

Probate Court, Highland County, Ohio, continued and held January 19th 1898

In re the assignment of
S. W. Elder

First account filed.

This day came L. Keiskell assignee of the estate of S. W. Elder and presented to the court and filed herein his first account as such assignee duly verified by affidavit which account the court examined and ordered filed and continued.

In re the estate of

John Morrow decd.

2nd and final account filed.

This day came Mille Gardner Exec of the estate of John Morrow and presented to the court and filed herein his 2nd and final acct. as such Exec duly verified by affidavit. which account the court examined and ordered filed and continued.

In re the estate of

Isaac N. Cox, decd.

Entry for citation.

This day came Lewis W. Connell and represents that he is a party in interest in said estate, filed herein his application, duly verified by affidavit for a citation to Charles Cox and Belle Wright, the next of kin of said decedent, resident in said County, to take or renounce the administration of said decedents estate, and it is ordered by the court that citation issue to said Charles Cox and Belle Wright the next of kin of said decedent, returnable the 22nd day of January A. D. 1898, at one o'clock P.M., at which time said cause will be for hearing, and said cause is continued. Citation issued accordingly,

O. K. Neughess, Probate Judge.

Probate Court, Highland County, Ohio, Continued and Held, Jan'y 20th 1898.

In re the estate of

Clemence Parrot decd.

First and final account.

This day came Julia Ewerard adm'r of the estate of Clemence Parrot late of this County, deceased and presented to the court and filed herein her first and final account as such adm'r duly verified by affidavit, which account the court examined and ordered filed and continued.

In re the estate of

W. H. Baldwin decd.

2nd and final account.

This day came W. S. Winegar adm'r of the estate of W. H. Baldwin and presented to the court and filed herein his second and final account as such adm'r. duly verified by affidavit, which account the court examined and ordered filed and continued.

Probate Court, Highland County, Ohio, continued and held January 20th 1898

W. S. Winegar as adm'r of
W. H. Baldwin, decd. Plaintiff
vs.

Nancy E. Baldwin et al. Defendants.

Entry.

The court coming now to distribute the proceeds of the sale of the real estate, sold on the 7th day of August A. D. 1897, and which said sale was confirmed on the 15th day of Sept. A. D. 1897, and continued for order of distribution, orders that said administrator out of the proceeds of said sale now in his hands to-wit: the sum of \$246⁰⁰ pay First. The costs of these proceedings, including an attorney fee of \$25⁰⁰ to F. B. Wooley taxed to \$63⁸², and second to the widow Nancy E. Baldwin Brown Adams the sum of \$49¹³ the same being the amount in money due her in lieu of dower in said premises sold and asked for in money by her answer, and that he distribute the remainder to-wit: the sum of \$133⁸⁵ according to law.

O. K. Neughess, Probate Judge.

Probate Court, Highland County, Ohio, Continued and Held Jan'y 21st 1898.

In re the estate of

Frank Donohoo, decd.

Inventory filed.

This day came P. E. Donohoo adm'r of the estate of Frank Donohoo, and presented to the court and filed herein an inventory and appraisement of said estate, duly verified by affidavit, which inventory was carefully examined by the and ordered to be recorded.

In re the estate of

Edwin Johnson, decd.

Settlement of First & final account.

The 1st & final account of Thos H. Ray as adm'r of the estate of Edwin Johnson heretofore on the 8th day of Nov. 1897. Continued for final settlement, now came on to be heard upon the exceptions filed thereto, the court carefully examined the same and the testimony in the case does find said acct. in all things true and correct. it is ordered that the same be and it is hereby approved, confirmed and settled, and ordered to be recorded, and the court finds that said adm'r has received of the money belonging to said estate the sum of \$934²⁵, and has properly expended, including compensation, the sum of \$535⁰⁰. That said adm'r is entitled to legal compensation at the amount of \$55⁰⁰, which is hereby allowed; and also the sum of \$15⁰⁰ as extra compensation, and that said adm'r has a balance of \$599²⁵ in his hands, which he is ordered to distribute according to law. and said adm'r is hereby discharged.

O. K. Neughess, Probate Judge.

Probate Court, Highland County, Ohio, continued and held January 22nd 1898.

In re the estate of
John K. Daughters, decd.

Inventory filed.

This day comes P. O. Daughters admr. of the estate of John K. Daughters, and presented to the court and filed herein an inventory and appraisement of said estate, duly verified by affidavit, which inventory was carefully examined by the court and ordered to be recorded.

In re the estate of

Mary Marvity, decd. Private sale of Personality approved.

This day comes Lorena M. Johnson Executrix of the Estate of Mary Marvity and presented to the court, and filed herein a report of the private sale of personal property described in an order of sale herein issued on the 3rd day of Sept. 1898, and said report being duly verified by affidavit, the court carefully examined the same and finding it in all things true and correct, it is hereby approved and ordered to be recorded, and it is further ordered that said executrix pay the costs herein, taxed to \$

In re the estate of
Isaac N. Cox, decd.

Letters.

The next of kin of Isaac N. Cox, late of this county, deceased, having declined to take administration of his estate, the court, on application, grants letters of administration on said estate to Lewis Bennett. Thereupon he accepts said appointment, files an estimate of the whole estate of said decedent, and presents his bond as such administrator in the sum of \$ 400⁰⁰ with H. C. Dawson and G. Frank Wilson, as sureties, to the approval of the court.

In re the estate of

Aaron Stewart, decd.

First and final account filed.

This day Samuel Gillespie Executor of the estate of Aaron Stewart late of this county, deceased and presented to the court and filed herein his first and final account as such executor, duly verified by affidavit, which account the court examined and ordered filed and continued.

In re the estate of

John K. Daughters, decd.

No 4649.

Entry for Private Sale of Personal Property.

On application of P. O. Daughters admr. of said estate, duly verified by affidavit, and for good cause shown, said admr. is hereby authorized to sell, at not less than its appraised value, at private sale and within two months herefrom, the personal property designated in said application, and this cause is continued.

Probate Court, Highland County, Ohio, continued and held January 22nd 1898.

In re the appl. of Jos A. Wright, et al.

To Vacate a County Road.

Entry.

This cause came on to be heard upon the motion of James M. Johnson, the appellant and one of the remonstrators herein, to set aside and hold for naught the proceedings had and orders of the county commissioners heretofore made herein and to dismiss the pretended petition of the petitioners, and was argued by counsel, and the court being advised in the premises, doth find, that said motion should be sustained and that said proceedings and orders should be dismissed, and doth further find that the commissioners of said county did not have or acquire jurisdiction of the subject matter and that no petition was ever presented or filed with the commissioners as required by law, and that the record does not show jurisdiction in said commissioners to act therein. Wherefore it is ordered that said proceedings be and are hereby dismissed and held for naught, for want of jurisdiction in the commissioners to act and make the order of vacation herein, as shown by the petition and record herein, and doth assess the costs herein taxed at \$ against the petitioners herein. To all of which ruling of the court the petitioners by their counsel accept. This entry is now made as of and for Jan'y 21st 1897.

In re the assignment of

M. L. Dorcas

Entry for Private Sale of Personal Property.

On application of N. P. Leibens assignee of said estate, duly verified by affidavit, and for good cause shown, said assignee is hereby authorized to sell, at not less than its appraised value, at private sale, and within herefrom, the personal property designated in said application, and this cause is continued.

O. C. Hughes, Probate Judge.

Probate Court, Highland County, Ohio, Continued and held Jan'y 24th 1898.

In re the will of

William Farrar, decd.

Order of Probate.

Notice of the time of hearing of this application having been given, as heretofore ordered by the court, to the widow and next of kin of the testator, resident in the state of Ohio, and the same now coming on to be heard. Thereupon said will was duly proved by the oaths of A. M. Fox and C. F. Underwood subscribing witnesses thereto. Who were duly sworn and examined in open court, and their testimony reduced to writing and filed and it appearing to the court from the testimony of said witnesses, that such will was duly attested and executed; and that the testator at the time of executing the same was of full age and of sound mind and memory, and not under any restraint. It is now here ordered that said will be admitted to Probate and filed, and that the same, together with the testimony so taken and reduced to writing as aforesaid, be recorded. Citation ordered and issued to Sarah A. Farrar widow of

Probate Court, Highland County, Ohio, continued and held February 5th 1898.

In re the estate of Isaac N. Cox, decd. Individual claim presented. Lewis Connell the administrator of the decedent above named having presented to this court his claim against said estate & which he with W. C. Donohoo is the joint owner in the sum of \$100⁰⁰ together with interest thereon from Dec. 25th 1897. the court now fix the 12th day of March 1898, for the hearing of the same, and order that said administrator give notice thereof in writing to all parties interested as required by law.

In re the trusteeship of Sarah C. Paley under the will of John A. Long, decd. Letters Trusteeship under will. On application the court grants unto O. N. Sams letters of trusteeship under the will of John A. Long deceased. Not being the choice of Sarah C. Paley, whereupon the said O. N. Sams accepts said appointment, and files a statement of the value of said trust, created by said will and files his bond in the sum of \$200⁰⁰ with Mary G. Sams and J. P. Elton as sureties to the approval of the court.

In re the estate of John D. Gingaman, decd. Finding on Petition to Increase Widows allowance. This day this cause come on to be heard upon the petition of Lucinda Emery the widow of said John D. Gingaman, deceased for an increase of her allowance for a years support, and the court, having heard the testimony and being fully advised, in the premises, finds that the allowance of \$75⁰⁰ made by the appraisers of the personal estate for the support of said widow and the two minor children under the age of 15 years is insufficient for said purpose, and the court further finds that it will require the additional sum of 125⁰⁰ for the support of said Lucinda Emery as widow aforesaid, and the court hereby allows and sets over to said Lucinda Emery the said additional sum of \$125⁰⁰, and orders that the said Lucinda Emery as administratrix of the estate of said John D. Gingaman, deceased pay said sum of \$125⁰⁰ to the said Lucinda Emery as widow aforesaid out of the assets of said estate and said Administratrix shall pay the costs herein taxed to

O. N. Hughes, Probate Judge

Probate Court, Highland County, Ohio, continued and held Febry 7th 1898.

In re the estate of Edward Weaver, decd. Settlement of 2nd final account continued. Notice of the filing of the 2nd final account of Bell Weaver Reed as admr. of the estate of Edward Weaver heretofore on the 22nd day of Dec. 1897, filed for final settlement, having been duly given by publication in the Hillsboro Gazette a newspaper of this county, and this being the day named herein for hearing of said account and exceptions thereto being filed, the same is now continued.

Probate Court, Highland County, Ohio, continued and held February 7th 1898.

In re the estate of Leannah Sinclair, decd. Settlement of First account. No. 4519. Notice of the filing of the First account of Geo. W. Neelitt as admr. of the estate of Leannah Sinclair heretofore on the 6th day of Jan'y. 1898, filed for settlement, having been duly given by publication in the Hillsboro Gazette a newspaper of this county, and this being the day named therein for hearing of said account, the same now come on to be heard, and no exceptions thereto being filed, the court carefully examined the same, and finding it in all things true and correct, it is ordered that the same be and it is hereby approved, confirmed and settled, and ordered to be recorded, and the court finds that said administrator has received of the money belonging to said estate the sum of \$3825⁵⁹, and has properly expended, including compensation, the sum of \$3788⁴³. That said administrator is entitled to legal compensation to the amount of \$229²³, which is hereby allowed; and also the sum of \$10⁰⁰ as extra compensation, and that said administrator has a balance of \$37¹⁶ in his hands which he is ordered to distribute according to law.

In re the guardianship of Carrie May West. No. 3985. Settlement of First account. Notice of the filing of the First account of Eliza M. A. West as guardian of Carrie May West heretofore on the 22nd day of Dec. 1897, filed for settlement, having been duly given by publication in the Hillsboro Gazette a newspaper of this county, and this being the day named therein for hearing of said account, the same now come on to be heard, and no exceptions thereto being filed, the court carefully examined the same, and finding it in all things true and correct, it is ordered that the same be and it is hereby approved, confirmed and settled, and ordered to be recorded, and the court finds that said guardian has received of the money belonging to said ward, the sum of \$336¹³, and has properly expended, the sum of \$1428⁶, and that said guardian has a balance of \$193²⁷ in his hands, which said guardian is ordered to invest according to law.

In re the guardianship of Frederic Lods. No. 3829. Settlement of 4th account. Notice of the filing of the 4th account of George Drubot as guardian of Frederic Lods heretofore on the 23rd day of Dec. 1897, filed for settlement, having been duly given by publication in the Hillsboro Gazette a newspaper of this county, and this being the day named herein for hearing of said account, the same now come on to be heard, and no exceptions thereto being filed, the court carefully examined the same, and finding it in all things true and correct, it is ordered that the same be and it is hereby approved, confirmed and settled, and ordered to be recorded, and the court finds that said guardian has received of the money belonging to said ward, the sum of \$124⁰⁰, and has properly expended, including compensation, the sum of \$152²⁷, that said guardian is entitled to the sum of \$75⁰⁰ compensation,

Probate Court, Highland County, Ohio, continued and held March 15th 1898.

In re the estate of
Frederick Enverard decd. Inventory filed.
This day came F.M. Enverard, adm'r. of the estate of Frederick Enverard, and presented to the court and filed herein an inventory and appraisement of said estate, duly verified by affidavit, which inventory was carefully examined by the court and ordered to be recorded.

In re the estate of
Frank Elkins, died. Inventory filed.
This day came W.H. Hackley, Executor of the estate of Frank Elkins, and presented to the court and filed herein an inventory and appraisement of said estate, duly verified by affidavit, which inventory was carefully examined by the court and ordered to be recorded.

In re the estate of
Isaac N. Cox, died. Entry. Allowing claim.
Now comes Lewis W. Connell, the administrator of the estate of Isaac N. Cox, deceased, above named, and presents to the court proof of the service of notice of the hearing of his claim upon all parties interested, as required by law and the order of this court; and the court being satisfied therewith, said proof and service are hereby found to be properly and legally made, and are therefore approved, and, upon hearing of the testimony, the court finds said claim to be valid and correct and does, therefore, allow the same against the estate of the said Isaac N. Cox, deceased, in the sum of one hundred and sixty-nine and $\frac{2}{3}$ Dollars (\$169 $\frac{2}{3}$) including interest to this date, and orders the costs herein taxed at \$ to be paid out of trust fund coming into his hands.

In re the assignment of Frank Lacy
To Daniel Murphy, for the benefit of assignment filed.
A deed of assignment, for the benefit of creditors, executed by Frank Lacy, to Daniel Murphy for the benefit of his creditors, was this day, at 6²⁵ O'clock P.M., filed in this court.

In re the alleged insanity
of H.C. Shaffer. Finding.
The affidavit of A.P. Shaffer in due form of law, alleging the insanity of the said H.C. Shaffer having been on the 1st day of March A.D. 1898, filed with the Probate Judge of this County, and the said Probate Judge having visited, and hereby certifying that he has, by actual inspection, ascertained the condition of the said H.C. Shaffer to be such that it would be unseemly and improper to bring him into court. This day this cause came on to be heard before me O.H. Hughes Probate Judge of

Probate Court, Highland County, Ohio, continued and held March 15th 1898.

Highland County, Ohio, at my office in Hillsboro in said county, at the hour of 9 o'clock a.m.: and having examined under oath, and heard the testimony of James J. Gibson a respectable physician, and of S.S. Shaffer and Pearce Shaffer. I do find that the said H.C. Shaffer so charged, is insane, and that his insanity has occurred during the time he has resided in this state, and that in consequence of his insanity he being at large is dangerous to the community. That he is an inhabitant of the state of Ohio, having resided within the state one year next preceding the date of this application, and that he has a legal settlement in Union Township, in said County; that he is a fit subject to be sent to the Asylum for the Insane undergoing treatment therein.

O.H. Hughes Probate Judge.

Probate Court, Highland County, Ohio, continued and held March 16th 1898.

In re the estate of
Samuel G. Lemon, died. First and final account filed.

This day came Mary E. Lemon administratrix of the estate of Samuel G. Lemon and presented to the court and filed herein her first and final account as such administratrix duly verified by affidavit which account the court examined and ordered filed and contained.

In re the assignment of
S.W. Elder. Entry.

This day this cause came on to be heard upon the inventory and appraisement, the schedule of indebtedness and the first account of L. Heiskell assignee, filed herein, and there being no contest or objection to said inventory and appraisement, schedule of indebtedness, or account, and the court being fully informed thereon do find, 1st that said papers are correct, 2nd that said S.W. Elder is entitled to an allowance of the sum of \$500⁰⁰ in lieu of home stead, 3rd that there are no preferred claims, & it is therefore ordered by the court that said assignee pay first to said S.W. Elder the sum of \$500⁰⁰ in lieu of homestead, and distribute the balance found on hand to the general creditors in said estate in equal proportion. It is further ordered that said assignee be granted further time to collect the remaining assets in his hands.

In re the assignment of
Frank Lacy. approval of bond etc.

Daniel Murphy, having filed his bond as assignee herein, in the sum of \$3000⁰⁰, with Hugh Murphy, J.R. Riggs, George Noble and J.B. Kleckner, as sureties, and the court having examined, examined said bond, it is hereby approved; and on the recommendation of said Daniel Murphy the court hereby appoints John W. Peale, Granbury Miller and Edward Michael three suitable, disinterested persons, appraisers of the property and assets of said Frank Lacy.

Probate Court, Highland County, Ohio, continued and held March 17th 1898.

In re the estate of Daniel Milburn dec'd. Third and final account. This day came A. W. Milburn Executor of the estate of Daniel Milburn and presented to the court and filed herein his third and final account as such Executor duly verified by affidavit, which account the court examined and ordered filed and continued.

In re the estate of Mariah Hendrix died. Inventory filed.

This day came H. L. Wiggins Executor of the estate of Mariah Hendrix, and presented to the court and filed herein an inventory and appraisement of said estate, duly verified by affidavit, which inventory was carefully examined by the court and ordered to be recorded.

O. H. Hughes, Probate Judge

Probate Court, Highland County, Ohio, Continued and Held March 18-1898.

In re the estate of Eli Roush dec'd. Distributive account filed. This day came Lucy S. Roush administratrix of the estate of Eli Roush late of this county deceased, and presented to the court and filed herein her distributive account as such administratrix duly verified by affidavit, which account the court examined and ordered filed and recorded.

In re the guardianship of Walter & Homer Purcell. First account filed. This day came James L. Fullerton guardian of Walter & Homer Purcell and presented to the court and filed herein his first account as such guardian duly verified by affidavit, which account the court examined and ordered filed and continued.

H. H. Hackley Executor of the will of Frank Elkins dec'd.

Plaintiff.

vs

Jane Elkins et al. Defendants. Judgment and order to sell.

This cause coming on this day to be heard, upon the petition of the plaintiff filed for the purpose of having the real estate herein described sold to pay the debts and costs of administration of the deceased, and the answer of Jane Elkins, and the court being fully advised in the premises find: That all the defendants herein have waived the issuing and service of summons and entered their appearance herein; and the court further finds that Jane Elkins widow of the said Frank Elkins deceased, waives as in her answer herein set forth, assignment of her dower in said premises and desires that the same may

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be sold free and clear of her said dower and that the court set-off to her out of the proceeds of the sale of said premises such a sum of money as may be just and reasonable in lieu of her said dower interest, and it appearing that by order of the court an appraisement of the premises described in the petition was made by the appraisers of the personal estate of said Frank Elkins deceased, and inserted in the inventory and that the real estate was appraised at \$475¹³, and it appearing that the plaintiff has given bond in sufficient amount with approved sureties conditioned according to law: It is now ordered that the said H. H. Hackley as such administrator, proceed to advertise for sale on the premises said real estate for four consecutive weeks in a newspaper of general circulation in said county and he is further ordered to sell the same at not less than two-thirds of the appraised value thereof on the following terms to-wit: Cash on day of sale, and said plaintiff is ordered to make return to this court immediately after such sale.

In re the estate of Isaac N. Cox, dec'd. Entry. This day this cause came on to be heard upon the application of Lewis W. Connell as administrator of the estate of Isaac N. Cox, deceased, for a certificate to the Common Pleas court of Clinton County Ohio, of the amount necessary to pay the debts of the decedent, there being no available assets, now in his hands, applicable to that purpose. Whereupon the court being fully advised in the premises does find that there is no personal property in the hands of said administrator belonging to said estate, and that the sum of \$269¹³ will be necessary to pay the indebtedness and the expenses of the administration thereof, and the court further finds that proceedings for partition of the lands of said decedent are pending in the Common Pleas Court of Clinton County, Ohio. It is therefore ordered that a new certificate of the above finding be furnished the said administrator, and that said administrator as such, pay the cost of this proceeding, taxed at \$

In re the guardianship of Eliza L. Britton an alleged lunatic.

Application having been this day filed in this court alleging Eliza L. Britton to be an lunatic and asking for the appointment of a guardian over her person and estate, and it is ordered that at least 3 days notice thereof be given her and to the persons residents of this county having the next estate of inheritance from alleged lunatic, and this cause is now set for hearing on Saturday March 26th 1898, at 10 o'clock a.m. to which time this cause is continued.

O. H. Hughes, Probate Judge.