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John Slifer Guardian of
Susanna Whetstone (and Adm'r)

vs

Mary Whetstone

Jacob Whetstone

Peter Whetstone

Daniel Whetstone

Samuel Whetstone

John Whetstone

Samuel Mentzer &

Elizabeth Mentzer his wife

George Reed and Catherine Reed his wife

John Wash, Peter Wash

Mary Wash, Barbara Wash

Jacob Wash, Susanna Wash

Samuel Wash, Adam Mussler

Mary Mussler, Peter Mussler & others

Petition for Partition

It is remembered that heretofore to wit
on the ninth day of July in the year of Our Lord One thousand Eight hundred and thirty nine, John Slifer, Guardian of Susanna Whetstone (and Adm'r, Petitioner, by Franklin Adams Esquire his Attorney, filed in the Office of the Clerk of our said Court of Common Pleas, his Petition in Chancery, against Mary Whetstone, Jacob Whetstone, Peter Whetstone, Daniel Whetstone, Samuel Whetstone, John Whetstone, Samuel Mentzer, Elizabeth Mentzer his wife, George Reed and Catherine Reed his wife, John Wash, Peter Wash, Mary Wash, Barbara Wash, Jacob Wash, Susanna Wash, Samuel Wash, Adam Mussler, Mary Mussler, Peter Mussler, Jacob Mussler and Eleanor Mussler, which is in the words and figures following to wit, "To the Honorable the Court of Common Pleas of Crawford County in the State of Ohio Now Petitioner John Slifer of said County of Crawford guardian of the person and property of Susanna Whetstone who by an inquisition had before his Honor Samuel Kinieley one of the Associate Judges of said Court at the Court house

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in said County on the 20th October 1838 in pursuance of the first section of the act to provide for the safe keeping of Idiots Lunatics or Insane persons the management of their affairs and for other purposes passed March 9, 1838 was found to be an Idiot &c would represent to your honor that he recd. his said appointment from your Honor at the April term of said Court 1839 that he accepted the trust has been duly qualified and has given bail conditioned for the faithful discharge of his duties as such guardian as then and there required by said Court. That the said Susanna is wholly incapable of taking care of herself that she has children who are in their infancy & helpless and that the said Susanna has not property whatever except her interest in the real Estate owned by Peter Whetstone her late father at the time of his death. Your petitioner further represents that on or about the 4th June 1836, the said Peter Whetstone departed this life seized in fee of the east half of the north west quarter of section twenty two in township two south in range seventeen containing eighty acres & of a part of the north east quarter of said section containing three acres it being forty rods from north to south and twelve rods from east to west and situate in the north west corner of said north east quarter all of which is situate in Crawford County aforesaid: That the said Peter Whetstone died intestate leaving be. &c the said Susanna nee of his heirs at law Mary Whetstone his widow and widow who resides in Pleasants County Ohio and who is entitled to dower in said premises and the following children who according to the Statute of descent and distribution would each be entitled to one ninth part of said premises, to wit Jacob Whetstone, James Whetstone, Elizabeth intermarried with Samuel Moutzgo Salmon Whetstone a minor who resides in Crawford County of aforesaid, Peter Whetstone of Meardon County Ohio and Samuel Whetstone of Meardon Co. and also the following grand children Callanna intermarried with George Reed John Bush Mary Bush Peter Bush, Barbara Bush Jacob Bush Susanna Bush and Samuel Bush children and heirs at law of Mary Bush decd, who was a daughter of said Peter Whetstone decd. & who according to the Statute of descent and distribution would be entitled to take jointly one ninth of the interest in said premises, all of whom reside in Crawford County aforesaid the last five of whom are minors, And also Mary Messer Peter Messer Jacob Messer and Eleanor Messer children and heirs at law of Catharine Messer decd. who was a daughter of said Peter Whetstone decd. all of whom reside in Crawford County aforesaid are minors and according to the Statute of descent and distribution would be entitled to take jointly one ninth part of the interest in said premises, which said widow and heirs of the said Peter Whetstone decd. Your Orator prays maybe made defendants to this his petition Your Petitioner further represents that during the life time of the said Peter Whetstone to wit on the 20th October 1830 or thereabouts the said Peter Whetstone made advancements to lunary of his said children which according to the express understanding and consent of all parties concerned was to be accounts for at the death of the said Peter Whetstone and was by the parties for whom benefit the same were made to be put into a hatch pot before they could be entitled to a distribution share of the property both real and personal which should be left by said Peter Whetstone at his death, as follows to wit By deed bearing date the said 20 October 1830, he conveyed in fee to the said Mary Bush (then living) and the heirs of her body the east half of the South East quarter of section fifteen township two south range seventeen situate in Crawford County aforesaid and also gave the said Mary the sum of thirty dollars besides the sum of money and other property By deed bearing date the said 20 October 1830, with the knowledge and consent and at the request of all the children of the said Peter Whetstone to wit Mary Messer Jacob Messer &c. Orator prays maybe also be

request of the said Catharine Mussler (then living) he conveyed in fee to one Adam Mussler (his Avator prays may also be made party deft. to this petition) the then his land of the said Catharine the west half of the south East quarter of section fifteen aforesaid and also gave the said Mussler the sum of thirty dollars, on the same terms, besides other sums of money and other property By deed bearing date the said 20 October 1830 he conveyed in fee to said Peter Whetstone his son the west half of the south West quarter of section twenty three in the township aforesaid containing eighty acres, and also gave the said Peter the sum of forty dollars besides other sums of money and other property By deed bearing date the said 20th October 1830 he conveyed in fee to said Jacob Whetstone the East half of the south west quarter of section twenty two in the township aforesaid containing eighty acres and also gave the said Jacob the sum of thirty dollars besides other sums of money and other property On the said 20th October 1830 he purchased the west half of the north east quarter of section fifteen aforesaid containing eighty acres of one Peter Stackman and paid a full consideration therefor and at the request and with the consent of the said Daniel Whetstone the said Peter Whetstone procured the said Peter Stackman to convey said premises to said Daniel Whetstone in fee by deed bearing date the said 20th October 1830 and he also then and

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then gave the said Daniel the sum of ten dollars beside other large sums of money & other property. And on the said 20th October 1830 the said Peter Whetstone decd. gave the said Samuel Whetstone the sum of eighty two dollars and thirty five cents beside other and divers large sums of money, and other property. All of which said conveyances deeds of gift and donations were advanced to the said donee as aforesaid by said Peter Whetstone Decd. And your petitioner charges that that at sundry times during the life time of the said Peter Whetstone decd. the said Peter made donations to the said Mary, Catharine and Jacob Pyle and Daniel and Samuel of which your orator prays a discovery from the said donee. Your petitioner further represents that on or about the 31st March 1836 the said Samuel Whetstone and Elizabeth his wife by deed of quit claim of that date conveyed all their interest in the said East half of the north west quarter of section twenty two in township two south in range seventeen and also the said part of the north east quarter of said section containing three acres & being forty rods from north to south and twelve rods from east to west and situate in the north east quarter of said north east quarter to one John Charlton, that on or about the 4th October 1836 the said Charlton & Elizabeth his wife by deed of quit claim of that date conveyed all their interest in said premises to the said Jacob Whetstone. That on or about the first January 1837 the said Daniel Whetstone and Catharine his wife by deed of quit claim of that date conveyed all their interest in said premises to the said Jacob Whetstone. That on or about the 4th February 1837 the said Peter Whetstone (son of the said Peter Whetstone Decd) and Susanna his wife by deed of quit claim of that date conveyed all their interest in said premises to the said Jacob Whetstone. That on or about the 28th February 1837 the said George Reed and the said Catharine his wife by deed of quit claim of that date conveyed all their interest in said premises to the said Jacob Whetstone. That on or about the 28 February 1837 the said Samuel Mintzer and Elizabeth his wife by deed of quit claim of that date conveyed all their interest in said premises to the said Jacob Whetstone. And that on or about the 24 February 1838 the said Mary Whetstone widow of the said Peter Whetstone decd. by deed of quit claim of that date conveyed all her interest in said premises to the said Jacob Whetstone. Petitioner represents that the said Jacob Whetstone is entitled to receive all the interest in said premises which in equity belongs to the Mary Whetstone widow of said Peter Whetstone decd. and of the said Peter Whetstone (son) Daniel Whetstone Samuel Whetstone Elizabeth intermarried with Samuel Mintzer and Catharine intermarried with the said George Reed. Your Petitioner prays that a writ of subpoena may issue to each of said defendants commanding them under a penalty to answer under their corporal oaths to all the matters and things herein contained and that on the hearing of this petition he prays that the interest of the said Susanna Whetstone his ward in the said real estate may be partitioned to her and sold for the purpose of raising funds to supply the immediate necessities of the said Susanna Whetstone and her children and your petitioner further prays for such further other and different relief in the premises as to your Honor may seem meet and proper and as in duty bound will ever pray &c

Manthor Adams aty petitioner

And therefore the following Subpoena in Chancery issued from the Clerk's Office aforesaid directed and delivered to the Sheriff of our said County to wit, The State of Ohio, Crawford County, to the Sheriff of the County aforesaid. We command you that you summon Jacob Whetstone, Daniel Whetstone, John Whetstone Samuel Mintzer & Elizabeth Mintzer his wife, George Reed and Catharine Reed his wife, John Bush Peter Bush, Mary Bush Barbara Bush Jacob Bush Susanna Bush Samuel Bush Adam Musser Mary Musser Peter Musser Jacob Musser and Eleanor Musser to appear before the Judges of our Court of Common Pleas at the Court House on the 25th day of November next to answer a petition

in Chancery exhibited against them and others by John Sifer Guardian of Susanna Whetstone an idiot and this they shall in
no wise omit under the penalty of one thousand dollars, and have you then show this writ. Witness my hand and the seal of
our said Court this 9th day of July A.D. 1839.

J. Rouse Clerk by John Mordenall Sept. 11

And afterwards to wit at the November Term of our said Court A.D. 1839. Came the Sheriff (by his Deputy) to whom the aforesaid
writ was directed and delivered and made return of the same with the following indorsement thereon to wit, "Served this writ on
all of the within named defendants by leaving a certified copy of this writ with each of them Sept 28. 1839. R. Anderson Deputy"
And also the following Subpoena In Chancery was issued to the Sheriff of Miami County, to wit: "The State of Ohio, Crawford
County, ss. to the Sheriff of the County of Miami Greeting We command you that you summon Samuel Whetstone to
appear before the Judges of the Court of Common Pleas at the Court House on the 25th day of November next to answer a
petition in Chancery exhibited against him and others by John Sifer Guardian of Susanna Whetstone an idiot and this

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he shall in no wise omit under the penalty of one thousand dollars, and have you then read this writ, Witness my hand and the seal of our said Court this 9th day of July A.D. 1839. J. Howard Clerk by John Henderson Dep^y

And afterwards to wit at the November Term of our said Court A.D. 1839, ^{of said} the Sheriff of Miami County to whom the aforesaid writ was directed and delivered, made return thereof with the following indorsement thereon to wit, "I delivered unto the Dep^y named in this writ a copy of said writ the 28th day of August 1839 thro' W. Haring Sheriff of Miami County Ohio And also the following Subpoena in Chancery was issued to the Sheriff of Miami County to wit, "The State of Ohio, Crawford County, W. to the Sheriff of the County of Miami Greeting: We command you that you summon Peter Whetstone to appear before the Judges of our Court of Common Pleas at the Court House on the 25th day of November next to answer a petition in Chancery exhibited against him and other by John Sifer Guardian of Susanna Whetstone an infant and that he shall in no wise omit under the penalty of one thousand dollars and have you then read this writ. Witness my hand and the seal of our said Court this 9th day of July A.D. 1839. J. Howard Clerk by John Henderson Dep^y

And afterwards to wit at the term of our said Court last aforesaid, the Sheriff of Miami County to whom the aforesaid writ was directed and delivered, made return thereof with the following indorsement thereon to wit, "the within defendant not found in the County kept 16th A.D. 1839 John H. Sheriff M. Co."

And also the following subpoena in Chancery was issued to the Sheriff of Richland County to wit, "State of Ohio, Crawford County, W. to the Sheriff of the County of Richland Greeting: We command you that you summon Mary Whetstone to appear before the Judges of our Court of Common Pleas at the Court House on the first day of their next term to answer a petition in Chancery exhibited against her and other by John Sifer Guardian of Susanna Whetstone an infant and that she shall in no wise omit under the penalty of one thousand dollars, and have you then read this writ, Witness my hand and the seal of our said Court this 9th day of March A.D. 1840 J. Howard Clerk

And afterwards to wit at the March Term of our said Court A.D. 1840 the Sheriff of Richland County to whom the above subpoena was directed and delivered, made return thereof with the following indorsement thereon to wit, "State of Ohio Richland County SS Res this writ March 10. 1840 and on the 14 day of March 1840 I served the same on Mary Whetstone by reading and leaving with her a true certified copy of this writ John McCallough Sheriff

And afterwards to wit at the term of our said Court last aforesaid, this cause was continued until the next term of this Court

And afterwards to wit at the June Term of our said Court A.D. 1840 this cause was continued until the next term of said Court

And afterwards to wit at the November Term of our said Court A.D. 1840. This cause was continued until the next term

And afterwards to wit on the 6th day of April A.D. 1841, the said Peter Whetstone filed his answer on the words and figures following to wit, John Sifer Guardian of Susanna Whetstone an infant vs. Mary Whetstone Sarah Whetstone Peter Whetstone et al. in Common Pleas Crawford County Ohio Petition for Partition And the said Peter Whetstone here waives the issuing and service of process and enters his appearance on this writ And for answer to the said Petition says that the matters and things therein set forth are true in substance and in fact and that he has no objection that the said Court should at their

next term grant to the petitioner the relief by him sought as well as such other relief as Justice and Equity applied
to the facts of the case may seem to require Witness present Franklin Adams Peter ^{his} Whetstone
And afterwards came William Fisher Guardian ad litem for the infant defendants and filed his answer in the words and
figures following to wit: John Sifer Guardian of Susanna Whetstone an idiot W. Mary Whetstone & others William Fish-
er Guardian ad litem for the infant defendants John Whetstone Peter Bask Barbara Bask Jacob Bask Susanna
Bask Samuel Bask Mary Musser Peter Musser Jacob Musser and Eleanor Musser come and for plea to the peti-
tion filed in this suit says that of the matters and things therein contained he knows nothing and that the said infant de-
fendants being of tender age he places them under the protection of the Court and prays that no fact effecting their in-
terests be allowed against them without full proof William Fisher Guardian ad litem for the infant defendants
John Whetstone Peter Bask Barbara Bask Jacob Bask Susanna Bask Samuel Bask Mary Musser
Peter Musser Jacob Musser & Eleanor Musser

And afterwards to wit at the April Term of our said Court A.D. 1841. this cause was continued under advisement -
And afterwards to wit at the June term of our said Court A.D. 1841. It was ordered by the Court that this cause be
referred to Judge P. Sarwill Master Commissioner in Chancery of this Court and that the said Master be autho-

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ized to take proofs and be required to report at the next Term of this Court particularly upon the following points 1st the value of each lot if any conveyances by Peter Whetstone Decd. to each of the Defendants by way of advancement the value to have reference to the time of the conveyance, and also what other if any advancements were made by the said Peter Whetstone to the Defendants 2nd The present value of the lands of which the said Peter Whetstone died seized 3rd The amount in value of any property which is now owned by the said Susanna Whetstone And thereupon motion of the Court by Mr Adams counsel for the petitioners it is ordered that a *dedimus potestatum* issue in this cause to take the definitions of any persons in the town of Bucyrus in this County to be directed to Sabin N. Samill Master Commissioner of this Court and it is further ordered that the defendants within ten days file with the Clerk of this Court the name of an agent resident in said County to whom notice of the time and place of executing said *dedimus potestatum* may be given And it is further ordered that the service of such notice upon such agent three days previous to the execution of said *dedimus* shall be deemed good service upon the defendants And it is further ordered that if the defendants fail to file with the Clerk the name of such agent by the time aforesaid then said *dedimus potestatum* may issue *ex parte* - And afterwards a certificate was filed in the words and figures following to wit: "John Super Guardian of Susanna Whetstone an idiot vs Mary Whetstone & others In Com Pleas Crawford County Ohio Petition for Partition We heirs at law of Peter Whetstone deceased late of said County hereby certify that it is our wish that entire partition be made of the lands of which the said Peter Whetstone died seized Oct 21, 1841

Jacob Whetstone
Samuel Mentzer
Elizabeth Mentzer
Peter Bask
Mary Bask

And afterwards to wit on the 21st day of October in the year A.D. 1841. a dedimus potestatem issued from the Clerk's Office of our Court aforesaid, which reads in the words and figures following to wit: "The State of Ohio Crawford County, ss. S. B. Earwile Master Commissioner in Chancery of the Court of Common Pleas of said County, Greeting. Know ye or that we in confidence of your prudence and fidelity, here appoint you and by these presents do give to you full power and authority to examine and take the positions of witnesses in a certain Chancery Cause pending in our Court of Common Pleas within and for the said County of Crawford, wherein John Shifer Guardian of Susan Whelstone an idiot is Plaintiff and Mary Whelstone and others are defendants, And therefore we command you that at certain days and places to be appointed by you, the agent of the plaintiffs, having due notice of the time and place of taking the same if the said Plaintiff shall name such agent residing in said County of Crawford and send upon the attorney of said John Shifer Guardian of the said Susan Whelstone a memorandum of the name and residence of each agent, that you cause such witnesses as may be required by the said John Shifer or his agents to be brought before you, and then and there examine each of them on their separate and respective corporate oaths first taken before you and that you reduce such examination to writing and return the same together with this writ closed up under your seal into our said Court with all convenient speed Witness S. B. Earwile Clerk of said Court, and the seal of the said Court of Common Pleas this 21st day of October 1841, S. B. Earwile Clerk. The execution of this Commission appears in certain schedules hereunto annexed: S. B. Earwile Master Commissioner. And thereupon on the same day certain depositions were taken which read in the words and figures following to wit: Depositions of Witnesses produced, sworn and examined on the Twenty first day of October A.D. 1841, at the Court House in the Town of Bucyrus at the Office of the Clerk of the Court of Common Pleas before S. B. Earwile Master Commissioner in Chancery, by virtue of a Commission issued from the Court of Common Pleas of Crawford County in the State of Ohio, to me directed for the examination of witnesses, in a certain Chancery Cause pending in said Court wherein John Shifer Guardian of Susanna Whelstone an idiot is plaintiff and Mary Whelstone, Jacob Whelstone, Peter Whelstone, Daniel Whelstone, Samuel Whelstone, John Whelstone, Samuel Moutzer and Elizabeth Moutzer his wife George Reed and Catharine Reed his wife, John Wash, Peter Wash, Mary Wash Barbara Wash, Jacob Wash, Susanna Wash, Samuel Wash, Adam Mouser, Mary Mouser, Peter Mouser Jacob Mouser and Eleanor Mouser are respondents, John S. Stroup of Crawford County in the State of Ohio

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being produced sworn and examined on behalf of the Plaintiff deposes and says I was acquainted with Peter Whetstone dead mentioned in the petition filed in the cause, He has been dead some few years. I was acquainted with his family. The paper here with exhibited marked A and attached to the deposition gives a correct statement of the being of the said Peter Whetstone. The names of his Children were Incest Peter Samuel John Daniel Elizabeth Catharine Susanna and Mary. The said Elizabeth is intermarried with Samuel Montzer, the said Catharine was intermarried with Adam Musser. She is dead and left four Children named Mary Peter Bart and Eleanor, the said Mary was intermarried with Jacob Bush. She is dead and left eight Children, named Catharine who is now intermarried with George Reed John Mary Peter Barbara Jacob Sheldon and Samuel, I acted as Administrator of the said Peter Whetstone dead, and have made final settlements. Among the papers which fell out of my hands as Administrator was the one hereto attached marked B, which was represented to me by the Widow of the dead as being a memorandum made out by Elias Lehman now dead, at the instance and request of the said Peter Whetstone in his life time for the purpose of showing the advancements he had made to sundry of his Children. A few weeks after the death of the said Peter Whetstone the time the personal property of the Estate was appraised the Children being all present. (This was previous to the death of Catharine and Mary) I exhibited the memorandum and read its contents in the presence and hearing of the whole of them, they all assented to its correctness and admitted it to be good evidence the following advancements had been made by the said Peter Whetstone up to the 29 March 1833 To wit To the said Mary Bush \$130.00 To the said Catharine Musser 133.00 To the said Incest Whetstone 130.00 To the said Peter Whetstone (son) 140.00 To the said Daniel Whetstone 110.00 To the said Samuel Whetstone 32.85 It was generally understood in the neighbourhood that the above named Children to whom advancements were made with the exception of Samuel had received a large part of what they got in Sand. In the distribution of the personal Estate made by me, an equal division was made without reference to what any of them had received by way of advancement. I have lived and still live about one mile from the farm of which Peter Whetstone died seized during the last fifteen years, and consider the ^{page} farm subject to the dower Estate of the said Mary Whetstone to be worth at the present time two hundred and fifty dollars. The said Susanna Whetstone received an equal division with the other heirs of the personal property of the Estate of Peter Whetstone dead, which was between fourteen and fifteen dollars. This was about three years ago she has no other property to my knowledge. The said Susanna had two legitimate Children, they both died two or three months ago. I am of the opinion from my knowledge of the situation of the property that if the interest of the said Susanna be sold without partition there will necessarily be a great overprice. At the time of the appraisement of the personal property above referred to all of the Children of the said Peter Whetstone dead, whose names appear on exhibit marked B were men and women and over twenty one years of age. In the year 1830, Wild Lands in the neighbourhood of the farm of which Peter Whetstone died seized were worth their entrance price which was one dollar and twenty five cents per acre.

John L. Strong

John L. Strong of Crawford County in the State of Ohio being produced sworn and examined on behalf of the Plaintiff deposes and says I have lived for the last 13 years on and adjoining the farm of which Peter Whetstone died mentioned in the petition filed

in this case died seized, I was well acquainted with him and his whole family, The above statement contained in the deposition of John G. Stough in reference to the family connections of the said Peter Whetstone dec'd, is correct, Sometime about the year 1832 I had a conversation with the said Peter Whetstone deceased in reference to his Sands, which he said he had entered for his children as their portion of his property, I enquired of him whether he had written receipts from those children to whom he had given land he said he had not. I then told him if he did not take receipts, that when he died, they would come in with the children to whom he had given nothing for the equal share of the same part. He replied that he would make out papers to prevent that. I know that Jacob Barkham Mary his wife, Adam Messer & Catharine his wife Jacob Whetstone Peter Whetstone and Daniel Whetstone respectively took possession of the Sands mentioned in the petition filed in this cause. These are the same Sands about which the said Peter Whetstone & myself were conversing. These Sands were then unimproved and were worth one hundred dollars each There was a plenty of land in the neighborhood for entry at that time at that price I was present at the appraisement of the personal property of the Estate of Peter Whetstone dec'd, and saw Mr Stough produce the paper

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attached to these depositions & Mr. B. and heard him read it to the children of Peter Whetstone, all of whom are present, they each admitted that they had received advancement as stated in that paper. The conveyances for these lands were not executed until the grantees were over twenty one year of age, I see the farm of which Peter Whetstone died said pretty much every day and consider it now worth twelve hundred and fifty dollars subject to the down Estate of the said Mary Whetstone, In the conversation above referred to Peter Whetstone died informed me that he had allowed his children for whom he had purchased land to make the selections to suit themselves and that he then went and entered the land so selected John Charlton -

I Subj. B. Barwell Master Commissioner in Chancery do hereby certify that the above named John B. Stough and John Charlton were by me sworn to testify the truth the whole truth and nothing but the truth and that the foregoing depositions by them respectively subscribed were reduced to writing by M. S. Jones and were taken at the time and place mentioned above -

Bayou, Dec 21st 1841

Subj. B. Barwell Master Commissioner

Exhibit "A"

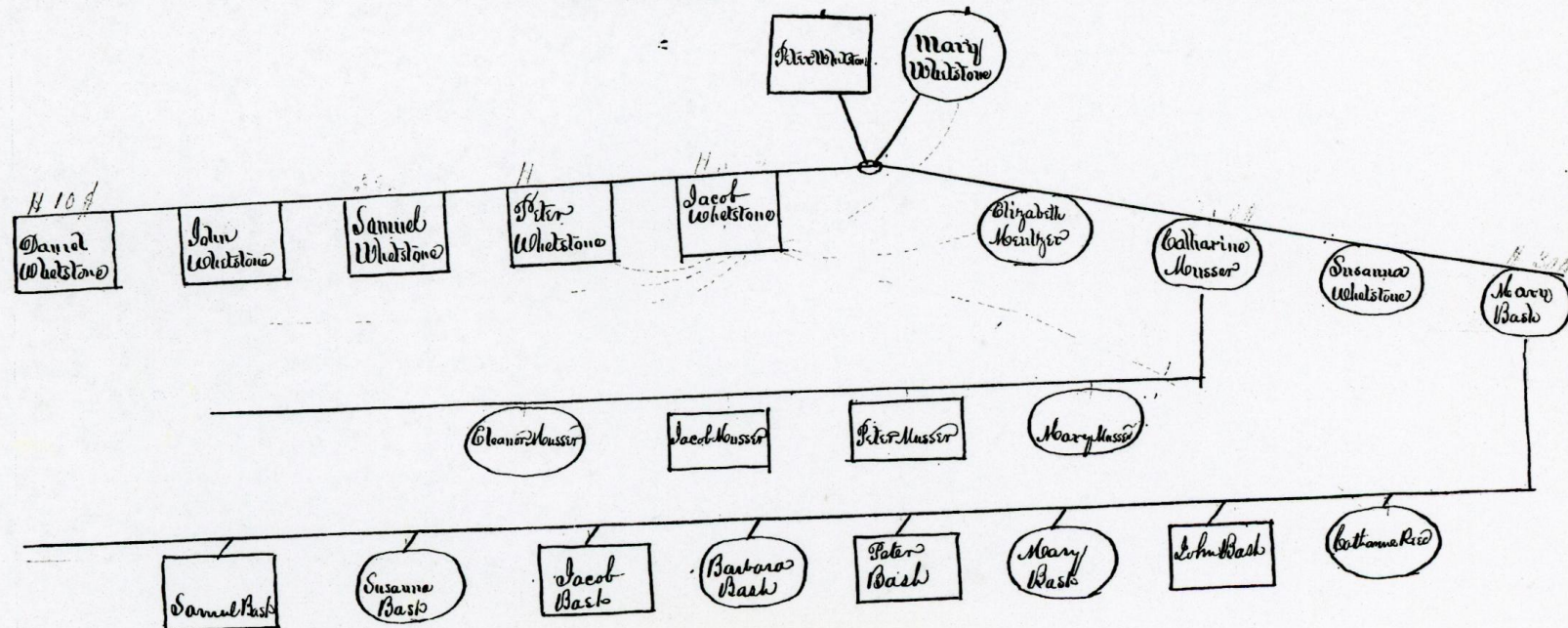


Exhibit "B"

March the 29th 1833 Mary Whetstone Dr. to Peter Whetstone to one hundred and thirty dollars it being so much of his Estate
 March the 29th 1833 Catharina Whetstone Dr. to Peter Whetstone to one hundred and thirty three dollars it being so much of her Estate
 March the 29th 1833 Jacob Whetstone Dr. to Peter Whetstone to one hundred and thirty dollars it being so much of his Estate
 March the 29th 1833 Peter Junr Whetstone Sumar Dr. to Peter Whetstone to one hundred and forty dollars it being so much of his Estate
 March the 29th 1833 Daniel Whetstone Dr. to Peter Whetstone to one hundred and ten dollars it being so much of his Estate
 March the 29th 1833 Samuel Whetstone Dr. to Peter Whetstone to thirty two dollars and 85 cents it being so much of his Estate

And afterwards to wit on the 25th day of October A.D. 1841. July 13. Samuel Master Commissioner filed his report which is in the words and figures following to wit. "John Slifer Guardian of Susan Whetstone an idiot vs. Mary Whetstone & others In Com. Pleas of Crawford County Ohio. An Partition Report of Jacob B. Samuel Master Commissioner in Chancery, to whom this cause was referred at the June Term 1841 From the proof and exhibits adduced in this cause it appears that on the 30th Oct. 1838 an inquisition was had before Samuel Kniskern one of the Associate Judges of this Court, by virtue of which the said Susanna Whetstone was duly proven to be an idiot, that at the April Term of this Court 1839 the said John Slifer was duly appointed guardian of the said Susanna and that he was duly qualified & entered upon the duties of said trust, that the said Susanna has no property or rights in action other than her interest as heir in the lands of which the said Peter Whetstone her father died seized, that on the fourth of June 1836 the said Peter Whetstone departed this life intestate seized in fee of the tract of land as stated in the petition in this cause filed and that he left the said Mary Whetstone his widow & the other defendants with the said Susanna as his heirs at law, That said Peter Whetstone decd. during his lifetime to wit on the 20th Oct. 1830 made several conveyances of real Estate to his children by way of advancement as follows, A half quarter section of land in said County to his daughter Mary Bash by way of advancement to the said Mary, worth at the time one hundred dollars, A half quarter section of land in said County to Adam Messer by way of advancement to his daughter Catharine Messer decd. worth at the time one hundred dollars

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A half quarter section of land in said County to the said Peter Whelstone son, by way of advancement to the said Peter worth at the time One hundred dollars, A half quarter section of land in said County to the said Jacob Whelstone by way of advancement to the said Jacob worth at the time One hundred dollars, A half quarter section of land in said County to the said Daniel Whelstone by way of advancement to the said Daniel, worth at the time one hundred dollars, It also appears from said proofs and exhibits that up to the 29th March 1833, the said Peter Whelstone dec^d had made sundry other advancements to his Children and Chattel property to wit to the said Mary ^{Barb} thirty dollars, to the said Catharine Musser thirty three dollars, to the said Jacob Whelstone thirty dollars, to the said Peter Whelstone (son) forty dollars to the said Daniel Whelstone ten dollars, & to the said Samuel Whelstone thirty two dollars and eighty five cents, It further appears that the personal property of the said Peter Whelstone dec^d has been fully administered upon and that in the distribution of the proceeds thereof, each of the heirs of the said Peter Whelstone dec^d received an equal proportion thereof without reference to the advancement of personal property that had previously been made to sundry of them, The amount for which in the opinion of the undersigned, the heirs of the said Peter Whelstone should be charged with advancements is as follows to wit, Mary Barb dec^d, Oct 20, 1830 For lands conveyed to her and her heirs \$11,200 Catharine Musser 1830 Oct 20 For lands conveyed to Adam Musser her husband \$10,000 Jacob Whelstone 1830 Oct 20 For lands conveyed to him \$100,000 Peter Whelstone 1831 Oct 20 For lands conveyed to him \$100,000 Daniel Whelstone 1830 Oct 20 For lands conveyed to him \$100,000 Amount of advancements \$500,000 It further appears from said proofs and exhibits that the said Mary Barb and the said Catharine Musser children and heirs or law of the said Peter Whelstone dec^d, have departed this life, leaving the Children as represented in the said petition, It further appears from the said proofs and exhibits that on the 31st of March 1836 the said Samuel Whelstone and Elizabeth his wife by deed of conveyance of that date conveyed to the said Jacob Whelstone the interest descended to the said Samuel in the lands of which the said Peter Whelstone dec^d seized, And that on the 31st of January 1837 the said Daniel Whelstone and Esther his wife by deed of conveyance of that date conveyed to the said Jacob Whelstone the interest descended to the said Daniel in the said lands, And that on the 14th day of February 1837 the said Peter Whelstone (son) and Susanna his wife by deed of conveyance of that date conveyed to the said Jacob Whelstone the interest descended to the said Peter in the said lands, And that on the 28th day of February 1837 Samuel Mertz and Elizabeth Mertz his wife by deed of conveyance of that date conveyed to the said Jacob Whelstone the interest descended to the said Elizabeth in the said lands And that on the 28th of February 1837 the said George Reed and Catharine his wife by deed of conveyance of that date conveyed to the said Jacob Whelstone the interest descended to the said Catharine by way of her deceased mother Mary Barb daughter of said Peter Whelstone dec^d, And that on the 24th February 1838 the said Mary Whelstone by deed of conveyance of that date conveyed to the said Jacob Whelstone her right of dower in the said lands, It further appears that the present value of the real estate

of which the said Peter Whetstone died seized or twelve hundred and fifty dollars from all of which it appears that the relative proportions of the interests of the said defendants in the said real Estate are as follows that is to say 1st Jacob Whetstone His own Share after deducting the advancements made to him \$ 94.44 Catharine Reed's Share after deducting the advancements made to her mother 11.80 Samuel Whetstone 194.44 Daniel Whetstone's Share after deducting the advancements made to him 94.44 Peter Whetstone " " " " " " " " 94.44 Eliza Montgomerie's Share " " " " " " " " 194.44 \$ 684.00

2 Susanna Whetstone's Share	\$ 194.45
3 John Whetstone "	194.45
4 John Bask	11.81
5 Mary Bask	11.81
6 Peter Bask	11.81
7 Barbara Bask	11.81
	<u>\$ 436.14</u>

amt carried over

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Am't. of the Shares of them to whom advancements had been made

Amount Paid over —

8 Jacob Bask

9 Susanna Bask

10 Samuel Bask

11 Mary Musser

12 Peter Musser

13 Jacob Musser

14 Eleanor Musser

	\$684.00
	\$436.14
8 Jacob Bask	11.81
9 Susanna Bask	11.81
10 Samuel Bask	11.81
11 Mary Musser	23.61
12 Peter Musser	23.61
13 Jacob Musser	23.61
14 Eleanor Musser	23.61
	<u>566.00</u>
	\$1250.00

Total Value of real Estate

The fractional shares of each are as follows

- Jacob Whetstone besides the down of Mary Whetstone
- Susanna Whetstone share Subject to down
- John Whetstone " do
- John Bask " do
- Mary Bask " do
- Peter Bask " do
- Barbara Bask " do
- Jacob Bask " do
- Susanna Bask " do
- Samuel Bask " do
- Mary Musser " do
- Peter Musser " do
- Jacob Musser " do
- Eleanor Musser " do

	<u>684.00</u>
	1250.00
	<u>194.45</u>
	1250.00
	<u>194.45</u>
	1250.00
	<u>11.81</u>
	1250.00
	<u>11.81</u>
	1250.00
	<u>11.81</u>
	1250.00
	<u>11.81</u>
	1250.00
	<u>11.81</u>
	1250.00
	<u>23.61</u>
	1250.00
	<u>23.61</u>
	1250.00
	<u>23.61</u>
	1250.00
	<u>23.61</u>
	1250.00

All of which is respectfully submitted

October 25th 1841.

J. B. Sarwill Master Commissioner

And afterwards to wit at the October term of our said Court A.D. 1841 On Motion to the Court by Mr Adams Counsel for the petitioner it is ordered that William Fisher be appointed guardian ad litem for the said infant defendants John Whelstone, Peter Bask, Barbara Bask, Jacob Bask, Susanna Bask, Samuel Bask, Mary Meuser, Peter Meuser, Jacob Meuser and Eleanor Meuser and thereupon the said William Fisher appeared in open Court accepted said appointment and filed his answer as such Guardian ad litem

And afterwards to wit at the Term of our said Court last aforesaid, This cause came on to be heard on the petition the answer of William Fisher Guardian ad litem of said infant defendants the answer of Peter Whelstone the Master Commissioners report and the proofs and exhibits adduced in the cause by the Plaintiff. The Court having examined said Bill answers report proofs and exhibits and being fully advised in the premises do find that the facts alleged in said petition are true as there stated That the dower of the said Mary Whelstone in the said premises has been conveyed to the said Jacob Whelstone and that the respective shares of the defendants in said premises subject to said Dower are as follows to wit,

1st Jacob Whelstone subject to the dower Estate aforesaid
2nd Susanna Whelstone Share subject to said Dower Estate
3rd John Whelstone " do " "
4 John Bask " do " "
5 Mary Bask " do " "
6 Peter Bask " do " "
of Barbara Bask " do " "

$\frac{68400}{125000}$	parts
$\frac{19445}{125000}$	"
$\frac{19445}{125000}$	"
$\frac{1181}{125000}$	"
$\frac{1181}{125000}$	"
$\frac{1181}{125000}$	"
$\frac{1181}{125000}$	"

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8 Jacob Bash	Share Subject to sd. Dowr Estate	$\frac{1181}{125000}$	parts
9 Susanna Bash	" do " "	$\frac{1181}{125000}$	"
10 Samuel Bash	" do " "	$\frac{1180}{125000}$	"
11 Mary Musser	" do " "	$\frac{2361}{125000}$	"
12 Peter Musser	" do " "	$\frac{2361}{125000}$	"
13 Jacob Musser	" do " "	$\frac{2361}{125000}$	"
14 Elenor Musser	" do " "	$\frac{2361}{125000}$	"

Therefore is ordered that by the oaths of William Fitzsimon, George Pauck and Samuel Myers one full and equal third part of the land in said petition described be assigned and set off to the said Jacob Whetstone as the down Estate of said Mary Whetstone and that by the like oaths of the said William Fitzsimon, George Pauck and Samuel Myers partition be made of said land subject to said down Estate in the following proportions to wit, One sixty eight thousandths and four hundred one hundred and twenty five thousandths parts, and to the said Susanna Whetstone nineteen thousand four hundred and forty five one hundred and twenty five thousandths parts, and to the said John Whetstone nineteen thousand four hundred and forty five one hundred and twenty five thousandths parts, and to the said John Bash eleven hundred and eighty one one hundred and twenty five thousandths parts, and to the said Mary Bash eleven hundred and eighty one one hundred and twenty five thousandths parts, and to the said Peter Bash eleven hundred and eighty one one hundred and twenty five thousandths parts, and to the said Barbara Bash eleven hundred and eighty one one hundred and twenty five thousandths parts, and to the said Jacob Bash eleven hundred and eighty one one hundred and twenty five thousandths parts, and to the said Susanna Bash eleven hundred and eighty one one hundred and twenty five thousandths parts, and to the said Samuel Bash eleven hundred and eighty one one hundred and twenty five thousandths parts, and to the said Mary Musser twenty three hundred and sixty one one hundred and twenty five thousandths parts, and to the said Peter Musser twenty three hundred and sixty one one hundred and twenty five thousandths parts, and to the said Jacob Musser twenty three hundred and sixty one one hundred and twenty five thousandths parts, and to the said Elenor Musser twenty three hundred and sixty one one hundred and twenty five thousandths parts. And it is further ordered that a writ of partition issue to the Sheriff of Bradford County commanding him to cause said down to be assigned and said partition to be made accordingly.

And thereupon on the first day of December A.D. 1841. a writ of Partition issued from the Clerk's office of our said Court aforesaid, which reads in the following words and figures to wit: "The State of Ohio Crawford County, ss. To the Sheriff of said County Greeting Whereas at a Court of Common Pleas of said County October term thereof to wit on the 29th day of October 1841 The following order was made by said Court to wit"

John Shifer Guardian of
 Susanna Whetstone an idiot

Petition for Partition

This cause came on to be heard on the petition the answer of William Fisher Guardian ad litem of said infant defendants, the answer of Peter Whetstone the Master Commissioner, report and the proof and exhibits adduced in the cause by the plaintiff. The Court having examined said Bill answer report proof and exhibits and being fully advised in the premises do find that the facts alleged in said petition are true as there stated. That the dower of the said Mary Whetstone in the said premises has been conveyed to the said Jacob Whetstone and that the respective shares of the defendants in said premises subject to said dower are as follows to wit:

1st Jacob Whetstone subject to the dower Estate aforesaid	$\frac{684}{125000} \text{ parts}$
2nd Susanna Whetstone share subject to said dower Estate	$\frac{19445}{125000} \text{ "}$
3rd John Whetstone " do " " "	$\frac{19445}{125000} \text{ "}$
4th John Bash " do " " "	$\frac{1181}{125000} \text{ "}$
5th Mary Bash " do " " "	$\frac{1181}{125000} \text{ "}$
6th Peter Bash " do " " "	$\frac{1181}{125000} \text{ "}$

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17th Barbara Bash	Share subject to said Slave Estate	$\frac{1181}{125000}$	parts
8th Jacob Bash	" do " " "	$\frac{1181}{125000}$	"
9th Susanna Bash	" do " " "	$\frac{1181}{125000}$	"
10th Samuel Bash	" do " " "	$\frac{1180}{125000}$	"
11th Mary Musser	" do " " "	$\frac{2361}{125000}$	"
12th Peter Musser	" do " " "	$\frac{2361}{125000}$	"
13th Jacob Musser	" do " " "	$\frac{2361}{125000}$	"
14th Eleanor Musser	" do " " "	$\frac{2361}{125000}$	"

Therefore it is ordered that by the oaths of William Fitzsimmons George Chauck and Samuel Myers one full equal third part of the lands in said petition described be assigned and set off to the said Jacob Whetstone as the dower of said Mary Whetstone and that by the like oaths of said William Fitzsimmons George Chauck and Samuel Myers partition be made of said lands subject to the Slave Estate in the following proportions, to wit, One sixth eight thousandths and four hundred one hundred and twenty five thousandths parts, And to the said Susanna Whetstone nineteen thousand four hundred and forty five one hundred and twenty five thousandths parts - And to the said John Whetstone nineteen thousand four hundred and forty five one hundred and twenty five thousandths parts - And to the said John Bash eleven hundred and eighty one one hundred and twenty five thousandths parts - And to the said Mary Bash eleven hundred and eighty one one hundred and twenty five thousandths parts - And to the said Peter Bash eleven hundred and eighty one one hundred and twenty five thousandths parts - And to the said Barbara Bash eleven hundred and eighty one one hundred and twenty five thousandths parts - And to the said Jacob Bash eleven hundred and eighty one one hundred and twenty five thousandths parts - And to the said Susanna Bash eleven hundred and eighty one one hundred and twenty five thousandths parts - And to the said Samuel Bash eleven hundred and eighty one one hundred and twenty five thousandths parts - And to the said Mary Musser twenty three hundred and sixty one one hundred and twenty five thousandths parts, And to the said Peter Musser twenty three hundred and sixty one one hundred and twenty five thousandths parts And to the said Jacob Musser twenty three hundred and sixty one one hundred and twenty five thousandths parts And to the said Eleanor Musser twenty three hundred and sixty one one hundred and twenty five thousandths parts - And it is further ordered that a writ of partition issue to the Sheriff of Henrico County commanding him to cause said dower to be assigned and said partition to be made accordingly.

to be assigned and said partition to remain as aforesaid

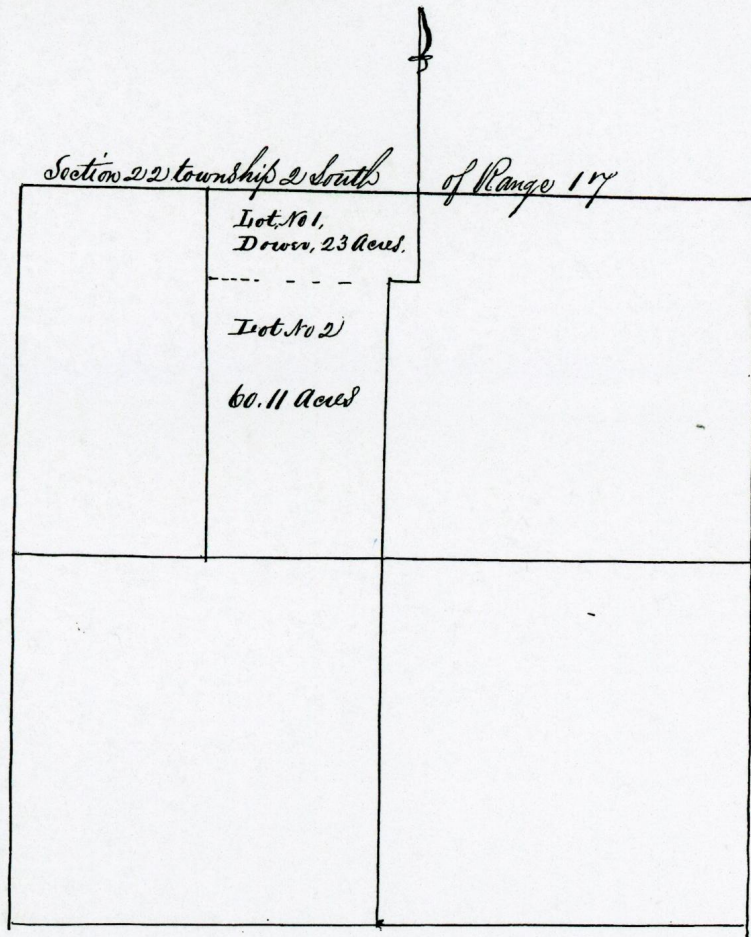
The land mentioned in said petition is described as follows to wit, the east half of the north west quarter of section twenty two in township two (2) south of range seventeen (17) situate in said County and containing eighty acres be the same more or less And also a part of the north east quarter of said section twenty two (22) containing three acres or being forty rods from north to south and thirty rods from east to west & situate in the north east corner of said ^{north east} quarter - You are therefore hereby commanded to proceed according to law to have said land so assigned and partition made as in the foregoing order mentioned and your proceedings in the premises you distinctly certify under your hands to the next Term of said Court Witness my hand & seal of said Court this first day of December A.D. 1841 E. W. Samuel Clerk

By Wm. Elder Deputy Clerk

And afterwards to wit

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And afterwards to wit on the 17th day of April A. D. 1842 the Commission report was filed in the Office of the Clerk of our said Court which is as follows to wit



Plat of lands belonging to the Estate of Peter Whetton deceased. Showing the disposition made thereof by William H. Stitz, Sumner, Samuel Myers and George Sauck, Commissioners, by virtue of a writ of Partition issued 1st Dec. 1841 by the Clerk of the Court of Common Pleas of Crawford County, Ohio.

Field notes of the survey made by William Fitzsimmons Surveyor of Crawford County Ohio, on the 22nd day of March 1842 of the lands belonging to the Estate of Peter Whetstone decd.

Divided into Lots 1 & 2 as exhibited by the above plat, the North East corner of each lot is the starting point

Lot No 1.		Lot No 2	
S. 87° W.	91.92 poles	S 87° W.	80.08 poles
S 3° E	40.00 "	S 3° E	119.88 "
N 87° E	92.05 "	N 87° E	80.32 "
N 3° W	40.00 "	N. 3° W	120.00 "
Containing 23 acres		Containing 611 Acres	
Assigned to Jacob Whetstone as the deced's Estate of Mary Whetstone		Not divisible but the whole including lot No 1 appraised Subject to down at one thousand dollars	

I hereby certify the above field notes & plat to be correct & true as surveyed by me as above stated the 22nd March 1842
 W^m Fitzsimmons Surveyor C. O.

John Phelps Guardian of } Partition, In Rem, Pleas Crawford County Ohio
 Susanna Whetstone an idiot } We the Commissioners appointed in this cause to assign to Jacob Whetstone the deced's
 & } late of Mary Whetstone widow of Peter Whetstone late of said County decd. in the real Es-
 Mary Whetstone & others } late described in the petition filed and the writ of partition issued in this cause and
 also to make partition of the same lands subject to said deced's Estate between the per-
 sons for that purpose named in the said writ of partition. having been duly sworn upon actual view of the

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premises do assign to the said Jacob Whetstone as the down Estate of the said Mary Whetstone so much of said lands as is contained in lot one (1) in the foregoing plat and field notes which are here made a part of this report said down Estate is bounded as follows to wit commencing at the north east corner thereof which is a point on the north line of section twenty two in township two south of range 17, two rods east of the north quarter post of said section and running thence South 87° West 91.92 poles to a post, thence South 3° East 40 poles to a post, thence South 87° East 92.08 poles to a post, thence north 3° West 40 poles to the place of beginning containing twenty three acres less or more and upon further view of the premises we are of opinion that said lands cannot be divided without manifest injury to the same and therefore we do estimate the value thereof subject to said down Estate at one thousand dollars, the balance of said lands other than the part in which the said down Estate is assigned is bounded as follows, commencing at the north east corner thereof which is a point on the east boundary line of the west half of said section 40 poles south of the north quarter post of said section & running thence south 87° west 80.08 poles to a post, thence South 3° E. 119.88 poles to a post, thence north 87° East 80.32 poles to a post thence north 3° West 40 poles to the place of beginning containing 60.11 acres less or more.
Given under our hands this 22nd day of March A.D. 1842

William Fitzsimmons
Samuel Myers } Commissioners
George Sauck }

And afterwards to wit at the April Term of our said Court A.D. 1842 On motion to the Court by Mr Adams Counsel for the petitioner and upon producing the proceedings of the Sheriff and the report and proceedings of the Commissioners heretofore appointed and the same being examined it is ordered that said proceedings and report be and the same are hereby approved and confirmed and thereupon neither of the parties electing to take said Estate at the valuation thereof as returned by said Commissioners on motion of the petitioner It is ordered that said Estate subject to the down Estate therein of Mary Whelstone heretofore assigned to Jacob Whelstone be sold at public Auction by the Sheriff of said County of Crawford according to the Statute in such case made and provided - and this cause is continued And thereupon on the 20th day of May A.D. 1842 an Order of Sale issued from the Clerks Office of said Court which be as in the words and figures following to wit: The State of Ohio, Crawford County, W. To the Sheriff of said County Greeting - Whereas at the April Term of the Court of Common Pleas of said County to wit on the 12th day of April A.D. 1842 the following order was made by said Court to wit:

John Sliper Guardian of Petition for Partition
 Susan Whelstone -

On motion to the Court by Mr Adams Counsel for the petitioner and upon producing the proceedings of the Sheriff and the report and proceedings of the Commissioners heretofore appointed and the same being examined It is ordered that said proceedings and report be and the same are hereby approved and confirmed and thereupon neither of the parties electing to take said Estate at the valuation thereof as returned by said Commissioners on motion of the petitioner - It is ordered that said Estate subject to the down Estate therein of Mary Whelstone heretofore assigned to Jacob Whelstone be sold at public Auction by the Sheriff of said County of Crawford according to the Statute in such case made and provided, and this cause is continued - "as appears to us of Record" You are therefore hereby commanded that you proceed according to law to sell the following real Estate subject to the down Estate aforesaid - to wit: "The east half of the north west quarter of section twenty two in township two south of range seven teen (17) situate in said County and containing eighty acres be the same less or more; And also a part of the north east quarter of said section twenty two (22) containing three acres or being forty rods from north to south and twelve rods from east to west and situate in the north west corner of said north east quarter - And have the money arising from such sale before our said Court on the first day of their next Term - And have you on then show this writ together with your proceedings in the premises Witness Mary B. Samwell Clerk of said Court at the Court House in Baynes in Crawford County this 20th day of May A.D. 1842

J. B. Samwell Clerk

And afterwards to wit at the July Term of our said Court A.D. 1842, the Sheriff to whom the foregoing writ was directed and delivered made the following return thereof to wit: "In obedience to the command of the writ on the fourth day of July A.D. 1842 between the hours of 10 o'clock A.M. & 4 o'clock P.M. of said day at the door of the Court House in Baynes in Crawford

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County Ohio offered the above described premises for sale by public proclamation & outcry & then and there sold the same to Jacob Whetstone for the sum of six hundred & sixty seven dollars that sum being more than two thirds the appraised value of said premises and the said Jacob Whetstone being the highest & best bidder therefor having previously given notice of said time and place of sale by publishing an advertisement a copy of which is hereto attached and made a part of this return for more than thirty days & four weeks successively in the Democratic Republican weekly newspaper printed published and in general circulation in the said County of Crawford James S. Knapp Sheriff of the State of Ohio Crawford County, ss Thomas J. Orr of lawful age makes oath & says that a notice a copy of which is hereto attached was published more than 30 days and four weeks successively previous to the 4 July 1842 in the Democratic Republican a weekly newspaper printed published and in general circulation in the said County of Crawford (Printer fees \$2.00)

Thomas J. Orr

Subscribed and sworn to before me this

7th July 1842 J. L. Steen, J.P. fees 12 1/2

Sheriff's Sale,

By virtue of an order of sale to me directed from the Court of Common Pleas of Crawford County, Ohio, I shall on the 4th day of July A. D. 1842 between the hours of 10 o'clock A.M. and 4 o'clock P.M. of said day, at the door of the Court House in said County offer for sale by public proclamation and outcry the following real Estate, to wit: the east half of the north west quarter of section twenty two (22) in township two (2) South of range seventeen (17) situate in said County and containing eighty acres less or more, and also a part of the north east quarter of said section twenty two (22) containing three acres thirty four rods from north to south and twelve rods from east to west and situate in the north west corner of said north east quarter, subject to the Dower Estate therein of Mary Whetstone heretofore assigned to Jacob Whetstone, said real Estate will be sold as belonging to the Estate of Peter Whetstone late of said County deceased, May 30, 1841

James S. Kearney Sheriff of said County

And now to wit, at a Court of Common Pleas begun and held at the Court House in the town of Bucyrus within and for our said County of Crawford, by and before the Honorable Cyrus Brown President Judge and the Honorable Nathaniel Welch Samuel Smith and Andrew Hailer Associate Judges of the same Court on Monday the 28th day of July in the year of our Lord one thousand eight hundred and forty two - On motion to the Court by Mr. Adams Counsel for the petitioners, and upon producing the proceedings of the Sheriff and the sale by him made in pursuance of a former order of this Court and the same being examined, It is ordered that said proceedings be and the same are hereby approved and confirmed and thereupon it appearing that the consideration money of said Estate has been paid by said purchaser into the hands of the Sheriff it is ordered that the Sheriff execute and deliver to the said purchaser a deed in fee simple for said Estate. And it is further ordered that out of the said consideration money the said Sheriff pay the cost and expenses of this suit amounting to seventy eight dollars and seventy cents a part of which is the sum of twenty five dollars allowed to Franklin Adams for his professional services rendered in this suit and that he distribute the residue thereof between the said parties in the following proportions to wit

To Jacob Whetstone	\$ 321.91	
" The Guardian of Susanna Whetstone	91.57	
" John Whetstone	91.57	
" John Bash	5.56	
" Mary Bash	5.56	
" Peter Bash	5.56	
" Barbara Bash	5.56	
" Jacob Bash	5.56	
" Susanna Bash	5.56	
" Samuel Bash	5.56	
" Mary Messer	11.12	
" Peter Messer	11.11	
& Jacob Messer	11.11	
" Eleanor Messer	11.11	\$ 588.30

At a Court of Common Pleas, begun and held at the Court House, in the Town of Bucyrus, within and for the County of Crawford, in the State of Ohio, on Monday the ninth day of November in the year of our Lord, one thousand eight hundred, and forty, Present, The Honorable Oyas Bowen, President, and Hugh Welch, Samuel Knusel, and Andrew Hailor, Esquires, Associate Judges, and James S. Harper Sheriff, and J. Rowse Clerk of said Court.