vs- John C. Brannon, et al. Defendants.	Probate Court, Union County, Ohio. Case No. 12822. Motion.

Now comes Porter + Porter, Attorneys at Law and represent to the Court that an error appeared in the description of the real estate sought to be sold as part of the estate of Joseph Roff, deceased, as described in the petition in this action which was filed September 15, 1934.

Said Attorneys also represent that the said error appears in the Order of Sale which was returned November 8, 1934, and that said descriptions in the petition and Order of Sale did not include all of the premises sold.

That said premises were sold to Lynn L. Barker who has presented the conveyance dated November 10, 1934, for transfer and record but the transfer cannot be made upon the tax duplicate without proper description.

We move the Court for an Order to correct and amend the descriptions in said Petition, Order of Sale and the conveyance to Lynn L. Barker.

Porter + Porter.
Attorneys for the Plaintiff.

12822	J. C. Brannon, Executor of the Estate of Joseph Roff, Deceased, Plaintiff, -vs- John C. Brannon, et al. Defendants.	Probate Court, Union County, Ohio. Case No. 12822. Entry.

This cause coming on to be heard upon a Motion filed this day for correction and addition to the description of the real estate sought to be sold in this action as described in the Petition and Order of Sale, the Court find that there is an omission in said description and also an error and that the same should be corrected.

It is therfore ordered that the same be corrected to read as follows:

Real estate situate in the State of Ohio, County of Union and Village of Marysville, being in Virginia Military Survey No. 3354, and bounded and described as follows:

Beginning at a stake, northeast corner to a lot of land containing 5-3/10 poles conveyed by Levi Longbrake to William Smith on the 2nd. day of April 1875; thence with the east line of said lot and with the west line of Susan Shadrick's lot S. 4° W. 14-48/100 poles to a stake corner to said Susan Shadrick's lot in the center of the Marysville and Bellefontaine Road; thence with the center of said road N. 71-1/4° W. 3-28/100 poles to a stake; thence N. 7° E. 14-28/100 poles to a stake in the line of Levi Longbrake's land; thence with said line S. 71-1/4° E. 2-52/100 poles to the beginning. Containing one-quarter of an acre.

Being the same premises conveyed by Scioto Marriott unmarried, to Joseph Roff and Sarah J. Roff by deed dated May 10, 1883, and recorded in Union County Deed Record No. 67, page 591.

Excepting therefrom 6/100 of an acre conveyed by Joseph Roff and Sarah J. Roff to the Village of Marysville by deed recorded in Union County Deed Record No. 120, page 237.

And including the following premises conveyed by William Smith and Nancy Jane Smith, his wife, to Joseph Roff and Sarah J. Roff by deed dated May 6, 1893, and recorded in Union County Deed Record No. 67, page 591, and described as: Beginning at a stone, northwest corner to a lot of land belonging to Joseph and Sarah J. Roff and in the south line of L. L. Longbrake's Addition to Marysville, Lot No. 657 of L. L. Longbrake's Addition to Marysville thence N. 69° W. 1.36 poles to a stake in the east

THE COL. B. B. MFG. CO. 73503

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line of William Smith's lot; thence with said Smith's lot line, being a continuation of the east line of Lots Nos. 660, 659 and 658, S. 5° W. 6.44 poles to a stake on the north margin of West Fourth Street; thence with the north line of said Street S. 85° E. 80/100 of a pole to a stake; thence N. 10° 15' E. 6 poles to the beginning. Containing 6.24 square poles of land, more or less.

The amount herein conveyed being 18/100 of an acre, more or less.

Also the following premises being part of Lot No. 657 of L. L. Longbrake's Addition to the Village of Marysville and described as Beginning at the northeastyly corner of Sd Lot No. 657 as shown by the plat of L. L. Longbrake's Addition to Marysville on record in the office of the Recorder of Deeds of said Union County; thence in a westerly direction along the north line of said Lot No. 657, 60 feet to the southwesterly corner of Lot No. 656 as shown by said plat; thence at right angles in a southerly direction to the south line of said Lot No. 657; thence in a southeasterly direction along the southerly line of said Lot to the southeast corner of said Lot No. 657; thence north along the east line of said Lot No. 657 to the point of beginning.

Being the easterly 60 feet of said Lot No. 657.

Being the same premises conveyed by Levi L. Longbrake and wife to Joseph Roff and Sarah Roff by deed dated April 25, 1893, and recorded in Union County Deed Record No. 69, page 299.

The said Sarah J. Roff died intestate April 29, 1930, leaving Joseph Roff, her husband, as her sole heir at law and legal representative. Refer to affidavit for transfer recorded in Union County Deed Record No. 147, page 538.

It is further ordered by the Court that the conveyance executed to Lynn L. Baker for said real estate dated November 10, 1934, which has not been placed of record, be corrected, and amended to conform to the foregoing description.

L. W. Hazen - Probate Judge.

134/3
Filed
July 3 - 1937.

13413
Filed
July 3- 1937.

In the Matter of The Estate of Hannah A. Beem, Deceased.
Application for Certificate of Transfer.
Probate Court, Union County, Ohio.

In the Matter of The Estate of Hannah A. Beem, Deceased. | No. 13413.
To the Probate Court of said County: | Application.

Your applicant represents that no administration has been had on the estate aforesaid, and no administration is contemplated, and that your applicant makes this application as an heir of the estate of Hannah A. Beem, deceased, whose place of residence at the time of death was Richwood, Union County, Ohio; that decedent died intestate on the 10th. day of February 1931; and that said decedent, at the time of her death, owned the following described parcels of real estate situated in the State of Ohio and Union County as indicated:

Parcel No. 1.

Situated in Claiborne Township, Union County and State of Ohio, and being part of U. M. Lands Survey No. 6293, and being Lot Number Two (2) of the subdivision of the lands of John Dilsaver, Deceased.

Beginning at a stone and pieces of crockery in the line between Surveys Nos. 7008 and 6293, and Southwest corner of Lot Number One (1) of the subdivision of the lands of John Dilsaver, owned by Albert Dilsaver; thence with the South line of said Lot Number One (1) North 89° 50' East 194- 52/100 poles to a stone and pieces of brick and in the west line of lands owned by B. P. and L. Lemox; thence with said line South 1° East 29- 40/100 poles to a stone and pieces of brick, it being the Northeast corner of Lot Number Three (3) of the subdivision of said Dilsaver's land; thence with the North line of Lot Number Three (3) South 89° 50' West 188- 32/100 poles to a stone and crockery in the line between said Surveys Nos. 7008 and 6293; thence with the line of said Surveys North 13° West 30- 08/100 poles to the place of beginning. Containing thirty-four and one-half (34½) acres.

Being the premises conveyed by Edmond Dilsaver et ala, to Hannah A. Beem, and recorded on April 29, 1891, in Deed Book No. 68, page 70, Records Office, Union County, Ohio.

Parcel No. 2.

Situated in the County of Union, in the State of Ohio, and in the Township of Claibourne, and bounded and described as follows:

Being a part of Britton Claibourne Survey No. 6293, U. M. Lands, and being a strip of land thirty (30) feet in width adjoining and parallel with the West

THE COL. E. B. MFG. CO 73503

13413

line of the Richwood and Magnetic Springs pike, extending northerly from the North line of lands by Mike Dilsaver to the South of lands of A. Dilsaver. Containing 36 1/100 acres.

Being the premises conveyed by Glen L. Cline to Hannah Beem, and recorded July 26, 1927, in Record of Deeds, Vol. 138, page 196, Recorder's Office, Union County, Ohio.

Parcel No. 3.

An undivided one-half interest in the premises:

Situated in the County of Union, in the State of Ohio, and in the Village of Richwood. Being all of Lot Number Three Hundred Thirty-nine (339) in Gill's Second Addition to the Village of Richwood, as numbered and delineated upon the recorded plat thereof, of record in the Recorder's Office, Union County, Ohio.

Being the premises conveyed by Benj. F. Davis and Clara Davis to J. W. Beem and Hannah Beem, and recorded January 3, 1920 in Record of Deeds Vol. 123, page 17, Recorder's Office, Union County, Ohio.

Parcel No. 4.

An undivided one-half interest in the following premises:

Situated in the County of Union, in the State of Ohio, in the Village of Richwood, and being all of Lots Numbers Eight Hundred Thirteen (813) and Eight Hundred Fourteen (814) in Ross's Addition to the Village of Richwood, as the same are numbered and delineated upon the recorded plat thereof, of record in the Recorder's Office, Union County, Ohio.

Being the premises conveyed by William F. Ross and Mary F. Ross to Jacob W. Beem and Hannah A. Beem, and recorded in Record of Deeds Vol. 110, page 154 on June 1, 1914.

That upon the death of said decedent said real estate passed by the laws of intestate succession:

Name	Age years	Address	Relationship to Decedent	Interest in Such Real Estate as Passing
Frank M. Beem	Over 21 years	R. F. D. 3, Richwood, Ohio.	Son	Undivided one-half interest.
Hattie Beem Elliott	Over 21 years	220 South Simon Street, Ada, Ohio.	Daughter	Undivided one-half interest.

Your applicant further represents that all known debts of this decedent's estate have been paid.

Your applicant, therefore, requests the Court to order and transmit a Certificate of Transfer to the County Recorder of Union County, Ohio, where the real estate so passing is situated.

Frank M. Beem.

13413

Filed July 8- 1937.

13413 The State of Ohio, Union County, ss:
Frank W. Beem, being duly sworn, says that he believes the facts stated in the foregoing application to be true.

Frank W. Beem.

Sworn to before me and signed in my presence, this 3rd. day of July, 1937.

A. D. Parish
Justice of the Peace.

Filed July 3 - 1937.

Journal Entry - Order to Transmit Certificate of Transfer.

Probate Court, Union County, Ohio.

In the Matter of The Estate of Hannah A. Beem, Deceased.	No. 13413 Order to Transmit Certificate.

This day came Frank W. Beem and filed his application, duly verified for an order directing the transfer of real estate therein described, and belonging to the above named decedent.

The Court being satisfied that the statements in said application are true; that said decedent, at the time of his death, owned the following described parcels of real estate situated in the State of Ohio and Union County as indicated:

Parcel No. 1.

Situated in Claibourne Township, Union County and State of Ohio, and being part of V.M. Lands Survey 6293, and being Lot Number Two (2) of the subdivision of the lands of John Dilsaver, Deceased.

Beginning at a stone and pieces of crockery in the fine between Surveys Nos. 7008 and 6293 and Southwest corner of Lot Number One (1) of the subdivision of the lands of John Dilsaver, Deceased, owned by Albert Dilsaver; thence with the South line of said Lot Number One (1) North 89" 50' East 194- 52/100 poles to a stone and pieces of brick and in the west line of lands owned by O. P. and L. Lenox; thence with said line South 1" East 29-40/100 poles to a stone and pieces of brick, it being the Northeast corner of Lot Number Three (3) of the subdivision of said Dilsaver's land; thence with the North line of Lot Number Three (3) South 89" 50' West 188- 32/100 poles to a stone and crockery in the line between said Surveys Nos. 7008 and 6293; thence with the line of said Surveys North 13" West 30- 08/100 poles to the place of beginning, containing thirty- four and one- half (34½) acres.

Being the premises conveyed by Edmond Dilsaver et al to Hannah A. Beem, deed recorded on April 29, 1891, in Deed Book No. 68, page 70, Recorder's Office, Union County, Ohio.

THE COL. B. D. MFG. CO 73503

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Parcel No. 2.

Situated in the County of Union, in the State of Ohio, and in the Township of Claibourne, and bounded and described as follows:

Being a part of Button Claibourne Survey No. 6293, U. M. Lands, being a strip of land thirty (30) feet in width adjoining and parallel with the West line of the Richwood and Magnetic Springs pike, extending northerly from the lands owned by Mike Dilsaver to the South of lands of A. Dilsaver. Containing 361/1000 acres.

Being the premises conveyed by Glen L. Cline to Hannah J Beem and recorded July 26, 1927, in Record of Deeds, Vol. 138, page 196, Recorder's Office, Union County, Ohio.

Parcel No. 3.

An undivided one-half interest in the following premises:

Situated in the County of Union, in the State of Ohio, and in the Village of Richwood. Being all of Lot Number Three Hundred Thirty-Nine (339) in Gill's Second Addition to the Village of Richwood, as numbered and delineated upon the recorded plat thereof, of record in the Recorder's Office, Union County, Ohio.

Being the premises conveyed by Benj. F. Davis and Clara Davis to Jacob W. Beem and Hannah A. Beem, and recorded January 3, 1920, in Record of Deeds Vol. 123, page 17, Recorder's Office, Union County, Ohio.

Parcel No. 4.

An undivided one-half interest in the following premises:

Situated in the County of Union, in the State of Ohio, in the Village of Richwood, and being all of Lots Numbers Eight Hundred Thirteen (813) and Eight Hundred Fourteen (814) in Ross's Addition to the Village of Richwood, as the same are numbered and delineated upon the recorded plat thereof, of record in the Recorder's Office, Union County, Ohio.

Being the premises conveyed by William F. Ross and Mary F. Ross to Jacob W. Beem and Hannah A. Beem, and recorded in Record of Deeds Vol. 110, page 154 on June 1, 1914.

That upon the death of said decedent said real estate passed by the laws of intestate succession, to the following persons:

Name	Age Years	Address	Relationship to Decedent.	Interest in Such Real Estate as Passed
Frank M. Beem	Over 21 years.	R. F. D. 3, Richwood, Ohio.	Son	Undivided one-half interest.
Hattie Beem Elliott	Over 21 years.	220 South Simon Street, Ada, Ohio.	Daughter.	Undivided one-half interest.

13413

13183
Filed
June 16-1936.
Milo L. Myers,
Attorney.

Petition.

13413 And it appearing to the satisfaction of the Court that said applicant has fully complied with all provisions of the law, it is ordered that said real estate be transferred upon the Duplicate of the County where situated to the person named herein as their interests appear and that a certificate of this order be filed with the Recorder of the proper County, for record, as provided by law.

L. W. Hazen - Probate Judge.

13183
Filed
June 16-1936.
Milo L. Ulyett,
Attorney.

Petition to Sell Real Estate.

Probate Court, Union County, Ohio.

Merrill M. Turner and Enos H. Bonham, as Executors of the Estate of Richard Turner, dec'd., Plaintiffs,

-vs-

Richard F. Turner,
Helen Turner,
Merrill M. Turner,
Lucy Turner,
Frank B. Turner,
Edna Turner,
Elizabeth Turner Bonham,
Enos H. Bonham,
Mary C. Turner,
Charles Maurice Butler,
Katherine Butler,
Margaret J. Ward,
Fred Ward,
Marian T. Hill and
Cecil Hill,
Defendants.

Case No. 13183.
Petition.

Petition.

Now comes Merrill M. Turner and Enos H. Bonham, and for a cause of action say that on the 28rd. day of April, 1936, in case number 13144 they were duly appointed by the Probate Court of Union County, Ohio, Executors of the Estate of Richard Turner, deceased, & duly qualified therein, without bond, as set forth in the decedent's last Will and Testament, and that they are still acting as such Executors.

That the said decedent did leave personal property, which was appraised at $196.50 by the appraisers of his estate, and which property was selected and taken over by the decedent's surviving spouse, leaving no personal assets of any nature whatsoever to pay the debts of the said deceased or his funeral expenses or expenses

THE COL. & B. MFG. CO. 73503

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of administering his estate.

That it is necessary to sell the real estate owned by the decedent to pay his debts, allowance to surviving spouse, special bequests, and costs of administering his estate.

That as near as can be ascertained at this time the valid debts against the estate of the said deceased are $2,000.00.

That an allowance of $600.00 was made by the appraisers of the estate to the widow for her year's allowance.

That the costs of administering the estate will be about $500.00.

That the special bequests are $300.00.

That said decedent died seized and the owner of the following described real estate, to-wit:—

First Tract.

Situated in the Village of Marysville, County of Union and State of Ohio, and being Lot No. 1462 of Sunny-Side Park addition to the Village of Marysville, Ohio.

Second Tract.

Situated in the Village of Marysville, County of Union and State of Ohio, and being Lot No. 1464 of Sunny-Side Park addition to the Village of Marysville, Ohio.

Third Tract.

Situated in the Village of Marysville, County of Union and State of Ohio, and being a part of Lot No. 93, and,

Beginning at a stake in the north line of Seventh Street and southwest corner of Richard Turner's Lot, situated on the north-west corner of the intersection of South Main Street and Seventh Street; thence northerly with the west line of said Turner's Lot about 85 feet to the south line of Sidney Fisher's Lot; thence with the south line of said Lot westerly about 85 feet to the east line of an alley; thence with the east line of said alley southerly about 85 feet to the north line of Seventh Street; thence with the said north line of said street easterly about 85 feet to the place of beginning.

Fourth Tract.

Situated in the Village of Marysville, County of Union and State of Ohio, and,

Beginning at the southeast corner of Lot No. 88 formerly owned by A. Wall; thence running south 82½ feet to Seventh Street; thence West 55 feet; thence North 82½ feet; thence East 55 feet to the place of beginning. Being a part of Lot No. 93 in said Village and being the same premises conveyed by John S. Fleck and wife to Leonard E. Bellus by deed dated April 27th, 1874.

That said real estate was included in the inventory of the estate in said case No. 13144, this Court, and was appraised as follows, to-wit:—

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First Tract at $ 25.00
Second Tract at $ 25.00
Third Tract at $2000.00
Fourth Tract at $3600.00

That, the said decedent did leaving the defendant, Mary C. Turner, his widow, who is entitled to dower in said real estate.

That the defendants, Richard R. Turner, Merrill M. Turner, Frank B. Turner and Elizabeth Turner Bonham, are the surviving children of the decedent, and the defendant, Charles Maurice Butler, is a son and only child of Nellie Turner Butler, deceased, who was a daughter of the said Richard Turner, deceased, and are all the heirs and only persons entitled to the next estate of inheritance from the said Richard Turner, deceased, in said real estate.

That, the defendants, Helen Turner, is the wife of the defendant Richard R. Turner; Lucy Turner is the wife of the defendant Merrill M. Turner; Edna Turner is the wife of the defendant Frank B. Turner; Enos H. Bonham is the husband of the defendant Elizabeth Turner Bonham, Katherine Butler is the wife of the defendant Charles Maurice Butler, and,

That, the defendants, Margaret T. Ward and Marian T. Hill are legatees of the said Richard Turner, deceased, and are children of the said Frank B. Turner, and the defendants, Fred Ward is the husband of the said Margaret T. Ward; Cecil Hill is the husband of the said Marian T. Hill.

That no other persons have any interest in said real estate.

Wherefore, the plaintiffs pray that said real estate be sold free from all the rights of the said Mary C. Turner therein; that the rights and interests of all the parties may be fully determined, adjudged and protected; and that the plaintiffs 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 as the Court may find to be just and equitable and to which they may be entitled.

Milo L. Myers.
Attorney for Plaintiffs.

State of Ohio, Union County, ss.

Merrill M. Turner and Enos H. Bonham, being duly sworn say they are the plaintiffs named in the above entitled cause, and that the facts stated and the allegations made and contained therein are true as they believe.

Enos H. Bonham.
Merrill M. Turner.

Sworn to before me and signed in my presence by the said Merrill M. Turner and Enos H. Bonham this 16th. day of June, A. D. 1936. (Seal) Milo L. Myers - Notary Public.

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13183
Journal Entry.
Filed
June 16- 1936.

Probate Court, Union County, Ohio.

Merrill M. Turner & Enos H. Bonham as Executors of the Estate of Richard Turner, dec'd.,

Plaintiffs,

-vs-

Richard F. Turner, et al.,

Defendants.

Case No. 13183.
Journal Entry.

This day came Merrill M. Turner and Enos H. Bonham, Executors of the Estate of Richard Turner, deceased, and presented for filing in this court their petition praying for the sale of the real estate therein described to pay the debts of the said estate, costs of administration and distribution, and on consideration thereof it is ordered that the said petition be and the same is hereby filed and it is further ordered that this cause be continued for further action in the premises.

L. W. Hazen - Probate judge.

Filed
June 19- 1936.
Waiver.

Probate Court, Union County, Ohio.

Merrill M. Turner and Enos H. Bonham, as Executors of the Estate of Richard Turner, dec'd.,

Plaintiffs,

-vs-

Richard F. Turner, et al.,

Defendants.

Case No. 13183.
Waiver.

We, the undersigned and defendants named in the above entitled cause do hereby voluntarily enter our appearance and waive the issuing of summons, or process or service by publication upon us.

Frank B. Turner.
Edna M. Turner.
Margaret T. Ward.
Dick M. Ward.
Marion T. Hill.
Cecil F. Hill.

Filed
July 6- 1936.
Affidavit.

Probate Court, Union County, Ohio.

Merill M. Turner and Enos H. Bonham, as Executors of the Estate of Richard Turner, dec'd.,

Plaintiffs,

-vs-

Richard F. Turner, et al.,

Defendants.

Case No. 13183.
Affidavit.

State of Ohio, Union County, ss.

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Filed
July 6- 1936.
Answer of
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Merrill M. Turner and Enos H. Bonham being first duly sworn depose and say as follows; that they are the plaintiffs named in the above entitled cause, and that the defendants, Charles Maurice Butler and Katherine Butler, are non-residents of the State of Ohio; that they reside at 101 East 65th. St., Kansas City, Missouri, and by reason thereof service of summons cannot be made upon them within this State, and this cause is one of those mentioned in Section #11292 General Code of Ohio.

Merrill M. Turner.

Enos H. Bonham.

Sworn to before me and signed in my presence this 6th. day of July, a. D. 1936.

Seal

Arthur D. Lowe - Notary Public.

Notary Fee Claimed.

Filed July 6-1936. Answer of Widow.

Probate Court, Union County, Ohio.

Merrill M. Turner and Enos H. Bonham, as Executors of the Estate of Richard Turner, Dec'd.,

Plaintiffs,

-vs-

Richard F. Turner, et al.,

Defendants.

Case No. 13183.

Answer of Widow.

Now comes Mary C. Turner, one of the defendants named in the above entitled cause, and voluntarily enters her appearance herein, and for her answer to the plaintiffs' Petition, says that she is the widow of Richard Turner, deceased, and as such is entitled to dower in the premises described in the Petition, and that her age is —— years,

And further says that she waives the assignment of her dower interest in said real estate by metes and bounds or rents, issues or profits and elects to take the value of whatever interest she may have in said premises in money and consents that the same may be sold free therefrom.

Wherefore, the said Mary C. Turner prays, that her interest be protected and that the Court determine the amount due her and that she receive the same in money in lieu of her dower or any other interest she may have in said real estate.

Mary C. Turner.

State of Ohio, Union County, ss.

Mary C. Turner being duly sworn says that the facts stated and the allegations made and contained in the foregoing Answer are true as she believes.

Mary C. Turner.

THE COL. B. B. MFG. CO 73503

13183

Sworn to before me and signed in my presence this 30 th. day of June, a. D. 1936.

Arthur D. Lowe - Notary Public.
Notary Fee Claimed.

Seal

Probate Court, Union County, Ohio.

Filed July 6- 1936. Waiver.

Merrill M. Turner and Enos H. Bonham, as Executors of the Estate of Richard Turner, dec'd.,

Plaintiffs,

-vs-

Richard T. Turner, et al.,

Defendants.

case No. 13183.
Waiver.

We, the undersigned and defendants named in the above entitled cause do hereby voluntarily enter our appearance and waive the issuing of summons, or process or service by publication upon us.

Mary C. Turner.
Elizabeth Turner Bonham.
Enos H. Bonham.
M. M. Turner.
Lucy R. Turner.
Richard T. Turner.
Helen M. Turner.

Probate Court, Union County, Ohio;

Filed July 6 - 1936. Journal Entry.

Merrill M. Turner and Enos H. Bonham, as Executors of the Estate of Richard Turner, dec'd.,

Plaintiffs,

-vs-

Richard T. Turner, et al.,

Defendants.

case No. 13183.
Journal Entry.

This day came the plaintiffs and filed herein an affidavit for the purpose of procuring service by publication, and it appearing to the court that Charles Maurice Butler and Katherine Butler, are necessary parties to the action, and that service of summons on them cannot be made within this state; that they reside at 101 East 65th. Street, Kansas City, Missouri.

Therefore, it is ordered that publication be made for six consecutive weeks, in a newspaper printed in this county, and that it contain a summary statement of the object and prayer of the petition, mention the court wherein filed, and the time within which they are required to answer.

L. W. Hazen - Judge.

13183
Filed Aug. 25- 1936. at
Legal Notice.

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Filed
Aug. 25- 1936.
Legal Notice.

Legal Notice.

Charles Maurice Butler and Katherine Butler, who reside at 101 East 65th. St., Kansas City, Missouri, will take notice that on the — day of June, 1936, Merrill M. Turner and, Enos H. Bonham, as Executors of the Estate of Richard Turner, deceased, filed their Petition in the Probate Court of Union County, Ohio, alleging, in part, that the personal estate of the said decedent is insufficient to pay his debts and the charges of administering his estate; that he died seized in fee simple of the following described real estate situated in the Village of Marysville, Union County, Ohio, to-wit:

First Tract.

Being Lot No. 462 of Sunny-side Park Addition to the Village of Marysville, Ohio.

Second Tract.

Being Lot No. 464 of Sunny-side Park Addition to the Village of Marysville, Ohio.

Third Tract.

Being part of Lot No. 93. and, beginning at a stake in the north line of Seventh Stuet and south-west corner of Richard Turner's Lot, situated on the northwest corner of the intersection of South Main Stuet and Seventh Stuet; thence northerly with the west line of said Turner's Lot about 85 feet to the south line of Sidney Fisher's Lot; thence with the south line of said Lot westerly about 85 feet to the east line of an alley; thence with the east line of said alley southerly about 85 feet to the north line of Seventh Stuet; thence with the said north line of said stuet easterly about 85 feet to the place of beginning.

Fourth Tract.

Beginning at the southeast corner of Lot No. 88 formerly owned by A. Wall; thence running south 82½ feet to Seventh Stuet; thence west 55 feet; thence north 82½ feet; thence East 55 feet to the place of beginning. Being a part of Lot No. 93 in said Village and being the same premises conveyed by John S. Fleck and wife to Leonard E. Bellus by deed dated April 27th, 1874.

The prayer of the petition is for the sale of said premises, for the purpose of payment of the debts and charges aforesaid, and that they have been made parties defendants to said petition and are required to answer the same on or before the 22nd. day of August, 1936.

Merrill M. Turner and
Enos H. Bonham, Executors.

Milo R. Myers, Attorney.

THE COL. B. B. MFG. CO 73503

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

Personally appeared before me Emma Chappell, bookkeeper, and made solemn oath, that the legal notice, a copy of which is hereto attached was published for 6 consecutive weeks on and next after July 6, 1936 in The Union County Journal, a newspaper of general circulation in the Village of Marysville.

Emma Chappell.

Sworn to before me and signed in my presence this 11th. day of August, A. D., 1936.

H. T. Gammer - Notary Public.

Printer's Fees, $26.60

Seal

Probate Court, Union County, Ohio.

Filed Sept. 21-1936. Order of appraisement.

Merrill M. Turner & Enos H. Bonham as Executors of the Estate of Richard Turner, dec'd.,

Plaintiffs,

vs.

Richard F. Turner, et al.,

Defendants.

Case No. 13183.
Order of Appraisement.

To Merrill M. Turner & Enos H. Bonham:

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 Richard Turner, deceased, are plaintiffs and Richard F. Turner, et al., are defendants, you are commanded that by the oaths of Pearl Mc Elroy, R. B. Derr and J. M. Lentz, judicious disinterested persons of the vicinity, not of kin to the petitioner, and upon actual view, you cause a just valuation and appraisement to be made according to law of the following described premises to-wit:

First Tract.

Situated in the Village of Marysville, County of Union and State of Ohio, and being Lot No. 462 of Sunny-Side Park Addition to the Village of Marysville, Ohio.

Second Tract.

Situated in the Village of Marysville, County of Union and State of Ohio, and being Lot No. 464 of Sunny-Side Park Addition to the Village of Marysville, Ohio.

Third Tract.

Situated in the Village of Marysville, County of Union and State of Ohio, and being a part of Lot No. 93, and,

Beginning at a stake in the north line of Seventh Street and southwest corner of Richard Turner's Lot, situated on the north-west corner of the intersection of South Main Street and Seventh Street; thence northerly with the west line of said Turner's Lot about 83-3/4 ft.

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to the south line of Sidney Fisher's Lot; thence with the south line of said Lot westerly about 77-3/4 Ft. to the east line of an alley; thence with the east line of said alley southerly about 83-3/4 Ft. to the north line of Seventh Street; thence with the said north line of said street easterly about 77-3/4 Ft. to the place of beginning.

Fourth Tract.

Situated in the Village of Marysville, County of Union and State of Ohio, and,

Beginning at the southeast corner of Lot No. 88 formerly owned by A. Wall; thence running south 83-3/4 Ft. to Seventh Street; thence West 58½ feet; thence North 83-3/4 Feet; thence East 58½ feet to the place of beginning. Being a part of Lot No. 93 in said Village and being the same premises conveyed by John S. Fisher and wife to Leonard E. Bellue by deed dated April 27th, 1874.

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 12th. day of September, A.D. 1936.

Seal

L. W. Hazen - 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 19th. day of September, 1936.

Emor H. Bonham.

Merill M. Turner. Executors.

Oath of Appraisers.

Oath of appraisers.

State of Ohio, Union County, ss:

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

Pearl McElroy.
R. B. Murr.
J. M. Lentz.
} Appraisers.

Sworn to before me and signed in my presence, this 14th. day of September, A.D. 1936.

Milo L. Myers - Notary Public.

My commission expires Sept. 13- 1937.

Seal

THE COL. B. B. MFG. CO. 73503

13183
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 in money of said real estate as follows:

Tract One	$ 60.00
Tract Two	$ 50.00
Tract Three	$ 1700.00
Tract Four	$ 3500.00

Given under our hands, this — day of September, 1936.

Pearl Mc Ilroy. }
R. B. Neer J. } appraisers.
J. M. Lentz. }

Filed Sept. 21-1936. Journal Entry. Confirming appraisement and Ordering Additional Bond.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Merrill M. Turner and Enos H. Bonham as Executors of the Estate of Richard Turner, deceased,
Plaintiff,
-vs-
Richard F. Turner, et al.,
Defendants.

September 21st. 1936.
Confirming Appraisement and Ordering Additional Bond.

This day this matter came on to be further heard on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

It is further ordered that said Executors, execute within 10 days to the State of Ohio a bond with sufficient sureties to be approved by the Court in the sum of Five Thousand and no/100 Dollars, conditioned according to law.

L. W. Hazen - Probate Judge.

Filed Sept. 21-1936. Journal Entry. Approving Additional Bond and Ordering Private Sale.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Merrill M. Turner & Enos H. Bonham as Executors of the Estate of Richard Turner, deceased,
Plaintiff,
-vs-
Richard F. Turner, et al.,
Defendants.

September 21st. 1936.
Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Five Thousand and no/100 Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said estate and

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all parties interested to sell the real estate described in the petition at private sale, it is now ordered that Merrill M. Turner + Enos H. Bonham as such Executors, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash in hand.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate judge.

Filed Sept. 12-1936. Journal Entry.

Probate Court, Union County, Ohio.

Merrill M. Turner & Enos H. Bonham as Executors of the Estate of Richard Turner, dec'd.,

Plaintiffs,

-vs-

Richard V. Turner, et al.,

Defendants.

Case No. 13183.
Journal Entry.

This day this cause came on to be heard upon the petition and the evidence, and the court being fully advised in the premises find all the defendants named in the petition have been duly and legally served with process, or have voluntarily entered service and entered their appearance and are properly before the court; that Mary C. Turner, the widow and surviving spouse of the said Richard Turner, deceased, is entitled to dower in the real estate described in the petition; that she by her answer filed herein asks that the just and reasonable value thereof be determined and fixed by the court and paid to her out of the proceeds received from the sale. And the court further finds that it is necessary to sell said real estate to pay the debts of the said decedent, therefore, the prayer of the petition should be and is hereby granted.

And, it appearing to the court that a new appraisement should be made of said real estate, it is ordered, that J. W. Lentz, Red Derr and Pearl McElroy, be, and they hereby are appointed to appraise said real estate at its true value in money free from the dower or any interest of the said Mary C. Turner therein.

It is further ordered that said appraisers be sworn as required by law to truly and impartially appraise said real estate upon actual view of its fair cash value, and discharge the duties required by them according to law, and to make return of their proceedings in writing to this Court on or before the 1st. day of October, 1936.

L. W. Hazen - Probate judge.

THE COL. B. B. MFG. CO. 73503

13183
Filed
Sept. 21- 1936.
Application
to Sell at
Private Sale.

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

Merill M. Turner & Enos H. Bonham, Executors of the estate of Richard Turner, deceased,

Plaintiff,

-vs-

Richard T. Turner, et al.,

Defendants.

No. 13183.
Application.

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

They believe the same can be sold at once for the appraised value thereof.

Save time and expense of advertising for and offering at public sale.

And they therefore ask for an order authorizing them to sell said real estate at private sale.

Enos H. Bonham.
Merill M. Turner.
Executors of the estate of
Richard Turner, Deceased.

The State of Ohio, Union County.

Merill M. Turner and Enos H. Bonham, being duly sworn, say that the various matters set forth in the foregoing Application are true as they verily believe.

Enos H. Bonham.
Merill M. Turner.

Sworn to before me and signed in my presence this 21st. day of September, A. D. 1936.

(Seal) Milo L. Myers - Notary Public.

Affidavit of Disinterested Person.

Affidavit & Disinterested Person.

The State of Ohio, Union County.

C. C. Jarvis, Richard C. Thall, 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 and all parties interested to sell said real estate at private sale than at public sale, as they verily believe.

C. C. Jarvis.
Richard C. Thall.

Sworn to before me and signed in my presence this 21 st. day of September, 1936.

(Seal) Milo L. Myers - Notary Public.

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Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Merrill M. Turner and Enos H. Bonham, 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 Richard Turner, deceased, are Plaintiffs and Richard M. Turner, et al., are Defendants, you are commanded to procud according to law, to sell at Private Sale, for not less than Seventeen Hundred & no/100 the appraised value thereof, the following described premises, to-wit:

Situated in the Village of Marysville, County of Union, State of Ohio and a part of Lot No. 93.

Beginning at a stake in the north line of Seventh Street and south-west corner of Richard Turner's Lot, situated on the north-west corner of the intersection of South Main Street and Seventh Street; thence northerly with the west line of said Turner's Lot about 83-3/4 Ft. to the south line of Sidney Fisher's Lot; thence with the south line of said Lot westerly about 77-3/4 Ft. to the east line of an Alley: thence with the east line of said Alley southerly about 83-3/4 Ft. to the north line of said Seventh Street; thence with the north line of said Street easterly about 77-3/4 Ft. to the place of beginning.

And being the third tract as described in the plaintiff's petition as re-surveyed.

Said sale to be upon the following terms: Cash, in hand, in full, on confirmation of sale.

You are therefore hereby commanded to execute the above mentioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 21st. day of September, 1936.

Seal L. W. Hazen-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 21st. day of September, 1936.

Enos H. Bonham.

M. M. Turner.

Report of Private Sale.

In obedience to the command of the within order of sale, We did on the 21st. day of September 1936, offer said property, at private sale, and Vernon K. Swink having offered therefor the sum of Seventeen Hundred & no/100

THE COL. B. B. MFG. CO. 73503

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Dollars ($1,700.00) and the same being not less than the appraised value of said property, I sold the same to said Vernon H. Swink for that sum.

Enos H. Bonham.
Merrill M. Turner.

affidavit to Rupt of Private Sale.

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The State of Ohio, Union County, ss:

Merrill M. Turner and Enos H. Bonham, being duly sworn, say that the private sale of property made under the within order and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Enos H. Bonham.
Merrill M. Turner.

Sworn to before me and subscribed in my presence, this 21st. day of September, 1936.

Seal Milo L. Myers - Notary Public.

Bond of Executors.

In Proceeding to Sell Real Estate.

Filed Sept. 21-1936. Bond of Executors.

Know all Men by these Presents: That we, Merrill M. Turner, Enos H. Bonham, Elizabeth T. Bonham and Lucy R. Turner, are held and firmly bound unto the State of Ohio, in the penal 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 Marysville, Ohio, this 21st. day of September, A. D. 1936.

The condition of the above obligation is such, That whereas, the above bound Merrill M. Turner and Enos H. Bonham were heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Executors of the estate of Richard Turner, Deceased.

And whereas, the said Merrill M. Turner and Enos H. Bonham as such Executors have filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Richard Turner, deceased, as described in said petition;

And whereas said Court, on the 21st. day of September 1936, made an order requiring said Executors to execute a bond according to the statute in such cases made and provided.

Now, if the said Merrill M. Turner and Enos H. Bonham as Executors aforesaid, shall faithfully discharge their duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

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Filed Sept. 21-1936. Journal Entry. Confirming Sale.

Filed June 25-1937. Order of Private Sale.

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Enos H. Bonham.
Merrill M. Turner.
Elizabeth T. Bonham.
Lucy R. Turner.

This Bond approved in open Court, this 21st. day of September, 1936.

(Seal) L. W. Hazen - Probate judge.

Filed Sept 21-1936. Journal Entry. Confirming Sale.

Probate Court, Union County, Ohio.

Merrill M. Turner & Enos H. Bonham as Executors of the estate of Richard Turner, Deceased,

Plaintiffs,

-vs-

Richard T. Turner, et al.,

Defendants.

Case No. 13183.
Entry Confirming Sale.

This cause came on this day to be heard upon the report of the Plaintiffs sale made of tract No. 3 as described in the petition to Vernon H. Swink for the sum of Seventeen Hundred & no/100 ($1,700.00) Dollars as therein before ordred, and the said proceedings appearing in all respects regular and in conformity to law, they are hereby approved and confirmed by the court. And the said Merrill M. Turner and Enos H. Bonham as Executors of the estate of the said Richard Turner, deceased, are hereby ordered to execute and deliver to the said Vernon H. Swink, the purchaser, a good and sufficient deed for the said premises so sold, being Tract No. 3, as described in the petition, and this cause is continued for further proceedings.

L. W. Hazen - Probate judge.

Filed June 25- 1937. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Merrill M. Turner and Enos H. Bonham, 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 Richard Turner, deceased, are Plaintiff and Richard T. Turner et al. are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than Thirty-six Hundred Dollars the appraised value thereof, the following described premises, to-wit:

Tract No. 1 Tract:- Situated in the Village of Marysville, County of Union and State of Ohio, and being Lot No. 462 of Sunny-Side Park Addition to the Village of Marysville, Ohio.

Second Tract:- Situated in the Village of Marysville, County of Union and State of Ohio, and being Lot No. 464 of Sunny-Side Park Addition to the Village of Marysville, Ohio.

THE COL. B. B. MFG. CO 73503

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Fourth Tract:- Situated in the Village of Marysville, County of Union and State of Ohio, and, beginning at the southeast corner of Lot. No.. 88 formerly owned by A.J Wall; thence running South 83-3/4 feet to Seventh Street; thence West 68½ feet; thence North 83-3/4 feet; thence East 68½ feet to the place of beginning. Being a part of Lot No. 93 in said Village and being the same premises conveyed by John S. Tuck and wife to Leonard E. Bellye by deed dated April 27th, 1874. And being the fourth tract as described in the plaintiff's petition as re-surveyed in this proceedings.

Said sale to be upon the following terms: Cash, in hand, in full, on confirmation of sale.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 12th. day of September, 1936.

Seal

L. W. Hazen - Probate judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 17th. day of June, 1937.

Enos H. Bonham.
Merrill M. Turner.

Report of Private Sale.

In obedience to the command of the within order of sale, We did on the 17th. day of June, 1937, offer said property herein described, at private sale, and Walter T. Cody having offered therefor the sum of Forty-Six Hundred and fifty and no/100 Dollars ($4,650.00) and the same being not less than the appraised value of said property, I sold the same to said Walter T. Cody for that sum.

Report of Private Sale.

Enos H. Bonham.
Merrill M. Turner.

Affidavit to Report of Private Sale.

The State of Ohio, Union County, ss:

Merrill M. Turner and Enos H. Bonham, being duly sworn, says that the private sale of property made under the within order and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Affidavit to Report of Private Sale.

Enos H. Bonham.
Merrill M. Turner.

13183

Filed
June 25-1937.
Entry
Confirming
Sale.

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Filed
July 6-1937.
Hoppes & Sanders,
Attorneys.

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Sworn to before me and subscribed in my presence, this 17th. day of June, 1937.

(Seal) Milo L. Myers - Notary Public.

Probate Court, Union County, Ohio.

Merrill M. Turner & Enos H. Bonham as Executors of the Estate of Richard Turner, dec'd.,

Plaintiffs,

-vs-

Richard R. Turner, et al.,

Defendants.

Case No. 13183.
Entry Confirming Sale.

This day this cause came on to be heard upon the report of the plaintiffs of the sale by them made of tracts No. 1, 2, and 4 as in the order of appraisement and order of sale described, and it appearing to the court that the said sale and proceeding were in all respects regular and in conformity to Law and as heretofore ordered by the court the same is hereby approved and confirmed.

It is further ordered by the court that the said Merrill M. Turner and Enos H. Bonham as Executors of the estate of the said Richard Turner, deceased, execute and deliver to the purchaser, Walter R. Cody, a good and sufficient deed for the said premises so sold, being said tracts No. 1, 2, and 4 upon his paying the purchase price, in the sum of $4,650.00 in full to the said Executors.

L. W. Hazen - Probate Judge.

13415
Filed
July 6-1937.
Hoppe & Sanders,
Attorneys.

Petition to Sell Real Estate.
In the Probate Court, Union County, Ohio.

Adele M. Kagay, Executrix of the Estate of Alice H. Price, deceased,

Plaintiff,

-vs-

June L. Price,

Defendant.

No. 13415.
Petition.

Plaintiff says that Alice H. Price, late a resident of Marysville, Union County, Ohio, did testate on the 19th. day of June, 1937; that on the 22nd. day of June, 1937, her Last Will and Testament was duly admitted to probate by the Probate Court of Union County, Ohio, and that said Will is recorded in Docket 8 of the Records of said court; a true copy of said Will is hereto attached, marked "Exhibit A," and made a part hereof.

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THE COL. B. B. MFG. CO. 73503

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That on the 28th. day of June, 1937, by virtue of a request in said Will and an order of the Probate Court of Union County, Ohio, this plaintiff was duly appointed and is now the duly qualified and acting Executrix of the Will and Estate of the said Alice H. Price, deceased.

The debts of said decedent and the costs of administering her estate amount to approximately $3000.00, and the total value of the personal property of said decedent was fixed by the appraisers of said estate at $50.00, and said inventory and appraisement has been approved by this court; said personal property is wholly insufficient to pay the debts and costs of administration aforesaid.

Said decedent did seized in fee simple of the following described real estate:

Situated in the State of Ohio, County of Union and Village of Marysville, and being part of what is known as Partridge Addition to the Village of Marysville.

Beginning in the South margin of Seventh Street and at the Northwest corner of a lot formerly owned by Gilbert E. Terrell; thence with his line Southerly 165 feet to the North margin of an alley; thence with the North margin of said Alley 45 feet; thence Northerly parallel with the West line of said Terrell lot, 165 feet to the South margin of said Seventh Street; thence Easterly with the South margin of said Seventh Street 45 feet to the place of beginning, containing 27-20/100 poles of land.

Being the same premises conveyed to Ruhanna Price by Frank M. Gibson by deed dated February 25, 1896. Refer to Vol. of Deeds No. 71, Page 596. And being the same premises conveyed by Ruhanna Price to Alice Henrietta Price by deed dated December 30, 1913. Refer to Vol. of Deeds 107, Page 535.

Said real estate was included in the inventory of the estate pursuant to an order of this court and appraised at $1250.00.

The defendant, June L. Price, is unmarried and the sole beneficiary and devisee in said Last Will and Testament of the said Alice H. Price, deceased, and is the only person having any interest in said real estate.

Wherefore, plaintiff praye that said real estate be sold free from the interests of all parties to this action, and that your petitioner 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 the court deems just and proper.

Hooper & Sanders
Attorneys for Plaintiff.

Filed July 6- 1937. Waiver.

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State of Ohio, Union County, ss:

Adele M. Kagay, being first duly sworn, says that she is the Executrix of the Estate of Alice H. Price, deceased, and as such is the plaintiff herein; that the facts stated and allegations contained in the foregoing petition are true as she verily believes.

Adele M. Kagay.

Sworn to before me and subscribed in my presence this 1st. day of July, 1937.

Seal Gwynn Sanders - Notary Public.

"Exhibit A".

Last Will and Testament of Alice H. Price.

I, Alice H. Price, being of legal age and of sound mind and memory, do make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills by me heretofore made.

Item 1: I desire that my just debts and funeral expenses be paid out of my estate as soon as practicable after the time of my decease.

Item 2: All of the property which I may own or have the right to dispose of at the time of my decease, whether real and personal, and wheresoever situate, I give, devise and bequeath to my niece, June L. Price, absolutely and in fee simple.

I make, nominate and appoint Adele M. Kagay to be the Executrix of this, my Last Will and Testament, and I request that no bond be required of her as such Executrix.

In Witness Whereof, I have hereunto set my hand at Marysville, Ohio, this 15th. day of June, A. D. 1937.

Alice H. Price.

Signed by the said Alice H. Price and by her acknowledged to be her last will and testament, before us and in our presence, and by us subscribed as attesting witnesses in her presence and at her request and in the presence of each other this 15th. day of June, A. D. 1937.

"Alice L. Morgan."

"C. A. Hoopes."

Filed July 6- 1937. Waiver.

In the Probate Court, Union County, Ohio.

Adele M. Kagay, Executrix of the Estate of Alice H. Price, deceased,

Plaintiff,

-vs-

June L. Price,

Defendant.

No. 13415.

Waiver.

THE COL. B. B. MFG. CO. 73503

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Now comes the defendant, June L. Price, the only beneficiary and devisee under the Last Will and Testament of Alice H. Price, deceased, and voluntarily enters her appearance herein, and waives the issuing and service of summons and process, and consents to an immediate sale of said real estate as prayed for in said petition.

June L. Price.

Union County, Ohio.

Filed July 6- 1937. Additional Bond.

In the Probate Court,
Adele M. Kagay, Executrix of the Estate of Alice H. Price, deceased,
Plaintiff,
vs.
June L. Price,
Defendant.

No. 13415.
Additional Bond.

Know all Men by these Presents: That we, Adele M. Kagay, principal, and J. S. Kagay and Jeanine L. Lee, as sureties, are firmly bound under the State of Ohio, in the penal sum of Twenty-five Hundred ($2500.00) Dollars to the payment of which we do hereby jointly and severally bind ourselves, our heirs, executors and administrators.

The condition of this obligation is such, that whereas, in a certain cause pending in the Probate Court of Union County, Ohio, wherein Adele M. Kagay, Executrix of the estate of Alice H. Price, deceased, is plaintiff, and June L. Price is defendant, the said Adele M. Kagay has been ordered by said court to sell certain real estate of said decedent to pay debts.

Now, if the said Adele M. Kagay, Executrix as aforesaid shall faithfully discharge her duties in the premises and full account for all moneys arising from such sale according to law, then this obligation to be void, otherwise to be in full force and effect.

Adele M. Kagay.
J. S. Kagay.
Jeanine L. Lee.

Union County, Ohio.

Filed July 6- 1937. Entry.

In the Probate Court,
Adele M. Kagay, Executrix of the Estate of Alice H. Price, deceased,
Plaintiff,
vs.
June L. Price,
Defendant.

No. 13415.
Entry.

It appearing to the court that the plaintiff has given bond herein in the sum of $2500.00 with approved sureties conditioned according to law, said bond is hereby approved.

L. W. Hazen - Probate Judge.

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Filed July 6- 1937. Entry.

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Filed July 6- 1937. Order for Private Sale.

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In the Probate Court, Union County, Ohio.

Adele M. Kagay, Executrix of the Estate of Alice H. Price, deceased,
Plaintiff,
-vs-
June L. Price,
Defendant.

No. 13415.
Entry.

This day this cause came on to be heard upon the petition of plaintiff for authority to sell real estate of the above decedent to pay debts of her estate, and the evidence.

The court finds from the evidence that all necessary parties are before the court, and that the prayer of the petition should be granted; that the defendant, June L. Price, has waived the issuing and service of summons and process and voluntarily entered her appearance herein and consented to an immediate sale of the real estate, and that the said June L. Price is unmarried.

The court further finds that the said June L. Price is the only person having any interest in said real estate, and that the allegations in the petition are true, and that said real estate should be sold as prayed for in the petition.

The court further finds that said real estate was appraised by the appraisers of the estate in compliance with an order of this court for the sum of $1250.00, and orders that a further appraisement be dispensed with.

The court further finds that it will be necessary for the plaintiff, as Executrix of the Estate of Alice H. Price, deceased, to file a bond with sufficient sureties to be approved by this court in the sum of $2500.00.

And it appearing that a private sale would be to the best interests of said estate, it is ordered that the said Adele M. Kagay, as such Executrix, sell said real estate at private sale for not less than $1250.00, that being the appraised value thereof, and that said sale be for cash.

It is further ordered that the said Executrix make return of sale without unnecessary delay.

L. W. Hazen - Probate Judge.

Filed
July 6 - 1937.
Order for
Private Sale.

In the Probate Court, Union County, Ohio.

Adele M. Kagay, Executrix of the Estate of Alice H. Price, deceased,
Plaintiff,
-vs-
June L. Price,
Defendant.

No. 13415.
Order for Private Sale.

THE COL. B. B. MFG. CO 73503

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To Adele M. Kagay, Greeting:

Whereas, in the Probate Court of Union County, Ohio, on July , 1937, in a certain action therein pending wherein Adele M. Kagay, Executrix of the Estate of Alice H. Price, deceased, is plaintiff, and June L. Price, is defendant, it was ordered, adjudged and decreed that you proceed to sell the real estate mentioned in the petition, at private sale, for a price not less than the appraised value thereof agreeable to the statute regulating the sale of real estate by executors, and that you make return of your proceedings in the premises to the said Probate Court, and bring this order with you. The said real estate is described in the petition as follows, to-wit:

Situated in the State of Ohio, County of Union and Village of Marysville, and being part of what is known as Partridge Addition to the Village of Marysville.

Beginning in the South margin of Seventh Street and at the Northwest corner of a lot formerly owned by Gilbert E. Terrell; thence with his line Southerly 165 feet to the North margin of an alley; thence with the North margin of said Alley 45 feet; thence Northerly parallel with the West line of said Terrell lot, 165 feet to the South margin of said Seventh Street 45 feet to the place of beginning, containing 27-20/100 poles of land.

Being the same premises conveyed to Ruhanna Price by Frank M. Gibson by deed dated February 25, 1896. Refer to Vol. of Deeds No. 71, Page 596. And being the same premises conveyed by Ruhanna Price to Alice Henrietta Price by deed dated December 30, 1913. Refer to Vol. of Deeds 107, Page 535.

Witness my hand and the seal of said Court, at Marysville, Ohio, this 6 day of July, 1937.

Seal L. W. Hazen - Probate judge.

Repot of Private Sale.

Repot of Private Sale.

In obedience to the command of the within order of sale, I did on the 6th. day of July, 1937, offer said property, at private sale, and Stella M. Orr having offered therefor the sum of $1200.00, and the same being the appraised value of said property, I sold the same to said Stella M. Orr for that sum.

Adele M. Kagay - Executrix of the Estate of Alice H. Price, Deceased.

State of Ohio, Union County, SS:

Adele M. Kagay, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported

13415

Filed July 6- 1937. Entry of Confirmation and Distribution.

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is for the highest price that could be obtained.
Adele M. Kagay.

Subscribed in my presence and sworn to before me this 6th. day of July. 1937.
Seal
Eugene Sanders - Notary Public.

Filed July 6- 1937. Entry of Confirmation and Distribution.

In the Probate Court, Union County, Ohio.

Adele M. Kagay, Executrix of the Estate of Alice H. Price, deceased,
Plaintiff,
-vs-
June L. Price,
Defendant.

No. 13715.
Entry.

This day this cause came on to be heard upon the report of Adele M. Kagay 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; 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 it 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 Alice H. Price in said real estate to the purchaser, Stella M. Orr, upon receiving from said purchaser the sum of $1250.00.

And the court, coming now to the distribution of the purchase price, orders that the said Executrix, out of the money in her hands, pay;

First: To the Treasurer of this County the sum of $7.68, that being the taxes, penalty and interest against said property.

Second: The costs and expenses incurred in the sale of said property in the sum of $200.50, to the Probate Court, including Executrix compensation, Attorney fee and Real Estate Commission.

Third: The balance remaining in her hands in the sum of $1041.82, to be accounted for according to law.

L. W. Hazen - Probate Judge.

THE COL. B. B. MFG. CO 73503

13395
Filed
June 3-1937.
Porter & Porter
Attorneys.

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

Brennan Conrad, Executor
of the Estate of Lida Little,
Deceased,
Plaintiff,

-vs-

Mrs. Hazel Jones,
Defendant.

No. 13395.
Civil Action.
Petition to Sell Real Estate.
Petition.

The plaintiff is the duly appointed, qualified and acting Executor of the estate of Lida Little deceased, late of this County; as near as can be ascertained the amount of the valid debts against said deceased is Six Hundred Dollars.

And the costs of administering the estate will be about Three Hundred Dollars.

The total value of the personal property of the said decedent was fixed by the appraisers of said estate at Two Hundred and Fifty Dollars, said appraisement not having been excepted to; and said personal property is wholly insufficient to pay the debts, allowance and costs aforesaid.

Said decedent did sized in fee simple of the following described real estate situated in the County of Union, State of Ohio, and further described as follows:

Being part of Survey No. 3696, situated in Leesburg Township.

Beginning at a point where the outer line of the Ferguson Gravel Road intersects the outer line of the Magnetic Springs and Richwood Gravel Road:

Thence with the outer of said Magnetic Springs Gravel Road N. 13 deg. E. 317 feet to an iron pin at the Southwest corner of a tract of land this day deeded to Cynthia E. Willis; Thence with the south line of said Miller tract S. 75 deg. 15' E. (passing over an iron pipe at 30 feet) 80 feet to an iron pipe at the south east corner of said tract deeded to Cynthia E. Miller and in the west line of other lands with the name of Cynthia E. Miller: Thence with said Miller lands S. 3.8 deg. 80' W. 306 5/10 feet (passing over an iron pipe at 286 5/10 feet) to a point in the center of the said Ferguson Gravel Road: Thence with the center of said Gravel Road N. 82 deg. 30' W. 104 feet to the beginning.

Containing 65/100 of an acre more or less.

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Filed
June 3-1937

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Said real estate was included in the inventory of the estate, pursuant to the order of this Court said appraised at Five Hundred Dollars.

Said real estate is encumbered as follows: No encumbrance.

The defendant, Mrs. Hazel Jones, are all the heirs or persons entitled to the next estate of inheritance from the deadent in such real estate and having interest therein.

There are no other persons who have any interest in said real estate.

Wherefore, plaintiff prays that said real estate be sold free from all encumbrances, and that your petitioner be authorized and ordered to sell said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

Porter & Porter.
Attorney for the Plaintiff.

The State of Ohio, Union County.

Truman Conrad, being duly sworn, says he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believe.

Truman Conrad.

Sworn to before me and signed in my presence by the said Truman Conrad, at Marysville, Ohio, this 3 day of June, 1937.

William J. Porter - Notary Public, Union County, Ohio.

Probate Court, Union County, Ohio.

Filed June 3-1937. In the Matter of the Estate of Lida Little.

State of Ohio, Union County, ss:

Truman Conrad, being first duly sworn, says he is the Plaintiff in this action, that the defendant Hazel Jones is a resident of 632 North Hampton Street, Easton, Pennsylvania, and is not a resident of the State of Ohio; that service of summons cannot be made on defendant in the State of Ohio; that this action is for the sale of real estate described in the petition herein and comes within the provisions of General Code Number 11294 of the laws of Ohio, wherein service by publication may be made on said defendant.

Truman Conrad.

Sworn to before me and signed in my presence this 3rd. day of June, 1937.

William J. Porter.

THE COL. B. B. MFG. CO 73503

13395
Filed
July 10-1937.
Legal Notice.

Notice.

Probate Court, Union County, Ohio.

Hazel Jones, who resides at 632 North Hampton Street, Easton, Pennsylvania, will take notice that the plaintiff has filed a petition to sell real estate in said Probate Court of Union County, Ohio, the same being cause No. 13395 in said Court, and said property being described as follows:

Situated in the County of Union, in the State of Ohio and in the Township of Leesburg, and bounded and described as follows:

Being part of Survey No. 3696.

Beginning at a point where the center line of the Ferguson Gravel Road intersects the center line of the Magnetic Springs and Richwood Gravel Road;

Thence with the center of said Magnetic Springs Gravel Road N. 13 degrees E. 317 feet to an iron pin at the southwest corner of a tract of land this day deeded to Cynthia E. Miller; thence with the south line of said Miller tract S. 75 degrees 15 minutes E. (passing over an iron pipe at 30 feet) 80 feet to an iron pipe at the southeast corner of said tract deded to Cynthia E. Miller and in the west line of other lands in the name of Cynthia E. Miller; thence with said Miller lands S. 8 degrees 30 minutes W. 306 5/10 feet (passing over an iron pipe at 286 5/10 feet) to a point in the center of the said Ferguson Gravel Road;

Thence with the center of said Gravel Road N. 82 degrees 30 minutes W. 104 feet to the beginning.

Containing 65/100 of an acre more or less.

The prayer of said petition is for the sale of real estate to pay debts and for equitable relief. Said defendant is required to answer said petition on or before the 3rd. day of July, 1937.

William J. Porter.
Attorney for said Executor.

The State of Ohio, Union County, ss:

Personally appeared before me J. M. 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 4, 1937 in the Daily Marysville Tribune, a newspaper of general circulation in the county aforesaid.

J. M. Huber.

Sworn to before me and signed in my presence this 10 th. day of July, A. D. 1937.

G. P. Huber - Notary Public.

Printers Fee, $ 14.00. (Seal)

13395
Filed
July 22-1937.
Journal Entry
Order Fixing
Time for
Hearing and
for Notices.

Filed
July 22-1937.
Journal Entry
Confirming
Appraisement
and Ordering
Additional
Bond.

Filed
July 22-1937.
Bond of
Executor.

13395
Filed
July 22-1937.
Journal Entry-
Order Fixing
Time for
Hearing and
for Notice.

Journal Entry - Petition to Sell Real Estate.
Probate Court, Union County, Ohio.

Abman Conrad as Executor
of the Estate of Lida Little,
Plaintiff,
-vs-
Hazel Jones,
Defendant.

July 22 - 1937.
Orders Fixing Time for Hearing
and for Notice.

This day Abman Conrad, Executor of the estate of Lida Little deceased, filed in this court his petition praying for an order to sell the real estate therein described, belonging to the estate of said decedent, to pay debts.

It is ordered that said petition be heard on the 22 day of July 1937, at 10 o'clock A. M., and that summons for defendants issue to the Sheriff of this County, returnable according to law.

L. W. Hazen - Probate Judge.

Filed
July 22-1937.
Journal Entry.
Confirming
Appraisement
and Ordering
additional
Bond.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Abman Conrad as Executor
of the Estate of Lida Little,
Plaintiff,
-vs-
Hazel Jones,
Defendant.

July 22 - 1937.
Confirming Appraisement and
Ordering additional Bond.

This day this matter came on to be further heard on the report of the appraisers heretofore herein appointed; and it appearing upon examination that said report is in all respects regular and correct, it is ordered that the same be and it hereby is approved and confirmed.

It is further ordered that said Abman Conrad, execute within one day to the State of Ohio a bond with sufficient sureties to be approved by the Court in the sum of One Thousand Dollars, conditioned according to law.

L. W. Hazen - Probate Judge.

Filed
July 22-1937.
Bond of
Executor.

Bond of Executor.
In Proceeding to Sell Real Estate.

Know all Men by these Presents: That we Abman Conrad and J. R. Conrad and C. A. Mc Fadden, are held and firmly bound unto the State of Ohio, in the penal 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 22 day of July, A. D. 1937.

THE COL. B. B. MFG. CO 73503

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The condition of the above obligation is such, That whereas, the above bound Executor was heretofore duly appointed and qualified by the Probate Court of Union County, Ohio, Executor of the estate of Lida Little, Deceased.

And whereas, the said Orman Conrad as such Executor has filed a petition in said Probate Court, asking an order for the sale of certain Real Estate of said Lida Little described in said petition;

And whereas said Court, on the 22 day of July 1937, made an order requiring said Executor to execute a bond according to the statute in such cases made and provided.

Now, if the said Orman Conrad as Executor aforesaid, shall faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate according to law, then this obligation to be void; otherwise to remain in full force and virtue in law.

Executed in Presence of
William J. Porter.
Alice Rudolph Stillings.

O. A. Conrad.
J. F. Conrad.
Ole. A. McFadden.

This Bond approved in open Court, this 22 day of July, 1937.

Seal

L. W. Hazen - Probate Judge.

Filed July 22-1937. Journal Entry Approving Additional Bond and Ordering Private Sale.

Journal Entry - Proceeding to Sell Real Estate.
Probate Court, Union County, Ohio.

Orman Conrad as Executor of the Estate of Lida Little, Plaintiff,
-vs-
Hazel Jones, et al, Defendant.

July 22 - 1937.
Approving additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of One Thousand Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory, that it would be more to the interest of said Estate to sell the real estate described in the petition at private sale, it is now ordered that Orman Conrad as such Executor, sell the real estate in the petition described as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

13395
Filed July 22-1937. Journal Entry. Dispensing with a New Appraisement and Ordering Bond.

Filed July 22-1937. Application to Sell at Private Sale.

13395
Filed
July 22-1937.
Journal Entry
Dispensing
with a
New Appraise-
ment and
Ordering Bond.

Journal Entry - Proceeding to Sell Real Estate.

Abraham Conrad as Executor
of the Estate of Lida Little,
Plaintiff,
-vs-
Hazel Jones,
Defendant.

July 22-1937.
Dispensing with a New
Appraisement & Ordering Bond.

This matter came on to be heard upon the petition of the plaintiff for authority to sell real estate of the above decedent to pay debts of said estate; the other defendants being in default of answer, although served with summons according to law; and such service of summons is hereby approved. The Court finds from the evidence that all necessary parties are before the Court and that the prayer of the petition should be granted; that the real estate described in the petition was appraised by the appraisers of the estate at Five Hundred Dollars, and that a further appraisement is dispensed with.

The Court further finds that the bond heretofore given by the plaintiff as Executor of the estate of Lida Little, in the amount of Five Hundred Dollars is insufficient and is ordred that he file an additional bond with sufficient sureties to be approved by this Court in the sum of four Thousand Dollars, and this cause is continued.

L. W. Hazen - Probate Judge.

Filed
July 22-1937.
Application
to Sell at
Private Sale.

Application to Sell Real Estate at Private Sale.

Probate Court, Union County, Ohio.

Abraham Conrad, Executor
of the estate of Lida Little, No. 13395.
Plaintiff, application.
-vs-
Hazel Jones,
Defendant.

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:

First: That said Executor has been offered a sum of money in excess of the appraised value.

Second: That the sum offered by the purchaser is a fair value for said property.

Third: That it would be a useless expenditure of money to sell said property at public auction.

Fourth: To sell at public auction would only deprive the estate of the money used for costs and additional expenditures.

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

O. A. Conrad - Executor of the Estate of Lida Little.

The State of Ohio, Union County.

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

O. A. Conrad.

Sworn to before me and signed in my presence this 22 day of July, A. D. 1937.

(Seal) William J. Porter - Notary Public.

Affidavit of Disinterested Person.

Affidavit of Disinterested Person.

The State of Ohio, Union County.

J. M. Foster, Harold J. Coleman and John C. Hartshorn, being duly sworn, say that they know the facts set forth in the application to which this affidavit is attached; that they have no interest whatever in the matters therein referred to, and that it will be more for the interest of the said estate to sell said real estate at private sale than at public sale as they verily believe.

J. M. Foster.
Harold J. Coleman.
John C. Hartshorn.

Sworn to before me and signed in my presence this 22 day of July, 1937.

(Seal) William J. Porter - Notary Public.

Filed July 22 - 1937. Order of Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Orman Conrad, Executor of the Estate of Lida Little, 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 are Plaintiff and Hazel Jones, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than Five Hundred and Fifty Dollars the appraised value thereof, the following described premises, to wit:

Being part of Survey No. 3696, situated in Leesburg Township.

Beginning at a point where the center line of the Ferguson Gravel Road intersects the center line of the Magnetic Springs and Richwood Gravel Rood;

Thence with the center of said Magnetic Springs Gravel Road No. 13 deg. E. 317 feet to an iron pin at the Southwest corner of a track of land this

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Return.

Report of Private Sale.

Affidavit to Report of Private Sale.

13395

day deeded to Cynthia E. Miller; Thence with the south line of said Miller tract S. 75 deg. 15' E. (passing over an iron pipe at 80 feet) 80 feet to an iron pipe at the south east corner of said tract deeded to Cynthia E. Miller and in the west line of other lands in the name of Cynthia E. Miller; Thence with said Miller lands S. 3.8 deg. 30' W. 306- 5/10 feet (passing over an iron pipe at 286 + 5/10 feet) to a point in the center of the said Ferguson Gravel Road; Thence with the center of said Gravel Road N. 82 deg. 30' W. 104 feet to the beginning. Containing 65/100 of an acre more or less.

Said sale to be upon the following terms: Cash.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 22 day of July, 1937.

Seal L. W. Hazen - Probate Judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 22 day of July, 1937.

B. A. Conrad.

Return.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 22 day of July, 1937, offer said property, at private sale, and William H. Norris having offered therefor the sum of Five Hundred and Fifty Dollars ($550.00) and the same being not less than the appraised value of said property, I sold the same to said William H. Norris for that sum.

Report of Private Sale.

B. A. Conrad.

Affidavit to Report of Private Sale.

The State of Ohio, Union County, ss.

Braman Conrad, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained

B. A. Conrad.

Affidavit to Report of Private Sale.

Subscribed in my presence and sworn to before me, this 22 day of July, 1937.

Seal William J. Porter.

THE COL. U. B. MFG. CO 73503

13395
Filed
July 22-1937.
Journal Entry
Confirming
Sale,
Ordering Deed
& Distribution.

Journal Entry - Proceeding to Sell Real Estate.

Probate Court, Union County, Ohio.

Orman Conrad as Executor
of the Estate of Lida Little,
Plaintiff,

-vs-

Hazel Jones, et al.,
Defendant.

July 22 - 1937.
Confirming Sale, Ordering Deed
and Distribution.

This day this cause came on to be heard on the report of Orman Conrad, Executor of the estate of Lida Little of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Lida Little, deceased, in said real estate, to the purchaser, William H. Norris, upon the said purchaser paying cash for same. 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 Five Hundred and Fifty Dollars.

It is further ordered that said Executor out of the money in his hands, pay:

First, the costs and expenses of the sale, including an Attorney fee of $ — to Porter and Porter for services performed for the fiduciary in connection with the sale and the sum of $00.00 to the fiduciary for his services in connection with the sale, which costs, expenses, fees and compensation shall be paid prior to any liens upon the real estate sold and notwithstanding the purchase of such real estate by a lien holder.

Second, to the payment of taxes, penalties, and assessments then due, against such real estate and to the payment of mortgages and judgments against the ward or deceased person, according to their respective priorities of lien, so far as they operated as a lien on the real estate of the deceased at the time of the sale or on the estate of the ward at the time of the sale; which shall be apportioned and determined by the Court, or on reference to a master or otherwise.

Third, the remaining proceeds of sale to be applied as follows:

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Filed
June 14-1937
William R.
Cameron, Attorney

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(a) If the action be to sell real estate to pay legacies, to the payment of legacies with which the real estate of the deceased was charged;

(b) To discharge the claims and debts of the estate, in the order provided by law;

(c) Whether such executor or administrator was appointed in this state or elsewhere, the surplus of the proceeds of sale must be considered as real estate and be disposed of accordingly.

Fourth, in case of a guardian, in the manner and upon the terms approved by the Court where he was appointed. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $—, out of the proceeds of said sale, within ten days.

L. W. Hazen - Probate judge.

13398
Filed
June 14-1937.
William R.
Cameron, Attorney.

Petition for Sale of Real Estate to Pay Debts.

In the Probate Court of Union County, Ohio.

Wm. R. Cameron, Administrator,
with the Will Annexed, of
the Estate of Salome R.
Bugler, deceased,
Plaintiff,

-vs-

Lulu May Ingram, and
Laura E. Norton,
Defendants.

No. 13398.
Petition for Sale of Real Estate
to Pay Debts.

The plaintiff says that he is the duly appointed, qualified and acting administrator, with the will annexed, of the estate of Salome R. Bugler, deceased, late of this County.

That as near as can be ascertained the amount of the valid debts against said deceased is Nine Hundred Dollars ($900.00), and that the costs of administering the estate will be about Three Hundred Dollars ($300.00).

That the total value of the personal property of the said decedent was fixed by the appraisers of said estate at One Hundred Fifty-five Dollars and Thirty-two cents ($155.32), said appraisement not having been excepted to, and said personal property is wholly insufficient to pay the debts and costs aforesaid.

That said decedent did seized in fee simple of the following described real estate situated in the County of Union, in the State of Ohio, and in the Village of Milford Center, and bounded and described

THE COL. A. B. MFG. CO. 73503

13398

as follows:

Being Un-Lot Number Eleven (11) in said Village.

Also the undivided one-half (½) interest in the following described tracts, known as the mill property, in the said County, State and Village:

Tract No. 1 of the subdivision of the Mill property at Milford Center, Ohio, bounded and described as follows:

Beginning at a stake in the West margin of Mill Street and at the Northeast corner of Lot No. 101; thence with the North line of said Lot N. 67° 30' W. 24 7/8 feet to the Northwest corner of said lot; thence with the North line of Lot No. 100 N. 55° W. 65½ feet to the Northwest corner of the brick building; thence N. 22° 30' E. 21 feet to a stake the Westerly corner of tract No. 2 of the Subdivision; thence with the Southerly line of said tract No. 2 S. 58° E. to the Westerly margin of said Mill Street; thence with said street S. 37° W. 22½ feet to the beginning. Containing 5/100 of an acre, more or less.

Tract No. 2 Beginning at a stake the Southerly corner to the land of L. M. Erb and in the Westerly margin of Mill Street; thence with said street S. 37° W. 61 feet to a stake the Northeast corner to tract No. 1 of said Subdivision; thence with the Northerly line of said tract N. 58° W. to the Northerly corner of said tract; thence N. 22° 30' E. 45 feet to a stake on the bank of the mill race; thence N. 85° E. 91½ feet to a stake near the Northwest corner of L. M. Erb's brick Blacksmith shop; thence with said shop S. 21° E. 75 feet to the beginning. Containing 25/100 of an acre, more or less.

Tract No. 3. Beginning at a stake on the Southerly bank of Big Darby Creek and the center of the Marysville and Milford Center Gravel Road; thence with said road S. 37° W. 12.80 poles to a stake; thence N. 53° W. 1 pole to the corner of L. M. Erb's land; thence with five consecutive lines S. 65° W. 6.64 poles to a stake N. 21° W. 2.55 poles to a stake S. 69° W. 2.30 poles to a stake at the original corner of an old wagon shop; thence S. 21° E. 3.03 poles to a stake at the Northeast corner of the Erb brick black smith shop; thence with the end of said shop 69° W. 1.50 poles to a stake at the Northwest corner of said shop and at the Northerly corner of tract No. 2 of said subdivision of the mill property; thence with a line of said tract S. 85° W. 5.64 poles to a stake Northeast corner to J. A. & E. M. Moore's lot; thence with the line of said lot and A. W. McAdow's lot N. 67° 30' W. 4.06 poles to a stake S.

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22° 30' W. .20 of a pole to a stake and N. 67° 30' W. 5.16 poles to a stake in the Southerly line of the C. C. C. & St. L. R. R. Company's land; thence with said line N. 41° E. 27.20 poles to a stake on the bank of said Creek; thence down the Creek with the meanders thereof to the beginning. Containing 2.40 acres, more or less.

Tract No. 4 Beginning at a stake in the South side of the mill race and in the East line of an alley; thence N. 27° E. 24.08 poles to a thornbush on the bank of the old bed of the Creek; thence down the Creek with the meanders thereof to the North line of the C. C. C. & St. L. R. R. Company's land; thence with said line S. 41° W. 24.12 poles to a stake on the South bank of the mill race; thence with the bank of said race N. 67° 15' W. 11.96 poles to the beginning. Containing 2.25 acres, more or less.

These discriptions are according to a re-survey made by J. C. Kennedy in October, 1897, found recorded in Surveyor's Book No. 4, Page 375.

Said real estate was included in the inventory of the estate, pursuant to the order of this Court, and appraised at the total sum of Three Thousand Two Hundred and Fifty Dollars ($3250.00).

Of this said total sum, the real estate described as Sub-Lot Number Eleven (11) in the village of Milford Center, which is a residence property, was appraised at One Thousand Five Hundred Dollars ($1500.00), and the real estate described as the one-half (½) interest in Tracts Nos. 1, 2, 3 and 4 of the sub-division of the Mill property was appraised at One Thousand Seven Hundred and Fifty Dollars ($1750.00), the appraisers having fixed the whole or fee title value of said Mill property as at the sum of Three Thousand Five Hundred Dollars ($3500.00).

Said real estate is unencumbered save as to past due taxes and assessments constituting a lien thereon.

That the decedent died leaving no surviving spouse and no minor or dependent children. That the defendants, Lulu May Ingram and Laura E. Norton, are all the heirs or persons entitled to the net estate of inheritance, or devisees under the will, from the decedent in such real estate and having interest therein, and that there are no other persons who have any interest in said real estate.

That the other undivided one-half (½) interest in the property known as the mill property and described by tracts as Tracts Nos. 1, 2, 3 and 4 of the sub-division of the Mill property, as herein-

THE COL. B. B. MFG. CO. 73503

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before set forth, was owned, during his lifetime, by Frank Brugler, husband of the said decedent, who died on the 9th. day of July, 1935, and whose estate was being administered as cause No. 12979 in this Court by the said decedent who was the duly appointed, qualified and acting administratrix of his said estate, until her death on the 2nd. day of January, 1937. That proceedings in administration of the said estate of Frank Brugler, deceased, are still pending in this Court, and that no administrator or administratrix has been appointed in or for his said estate since the death of said decedent Salome R. Brugler.

That a considerable portion of the valid debts against the estate of the said Frank Brugler, deceased, were paid by his said administratrix during her lifetime, but that the balance of his said debts as near as they can be ascertained, together with the costs of administering his said estate, are about One Thousand Dollars ($1000.00). That the personal property remaining in his said estate at the time of the death of his said administratrix, Salome R. Brugler, is wholly insufficient to pay his said debts and costs of administration of his said estate. That the said defendants, Lulu May Ingram and Laura E. Norton, together with the said decedent, Salome R. Brugler, are all the heirs at persons who are or were entitled to the next estate of inheritance from the said Frank Brugler, deceased, in his said real estate, and that there are no other persons who have any interest in his said real estate.

Wherefore this plaintiff prays that this action may include the interest of the said Frank Brugler, deceased, in said property, and that the proceeds of his said interest may be applied and distributed according to law and the direction of this Court; that the entire interest in the real estate herein described may be sold; that the rights, interests and liens of all parties may be fully determined, adjusted and protected; and that your petitioner be authorized and ordered to sell said entire interest in said real estate according to the statutes in such case made and provided, and for such other and further relief as he may be entitled to.

Wm. R. Cameron - Plaintiff.

The State of Ohio, Union County, ss:

Wm. R. Cameron, being first duly sworn, says that he is the plaintiff in the above entitled cause, and that the facts set forth and allegations contained in the foregoing petition are true as he verily believes.

Wm. R. Cameron.

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Filed June 14-1937. Waiver of Summons and Consent to Sell.

Filed July 30-1937. Entry Dispensing with a new appraisement and ordering Bond.

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Filed
June 14-1937.
Waiver of
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to Sell.

Sworn to before me and signed in my presence by the said Wm. R. Cameron, at Marysville, Ohio, this 14th day of June, 1937.

L. W. Hazen - Probate Judge.

Waiver of Summons on Petition to Sell Real Estate.

In Probate Court, Union County, Ohio.

Wm. R. Cameron, Administrator, with the Will Annexed, of the Estate of Salome R. Bugler, deceased,

Plaintiff,

-vs-

Lulu May Ingram, and Laura E. Norton,

Defendants.

No. 13398.
Proceeding to Sell Real Estate.
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.

June 14th. A. D. 1937.

Laura E. Norton.
Lulu May Ingram.
Union County, Ohio.

Filed
July 30-1937.
Entry
Dispensing
with a new
appraisement
and ordering
Bond.

In the Probate Court of

Wm. R. Cameron, Administrator, with the Will Annexed, of the Estate of Salome R. Bugler, deceased,

Plaintiff,

-vs-

Lulu May Ingram, and Laura E. Norton,

Defendants.

No. 13398.
Entry Dispensing with a New Appraisement and Ordering Bond.

This day this cause came on to be heard upon the petition, and evidence, and the Court being fully advised in the premises finds: That all the defendants herein have voluntarily entered their appearance herein, and are now properly before the court. That the statements and allegations in said petition are true, and that the prayer of the petition should be granted. That the said Salome R. Bugler, deceased, did not leave a widower, entitled to dower in the estate to be sold. That the real estate described in the petition was appraised by the appraisers of the said estate of Salome R. Bugler, deceased, at the total sum of Three Thousand Two Hundred and Fifty Dollars ($3200.00), and of this said total sum the real estate described as in-

THE COL. B. B. MFG. CO 73503

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Lot Number Eleven (11) in the village of Milford Center, a residence property, was appraised at One Thousand Five Hundred Dollars ($1500.00), and the real estate described as the one-half (½) interest in Tracts Nos. 1, 2, 3 and 4 of the sub-division of the Mill property was appraised at One Thousand Seven Hundred Fifty Dollars ($1750.00), the appraisers of the estate of Frank Brugler, deceased, who was owner of the other one-half (½) interest in said Mill property, having appraised his said one-half interest in said Mill property at One Thousand Seven Hundred and Fifty Dollars ($1750.00), and the appraisers in both of said estates having fixed the whole or entire value of said Mill property as at the sum of Three Thousand Five Hundred Dollars ($3500.00). And that a further appraisement is dispensed with.

The Court further finds that the bond heretofore given by the plaintiff as Administrator, with the Will Annexed, of the estate of Salome R. Brugler, deceased, in the amount of One Thousand Dollars is insufficient and it is ordered that he file an additional bond with sufficient sureties to be approved by this Court in the sum of Five Thousand Dollars ($5000.00), and this cause is continued.

L. W. Hazen - Probate Judge.

Filed July 31- 1937. Bond of Administrator.

Bond of Administrator.

Know all Men by these Presents, that we, William R. Cameron and Hartford Accident & Indemnity Company, Hartford, Conn. are held and firmly bound to the State of Ohio, in the penal sum of Five Thousand and no/100 ($5000.00) Dollars, to the payment of which sum we jointly and severally bind ourselves, our successors, heirs, executors and administrators.

Signed by us and dated this 30th day of July 1937.

The condition of the above obligation is such, that if the above bound William R. Cameron as Administrator, with the Will Annexed, of Estate of Salome R. Brugler, dec'd. faithfully discharge his duties and pay and account for all moneys arising from the sale of the Real Estate in the action entitled as endorsed hereon, according to law, then this obligation to be void, otherwise to remain in full force and virtue in law.

Executed in Presence of
Leona Eastman.

William R. Cameron - Principal.
Hartford Accident & Indemnity Company.
Julich C. Hazelton - attorney in fact.
Seal

This Bond approved in open Court, this 31 day of July, 1937.

L. W. Hazen - Judge.
Seal

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Filed July 31- 1937. Entry Approving Additional Bond and Ordering Private Sale.

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Entry
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In the Probate Court of Union County, Ohio.

Wm. R. Cameron, Administrator, with the Will Annexed, of the Estate of Salome R. Brugler, deceased,

Plaintiff,

-vs-

Lulu May Ingram, and Laura E. Norton,

Defendants.

No. 13398.
Entry Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of Five Thousand Dollars, with approved sureties conditioned according to law, the said bond is duly approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said estate to sell that part of the real estate described in the petition as Tracts Nos. 1, 2, 3 and 4 of the subdivision of the Mill property, and which is known as the Mill property, at private sale, it is now ordred that said Wm. R. Cameron, Administrator, with the Will Annexed, of the Estate of Salome R. Brugler, deceased, as such Administrator as aforesaid, sell the whole or entire interest, including both the interest of Salome R. Brugler, deceased, and the interest of Frank Brugler, deceased, in the aforesaid portion, known as the Mill property, of the real estate in the petition described as provided by law, at not less than the appraised value thereof, for the following terms, to-wit: For the sum of Nine Hundred Dollars ($900.00) cash in hand, one-half of the balance in one year, and the remainder in two years, from the time of sale. Deferred payments to be secured by mortgage on said premises and to bear interest at the rate of six (6) per cent.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed
July 31- 1937.
Order of
Private Sale.

Order of Private Sale.

The State of Ohio, Union County. Probate Court.

To Wm. R. Cameron, Administrator, with the Will Annexed, of the Estate of Salome R. Brugler, deceased, Greeting:

In obedience to an order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as administrator, with the will annexed, of the estate of Salome R. Brugler, deceased, are Plaintiff and Lulu May Ingram and Laura E. Norton, et al., are Defendants, you are commanded to proceed according to law, to sell at Private Sale, for not less than Three Thousand Five Hundred

THE COL. B. B. MFG. CO 73503

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Dollars, the appraised value thereof, the following described premises, to-wit: The whole or entire interest in that potion of the real estate set forth in the petition herein which is described as follows, to-wit:

Situated in the County of Union, in the State of Ohio, and in the village of Milford Center, and bounded and described as follows:

Tract No. 1 of the subdivision of the Mill property at Milford Center, Ohio, bounded and described as follows: Beginning at a stake in the West margin of Mill Street and at the Northeast corner of lot No. 101; thence with the North line of said lot N. 67° 30' W. 24 2/3 feet to the North-west corner of said lot; thence with the North line of lot No. 100 N. 55° W. 65½ feet to the North-west corner of the brick building; thence N. 22° 30' E. 21 feet to a stake the Westerly corner of tract No. 2 of the Subdivision; thence with the Southerly line of said tract No. 2 S. 58° E. to the Westerly margin of said Mill Street; thence with said street S. 37° W. 22½ feet to the beginning. Containing 5/100 of an acre, more or less.

Tract No. 2 Beginning at a stake the Southerly corner to the land of L. T. Erb and in the Westerly margin of Mill Street; thence with said street S. 37° W. 61 feet to a stake the Northeast corner to Tract No. 1 of said Subdivision; thence with the Northerly line of said tract N. 58° W. to the Northerly corner of said tract; thence N. 22° 30' E. 45 feet to a stake on the bank of the mill race; thence N. 85° E. 91½ feet to a stake near the Northwest corner of L. T. Erb's brick blacksmith shop; thence with said shop S. 21° E. 75 feet to the beginning. Containing 25/100 of an acre, more or less.

Tract No. 3 Beginning at a stake on the Southerly bank of Big Darby Creek and the center of the Marysville and Milford Center Gravel Road; thence with said road S. 37° W. 12.80 poles to a stake; thence N. 53° W. 1 pole to the corner of L. T. Erb's land; thence with five consecutive lines S. 65° W. 6.64 poles to a stake N. 21° W. 2.55 poles to a stake S. 69° W. 2.30 poles to a stake at the original corner of an old wagon shop; thence S. 21° E. 3.03 poles to a stake at the Northeast corner of the Erb brick blacksmith shop; thence with the end of said shop S. 69° W. 1.00 pole to a stake at the Northwest corner of said shop and at the Northerly corner of tract No. 2 of said subdivision of the mill property; thence with a line of said tract S. 85° W. 5.04 poles to a stake Northeast corner to J. A. and E. M. Moon's lot; thence with the line of said lot and Q. W. McAdow's lot N. 67° 30' W. 4.06 poles to a stake S. 22° 30' W. .20 of a pole to a

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Tract No. 4 Beginning at a stake in the South side of the mill race and in the East line of an alley; thence N. 27° E. 24.08 poles to a thornbush on the bank of the old bed of the Creek; thence down the Creek with the meanders thereof to the North line of the C. C. C. & St. L. R. R. Company's land; thence with said line S. 41° W. 24.12 poles to a stake on the South bank of the mill race; thence with the bank of said race N. 67° 15' W. 11.96 poles to the beginning. Containing 2.25 acres, more or less.

These descriptions are according to a re-survey made by J. C. Kennedy in October, 1897, found recorded in Surveyor's Book No. 4, Page 375.

Said sale to be upon the following terms: For the sum of Nine Hundred Dollars ($900.00) cash in hand, one-half of the balance in one year and the remainder in two years from the time of sale. Deferred payments to be secured by mortgage on said premises and to bear interest at the rate of six per cent.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 31st. day of July, 1937.

(Seal) L. W. Hazen - Probate judge.

Return.

To the Probate Court of Union County, Ohio.

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

Dated the 31st. day of July, 1937.

Wm. R. Cameron.

Return.

Report of Private Sale.

In obedience to the command of the within order of sale, I did on the 31st. day of July, 1937, offer said property, at private sale, and Adolph H. Scheppele and Lorena M. Scheppele having offered therefor the sum of Three Thousand Five Hundred and no/100 Dollars ($3500.00) and the same being not less than the appraised value of said property, I sold the same to said Adolph H. Scheppele and Lorena M. Scheppele

Report of Private Sale.

THE COL. B. B. MFG. CO. 73503

13398 for that sum.

Wm. R. Cameron.

Affidavit to Report of Private Sale.

The State of Ohio, Union County, ss.

Wm. R. Cameron, being duly sworn, says that the private sale of property made under the within order, and reported above, was made after diligent endeavor to obtain the best price for said property, and that the sale reported is for the highest price that could be obtained.

Affidavit to Report of Private Sale.

Wm. R. Cameron.

Subscribed in my presence and sworn to before me, this 31st. day of July, 1937.

Seal

L. W. Hazen - Probate Judge.
By - Carrie W. Hornbeck - Deputy Clerk.

Filed Aug. 2- 1937. Entry - Confirming Sale, Ordering Deed & Distribution.

In the Probate Court of Union County, Ohio.

Wm. R. Cameron, Administrator, with the Will Annexed, of the Estate of Salome R. Bugler, Deceased,

Plaintiff,

vs.

Lulu May Ingram, and Laura E. Upton,

Defendants.

No. 13398.

Entry Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the report of Wm. R. Cameron, Administrator, with the Will Annexed, of the estate of Salome R. Bugler, deceased, of his proceedings under the former order of this court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 Salome R. Bugler, deceased, and of Frank Bugler, deceased, in said real estate set forth in said Order, to the purchasers, Adolph H. Scheppele and Louisa M. Scheppele, upon the said purchasers executing to said Wm. R. Cameron, administrator as aforesaid, a mortgage upon the premises sold to secure the deferred payments of the purchase money.

And now this cause coming on further to be heard upon the pleadings herein and upon the motion to distribute the proceeds of the sale, amounting to the sum of Three Thousand Five Hundred Dollars, it

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12869 Filed Mar. 2-1935. Entry Approving Bond and Ordering Sale.
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is further ordered that said Wm. R. Cameron, administrator as aforesaid, out of the money in his hands, pay:

First. To the Treasurer of this county the taxes, penalty and interest thereon against said property, amounting to $164.01

Second. To the Probate Court of this county the costs and expenses incurred in the sale of said property, amounting to $13.00

Third. It is further ordered that the balance of said proceeds be accounted for by the said Wm. R. Cameron, administrator with the will annexed, according to Law, said balance amounting to $3322.99

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

L. W. Hazen - Probate Judge.

(See Page 589 for Order of Public Sale.)

(From Page 493.) (Continued.)

12869 Filed Mar. 2-1935. Entry Approving Bond and Ordering Sale.

Probate Court of Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of William D. Cameron, Deceased, Plaintiff,

-vs-

Kate C. Johnson, et al., Defendants.

No. 12869. Entry Approving Bond and Ordering Sale.

It appearing to the Court that the plaintiff herein has given additional bond in the sum of $1000.00 conditioned according to law, with approved sureties, the said bond is hereby approved.

It is ordered that said Richard L. Cameron, executor of the Last Will of William D. Cameron, deceased, proceed to sell at private sale for not less than the appraised value thereof for cash the real estate described in the plaintiff's petition and he is ordered to make return forthwith upon the completion of such sale.

L. W. Hazen - Probate Judge.

Filed Mar. 2-1935.

Probate Court, Union County, Ohio.

Richard L. Cameron, Executor of the Last Will of W. D. Cameron, Deceased, Plaintiff,

-vs-

Kate C. Johnson, et al., Defendants.

No. 12869. Order for Private Sale.

THE COL. B. B. MFG. CO 73503

12869

To Richard L. Cameron, executor of the estate of W. D. Cameron, deceased, Greeting:

Whereas, at the January Term of the Probate Court held in Marysville in and for said County, on the 2nd. day of March, 1935, in a certain action therein pending wherein Richard L. Cameron, executor of the Last Will of W. D. Cameron, deceased, is plaintiff, and Kate Co. Johnson, et al., are defendants, it was ordered, adjudged and decreed that you proceed to sell the real estate mentioned in the petition at private sale for not less than the appraised value thereof agreable to the statute regulating the sale of real estate by executors, and that you make return of your proceedings in the premises to the said Probate Court and bring this order with you. The said real estate is described in the petition as follows:

First Tract: Situate in the County of Union, in the State of Ohio, and in the village of Richwood and part of Survey No. 6307 and bounded and described as follows: Being all of Su-Lots Nos. 143 and 144 in said village of Richwood as the same are designated upon the recorded plat. Also a parcel of land lying North of Bomford Street in said village, and East of Su-Lot No. 143 extending to the alley North of said Lot and East to Pearl Street in said Village of Richwood.

Second Tract: Also the following real estate situate in the County of Union, in the State of Ohio, and in the village of Richwood and bounded and described as follows: Being a part of Su-Lot number sixty-three (63). Beginning at a point in the East line of said lot and distant eleven (11) feet South of the Northeast corner of said Lot; thence parallel with the North line of said Lot fifty (50) feet West; thence South seventeen (17) feet; thence parallel with the north line of said lot fifty (50) feet East; thence North seventeen (17) feet to the place of beginning. Also, being the North half of the brick and stone wall fifty (50) feet in length of the brick building situate in the corner of Republic and Bluestone Streets in said village and the ground upon which the same is located, and all the rights of grantor thereunder. Also, being a part of Lot No. Sixty-three (63) in the original plat of said village and described as follows: Beginning at a point on the West line of Franklin Street eleven feet South of the North line of said Lot No. 63 and on the dividing line between the properties of (formerly) Louis Co. Bloom and the property formerly owned by B. F. Hall,

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Return of Private Sale.

Filed May 1 1938.
Affidavit to Return of Sale.

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12869 above described; thence West along said dividing line twenty (20) feet, or more if more should be needed for the improvement mentioned hereafter; thence North four (4) feet; thence East parallel with said dividing line to the West line of Franklin Street; thence South to the place of beginning, to have and to use for the purpose of erecting and maintaining thereon a stairway to the upper story of the building now on the ground of grantee; the grantee agree to assume all the obligations and is to receive all the benefits to be derived from a deed for the last described premises made by Lewis C. Beem and wife to B. P. Hall, September 3rd., 1901, and recorded in Vol. 86, Page 39 of Records of Deeds of Union County, Ohio, Being the same premises purchased by grantors from B. P. Hall and wife, April 26th, 1909, and recorded in Deed Records of Union County, Ohio, Vo. 99, Page 179.

Third Track: Also the following real estate situate in the county of Union, in the State of Ohio, and in the town of Richwood, and bounded and described as follows: Being all of Lots Number Eight Hundred and Thirty-eight (838) and Eight Hundred and Thirty-nine (839) in the Homestead Land Co.'s Homestead Addition to the town of Richwood, Ohio, as recorded in Plat Book Vol. 1, of Pages 290 and 291 Union County Records.

Witness my hand and the Seal of said Court at Marysville, Ohio, this 2nd. day of March, 1938.

Seal L. W. Hazen - Probate Judge.

Report of Private Sale.

Report of Private Sale. In obedience to the command of the within order of sale I did on the 1st. day of March, 1938, offer said property at private sale, and Edna P. Baker, having offered for the second track thereof the sum of $1800.00, and the same being not less than the appraised value of said property, I sold the same to said Edna P. Baker for that sum.

Richard L. Cameron - Executor of the Last Will and Testament of W. D. Cameron, Deceased.

Filed - Mar - 1 - 1938. Affidavit to Report of Sale.

Affidavit to Report of Sale. State of Ohio, Union County, ss.

Richard L. Cameron, being first duly sworn says that the private sales of property made under the within order and report above were made after diligent endeavor to obtain the best price for said property, and that the sales reported are for the highest price that could be obtained.

Richard L. Cameron.

THE COL. B. B. MFG. CO. 73503

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Subscribed in my presence and sworn to before me this 15th. day of March, 1938.

Arthur D. Love - Notary Public.

Seal

Filed Mar. 1- 1938. Entry.

In the Probate Court, Union County, Ohio.

In the Matter of The Estate of William D. Cameron, Deceased. | Case No. 12869. Entry.

This day this cause came on to be heard upon a report of Richard L. Cameron, Executor of the Will of William D. Cameron, deceased, of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale of the second tract of real estate described in the Petition herein, made in obedience to said order, and the Court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made and for the best price that could be obtained for said real estate, it is further ordered that said petitioner execute a deed of all the right, title and interest of the said William D. Cameron in said second tract of real estate described in the petition to the said Edna P. Baker upon the payment of the purchase money therefor.

It is further ordered that said Executor, out of the money in his hands, amounting to $1,800.00, pay first to the Treasurer of this County the taxes upon said real estate in the sum of $29.70; second, the costs and expenses incurred in the sale of said real estate including a commission of $54.00 to W. E. Jacobs of Richwood, Ohio, Real Estate Broker, for assisting in the sale of said real estate, a fee of $23.00 to Adele M. Regay, Abstractor, for abstracting the same, the per cent of said Executor herein, in the sum of $36.00, Revenue Stamps for Deed $2.00, and to the Probate Court additional costs in this case, amounting to the sum of $4.00, making a total sum of $119.50; third, it is further ordered that the balance of said proceeds be accounted for by said Executor according to law, amounting to the sum of $1,650.80. It is further ordered that this proceeding be continued.

L. W. Hazen - Judge.

13398 Filed Nov. 19- 1938.

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Order of Public Sale. (From Page 585).
(See Page 575 for Petition).

The State of Ohio, Union County. Probate Court.
To Wm. R. Cameron, Administrator, with the Will Annexed, of the Estate of Salome R. Bruglar, Deceased, Greting:

In obedience to our order and decree of the Probate Court, within and for said County, made this day, in a certain cause wherein you as administrator, with the will annexed, of the estate of Salome R. Bruglar, deceased, are Plaintiff and Ruby May Ingram, and Laura E. Norton, et al. are Defendants, you are commanded to proceed according to law, to advertise and sell at Public Auction, at the north door of the Court House on the 19th. day of November, 1938, at 1:00 o'clock, P. M., for not less than two-thirds 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 Milford Center, and bounded and described as follows:

Being One Lot Number Eleven (11) in said village.

Said sale to be upon the following terms:
cash in hand.

You are therefore hereby commanded to execute the aforementioned order and decree of our said Court in all respects according to law, and of your proceedings herein make due return to this Court.

Witness my signature and the seal of said Probate Court at Marysville, Ohio, this 22 day of October, 1938.

Seal

L. W. Hazen- 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 19th. day of November, 1938.

Wm. R. Cameron- Administrator, with the Will Annexed, of the Estate of Salome R. Bruglar, Deceased.

Report of Sale.

In obedience to the within order, I duly advertised the real estate therein described for sale, in the Milford Center Union, a newspaper printed and of gneral circulation in Union County, Ohio, where said real estate is situate, for at least four consecutive weeks prior to the 19th. day of November, 1938, the day of sale therein mentioned, stating in the notice the time, place and terms of sale; and

13398 on said day, at the hour of 1:00 o'clock P.M., I proceeded to offer said real estate for sale at the north door of the Court House, when Seth Ingram and Lulu May Ingram bid to pay for the same the sum of One Thousand One Hundred Forty 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 them for that sum.

Dated the 19th. day of November, 1938.

Wm. R. Cameron- Administrator, with the Will Annexed, of the Estate of Salome R. Brugler, Deceased.

Filed Nov. 19-1938.

Legal Notice.

Administrator's Sale.

In pursuance of the order of the Probate Court of Union County, I will offer for sale at public auction on the 19th. day of November, 1938, at 1:00 o'clock, P.M., at the north door of the Court House, in Marysville, Ohio, the following described real estate situated in the County of Union, State of Ohio, and village of Milford Center, being a residence property located on West State Street, between London and West Streets, to-wit:- at intersection of State and West Streets, and bounded and described as follows:-

Being In-Lot Number (11) in said village.

Said premises are appraised at $1500.00 and must be sold for not less than two-thirds of said appraised value. Terms of sale; cash.

Wm. R. Cameron, Administrator with the Will Annexed, of the Estate of Salome R. Brugler, Deceased.

Milford Center, O. Oct. 27

Proof of Publication.

State of Ohio, Union County.

The undersigned, being duly sworn, says that a copy of the annexed notice was published for 4 consecutive weeks in the Milford Center Ohioan a newspaper of general circulation in the County of Union, said publication beginning with issue of Oct. 27th. 1938.

W. Edward Agner.

Sworn to and subscribed before me this 18 day of Nov. 1938.

(Seal) L. A. Michel- Notary Public.

Printer's Fee - $6.02.

13398 Filed Nov. 22-1938.

13398
Filed
Nov. 22-1938.

Entry- Confirming Sale, Ordering Deed and Distribution.
In the Probate Court of Union County, Ohio.

Wm. R. Cameron, Administrator, with the Will Annexed, of the Estate of Salome R. Bingler, deceased,

Plaintiff,

-vs-

Lylie May Ingram, and Laura E. Norton,

Defendants.

No. 13398. Entry- Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the report of Wm. R. Cameron, Administrator, with the Will Annexed, of the estate of Salome R. Bingler, deceased, of his proceedings under the power, order of this court for sale of the real estate described in the petition as In-Lot Number Eleven (11) in the village of Milford Center, a residence property, and upon the motion of said petitioner to confirm the sale made in obedience to the said order; and the court having carefully examined said report, and finding the proceedings of said petitioner in all respects correct, and being satisfied that said sale was fairly and legally made, it is ordered that the same be and hereby is approved and confirmed.

It is further ordered that said petitioner execute a deed of all the right, title and interest of the said Salome R. Bingler, deceased, in said Real estate set forth in said order, to the purchasers, Seth Ingram and Lylie May Ingram, upon payment by the said purchasers 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 One Thousand One Hundred Forty Dollars, it is further ordered that the said Wm. R. Cameron, administrator as aforesaid, out of the money in his hands, pay:

First. To the Treasurer of this county the taxes, penalty and interest thereon against said property, amounting to $32.34.

Second. To the Probate Court of this county the costs and expenses incurred in the sale of said property, amounting to $8.02

Third. It is further ordered that the balance of said proceeds be accounted for by the said Wm. R. Cameron, administrator, with the Will Annexed, according to law, said balance amounting to $1039.64.

And it is further ordered that this proceeding be recorded, and that said petitioner pay the

THE COL. B. B. MFG. CO 73503

13398 costs herein, out of the proceeds of said sale within ten days.

L. W. Hazen - Probate Judge.

13248 (From Page 286).

Filed Jan. 9- 1940. Approving Additional Bond and Ordering Private Sale.

Probate Court, Union County, Ohio.

W. P. O'Brien, as Administrator of the estate of James O'Brien, Plaintiff,

-vs-

Mary C. O'Brien, et al., Defendants.

Approving Additional Bond and Ordering Private Sale.

It further appearing to the Court that the Plaintiff has given additional bond in the sum of five thousand Dollars, with approved sureties conditioned according to law, the said bond is hereby approved.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said Mary C. O'Brien to sell the real estate described in the petition at private sale, it is now ordered that W. P. O'Brien as such Administrator, sell the real estate in the petition described, as provided by law, at not less than the appraised value thereof, on the following terms, to-wit: Cash.

And Plaintiff is ordered to make return forthwith upon such sale.

L. W. Hazen - Probate Judge.

Filed Jan. 9- 1940. Dispensing with a new Appraisement and Bond and Ordering Private Sale

Probate Court, Union County, Ohio.

W. P. O'Brien, as Administrator of the estate of James O'Brien, Plaintiff,

-vs-

Mary C. O'Brien, et al., Defendants.

Dispensing with a New Appraisement and Bond and Ordering Private Sale.

This matter came on to be heard upon the petition of the plaintiff for authority to sell real estate of the above deceased to pay debts of said estate,

The Court finds all the defendants herein have been duly and legally served with process, or have voluntarily entered their appearance and consent to the sale prayed for, and are properly before the Court, that the prayer of the petition should be granted; that the real estate described in the petition was appraised by the appraisers of the estate at $2,750.00 Dollars, and that a further appraisement is dispensed with.

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Filed Jan. 9- 1940. Journal Entry Confirming Sale, Ordering Deed, and Distribution.

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It appearing to the Court that the amount of the original bond given by W. P. O'Brien as such Administrator is sufficient to cover double the total real and personal assets, it is hereby ordered that the giving of an additional bond be and hereby is dispensed with.

And it appearing to the Court, upon satisfactory evidence, that it would be more to the interest of said heirs to sell the real estate described in the petition at private sale, it is now ordered that W. P. O'Brien as such Administrator, sell, as provided by law, the real estate in the petition described, at not less than the appraised value thereof, on the following terms, to-wit: Cash.

And plaintiff is ordered to make return forthwith upon such sale.

L. W. Hagen - Probate Judge.

Probate Court, Union County, Ohio.

Filed Jan. 9-1940. Journal Entry Confirming Sale, Ordering Deed and Distribution.

W. P. O'Brien, as Administrator of the estate of James O'Brien, Plaintiff, vs. Mary Ce. O'Brien, et al., Defendants. | Confirming Sale, Ordering Deed and Distribution.

This day this cause came on to be heard on the report of W. P. O'Brien, Administrator of the estate of James O'Brien of his proceedings under the former order of this Court, and upon the motion of said petitioner to confirm the sale made in obedience to said order; 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 heir in said real estate, to the purchaser, Mary Dolan. 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 $2,750.00 Dollars.

It is further ordered that said W. P. O'Brien out of the money in his hands, pay:

First, the costs and expenses of the sale, including an Attorney fee of $50.00 to Porter and Porter, for services performed for the fiduciary in connection with the sale and the sum of $ —— to the fiduciary for his services in connection with the sale, which costs, expenses, fees and compensation shall be paid prior to any liens upon the real estate sold, and notwithstanding the purchase of such real estate by a lien holder.

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Second, to the payment of taxes, penalties, and assessments then due, against such real estate and to the payment of mortgages and judgments against the ward or deceased person, according to their respective priorities of lien, so far as they operated as a lien on the real estate of the deceased at the time of the sale or on the estate of the ward at the time of the sale; which shall be apportioned and determined by the Court, or on reference to a master or otherwise.

Third, the remaining proceeds of sale to be applied as follows:

(a) If the action be to sell real estate to pay legacies, to the payment of legacies with which the real estate of the deceased was charged;

(b) To discharge the claims and debts of the estate, in the order provided by law;

(c) Whether such Executor or administrator was appointed in this state or elsewhere, the surplus of the proceeds of sale must be considered as real estate and be disposed of accordingly.

Fourth, in case of a guardian, in the manner and upon the terms approved by the Court where he was appointed. And it is further ordered that this proceeding be recorded, and that said petitioner pay the costs herein, taxed at $ ——; out of the proceeds of said sale, within ten days.

L. W. Hazen - Probate Judge.

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