



CRIMINAL
RECORD

BEAS CORP

BOOK
A.

PROBATE
COURT
UNION CO





Wade vs Gray 1

" vs Hudsons 3

" vs Sherman 5

Scott vs Southwick 8

Wade vs M'Hardy 12

" " Flowers 13

" vs Gibson 16

" vs Britton 20

A. J. Scott & Wife in
behalf of Sarah Depp
vs

Stephens Depp
Habeas Corpus

Probate Court continued and held at the
office of the Probate Judge at Mansville within
and for the County of Union and State of Ohio
before Thomas Brown Probate Judge within and
for said County and State on the second day of
May in the Year of our Lord Eighteen hundred
and fifty four. Be it remembered that heretofore to wit on the four
teenth day of April in the year above written Andrew J. Scott and Charlotte
Scott his wife made application for a Writ of Habeas Corpus upon
Sarah Depp to wit Do the Probate Judge within and for the County of
Union & State of Ohio Andrew J. Scott and Charlotte Scott his wife of
Union County Ohio Respectfully represent that the said Charlotte Scott
is the mother of one Sarah Depp a minor child aged ten years, that
said Child is detained by Stephen Depp of said County without any legal
authority. They therefore ask that a writ of Habeas Corpus be issued to
said Stephen Depp and that said Child (Sarah Depp) may be thereupon
discharged from said detention. By Coats & Foster Attys

The above named Andrew J. Scott and Charlotte Scott being sworn
say that the matter and things set forth in the foregoing application
are true. Andrew J. Scott Charlotte Scott
Sworn to and subscribed before me this 14th day of April A.D. 1854
Thos Brown J.

And afterwards to wit on the seventeenth day of April in the year
above written the following Writ of Habeas Corpus was issued from this
Court to wit. The State of Ohio Union County ss. Do the Sheriff of said
County Greeting. I Command you that the body of Sarah Depp a minor
Child aged ten years by Stephen Depp of the said County imprisoned
and restrained of her liberty as it is said you take and have before
the Probate Court within and for the said County of Union forthwith to
do and receive what said Court shall then and there consider concern
ing her in this behalf and summon the said Stephen Depp then
and there to appear before said Court to show Cause of the tak
ing and detention of the said Sarah Depp and have you then these
this writ and your dwings thereon. Witness Thos Brown Judge of
said Court at Mansville this 17th day of April A.D. 1854
Thos Brown J. U.C.

And afterwards to wit on the 18th day of April in the year above written said
writ was returned endorsed as follows: Received this writ April 17th 1854
served the same by bringing the body of said Sarah Depp before the Probate
Court of Union County as by said writ is commanded & also summoned the
said Stephen Depp to appear before said Court to show the Cause of taking &
detention by him of said Sarah Depp as within Commanded. Fees Milage 1.00
Service 1.00 Attendance at Court 50 Return 10 = \$2.60 William C. Malin Sheriff
by Levi Anderson Deputy. And afterwards to wit on the day and year
last above written William C. Malin Sheriff of said County (by Levi
Anderson his deputy), to whom a writ of Habeas Corpus was
issued on yesterday in said Cause appeared in open Court having

with him the body of the said Sarah Depp together with said writ served upon the said Stephen Depp who does not appear on account of sickness it is said, whereupon by consent of parties this Cause is continued to the second day of the May Term of this Court; and it is ordered that the said Sheriff safely keep the said Sarah Depp to that time, And afterwards to wit on the second day of May in the year above written came the parties herein by their Attorneys and the said William C. Malin to whom was committed the Custody of the said Sarah Depp on the eighteenth day of April last having her body before this Court and the said Stephen Depp made known to the Court the day and Cause of the Caption and detention of the said Sarah Depp as by said writ he was commanded as follows to wit Stephen Depp now comes and states by way of showing Cause in answer to the writ of Habeas Corpus for detaining the person of Sarah Depp comes and states, first, that he had the said Sarah in his possession by ~~the~~ authority of the mother of the same given some eleven years since and has ever since supported and taken care of her, and that he has not restrained her but kept her with her own free and consent secondly, that the said Sarah was held as above stated by said Stephen, that she was taken by said Depp when she was an infant at the urgent request of her Mother, the Mother having no means of taking care of her, said Depp further says that he has been to great expense in raising and taking care of said Sarah during her infancy & childhood and that he thinks himself entitled to keep her till she comes of age as her Mother agreed to let him Stephen Depp being duly sworn says that the statements made in the above are true in substance and in fact, sworn to and subscribed before me May 2, 1854. Thos Brown J. And thereupon the Cause came on to be heard and Plaintiff's attorney offered said Charlotte Scott who is the Mother of the said Sarah Depp as a witness and said Charlotte was sworn and partially examined when on motion of Counsel for defendant her testimony was excluded, she being the wife of the said Andrew Scott; and thereupon the further allegations of the ^{of the parties being heard} it appeared to the Court that the said Sarah Depp (being a bastard child) was given in infancy to the said Stephen Depp by the said Charlotte Scott then Charlotte Depp and daughter of the said Stephen, that said Depp has maintained and supported the said Sarah for near ten years with the acquiescence of her said mother until recently to ^{wit} within the last eighteen months past, and that it is the choice of the said Sarah Depp to remain with the said Stephen, therefore it is considered by the Court that the said Sarah is lawfully detained by the said Stephen Depp and that she be remanded to the custody of the said Stephen Depp and that he go hence without day at the costs of the said Plaintiff taxed to ^{allow and an cent. judgment} Thos Brown J.

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The State of Ohio } Be it remembered that in the Probate Court
Do } held at the Court House in the Town of Marys-
Vincent Gray } ville within and for the County of Union and
} State of Ohio, on the seventeenth day of April in
the year of our Lord one thousand eight hundred and Fifty two
Thomas Brown Judge of the Peace to wit on the 22nd day of Decem-
ber 1857 the defendant Vincent Gray was committed to the
jail of this County by virtue of the following Writtings: The
State of Ohio Union County ss. To the Keeper of the jail of
the County aforesaid; Whereas Vincent Gray late of the County
has been arrested on the oath of Daniel W. Price that there was sold
in or taken from the stable of Daniel W. Price one Bay mare and
this deponent saith that Vincent Gray is guilty of the fact charged
and has been examined by me, Wm. Owen one of the Justices
of the Peace in and for said County on such charge and requi-
red to give bail in the sum of five hundred dollars for his ap-
pearance before the Court of Common Pleas of said County
on the first day of next term thereof which requirement he
has failed to comply with. Therefore, in the name of the State
of Ohio I Command you to receive the said Vincent Gray into your
Custody in the jail of the County aforesaid there to remain until he
shall be discharged by the due course of law, given under my
hand and seal this 22nd day of Dec 1857 Wm Owen J^{of the Peace}
I certify that the above is a full and true copy of the original writ-
tings by the authority of which I delivered the above named
Vincent Gray to the jailer of said County dated this 22nd day of Dec
A D 1857 Robert Gamble Constable And afterwards to wit: On 17th day
of April A. D. 1852 The said Vincent Gray directed to the Judge
of said Court of Probate his application that he might be dis-
charged from imprisonment in said jail on a writ of
Habeas Corpus Whereupon a writ of Habeas Corpus was is-
sued from said Court directed to the Sheriff of said County
as follows To wit: The State of Ohio Union County ss
To the Sheriff of said County Greeting; I Command you that
the body of Vincent Gray in your custody detained as it is said
together with the day and cause of his capture and detention
by what so ever name the said Vincent Gray may be known
or called you safely have before the Probate Court within and for
the said County of Union, forthwith to do and receive all and sin-
gular those things which the said Court shall then and there
consider of him in this behalf; and have you then and there
this writ Witness Thomas Brown Judge of said Court of Prob-
ate at Marysville this 17th day of April A D 1852 Tho Brown Judge
Probate Court U.C. and afterwards, to wit on the day and year
last above written the Sheriff aforesaid made return of the
said writ of Habeas Corpus as follow to wit: The State of Ohio
Union County ss I hereby certify to the within named Thomas

Brown Judge of the Probate Court of the County of Union and State of Ohio that the within named Vincent Gray in the within writ ~~named~~ ^{named} was taken on the 22nd day of December A.D. 1851 and is now detained in the jail in and for the County of Union under my custody by virtue of a certain writtens from Warrick Owen a Justice of the Peace within and for the County of Union aforesaid to me directed to a Copy of which said writ follows in these words (see last Page) and this is the true and whole cause of taking and imprisoning the said Vincent Gray whose body I have ready as by said writ I am Commanaded April 17th 1852 William C. Malin Sheriff and afterwards to wit on the 17th day of April A.D. 1852 The said Vincent Gray entered into the following recognizance of Bail with John Gray and Vilas Bell as his sureties; to wit: The State of Ohio Union County as Be it remembered that on this 17th day of April in the year of our Lord one thousand eight hundred and fifty two personally came before me Thomas Brown Probate Judge of the County of Union and State of Ohio Vincent Gray, John Gray and Vilas Bell and severally acknowledged themselves to owe the State of Ohio the sum of One hundred and fifty Dollars, each, to be levied of their goods and Chattels, lands and tenements, if default be made in the Condition following to wit; The Condition of this recognizance is such that whereas the above bound Vincent Gray has been arrested on the oath of David W. Price charged with stealing or taking from the stable of said David W. Price one bay mare and committed to the jail to await his trial on said Charge and whereas said Vincent Gray was this day brought before me Thomas Brown Probate Judge as aforesaid on a writ of Habeas Corpus and examined concerning said Charge and admitted to bail in the sum of one hundred and fifty dollars Conditioned for his appearance before the Court of Common Pleas of the County aforesaid on the first day of the next term thereof. Now, therefore if the said Vincent Gray so arrested as aforesaid shall personally appear before the Judge of the Court of Common Pleas of the County last aforesaid on the first day of the next term thereof then and there to plead to any indictment that may be presented against him in said Court on said Charge and abide the judgment of the Court thereon and not depart the Court without leave then this recognizance shall be void and of no effect, otherwise to be and remain in full force and virtue in law Vincent ^{his} Gray ^{his} John Gray ^{his} Vilas Bell ^{his} Taken, signed, sealed and acknowledged before me this 17th day of April A.D. 1852 Thos Brown Judge Probate Court Union Co Whereupon the Sheriff aforesaid was Commanaded to discharge the said Vincent Gray from his Custody

Attest Thos Brown, Judge

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The State of Ohio
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 George W. Price
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The State of Ohio } Be it remembered that in the Probate Court
 To } held at the Court House in the Town of Marysville
 Jacob Hudson } within and for the County of Union
 George Brown } and State of Ohio on the Fifth day of May
 Samuel Hudson } in the year of our Lord one thousand eight
 Hundred and Fifty Two, Thomas Brown, Judge
 Heretofore to wit: on the 4th day of May 1852 the defendants Jacob Hudson
 son, George Brown and Samuel Hudson were committed to the jail
 of this County by virtue of the following mittimus to wit. The State of
 Ohio Union County ss. To the Keeper of the Jail of the County aforesaid
 said Greeting: Whereas Complaint has been made before me one of the
 Justice of the Peace in and for said County of Union by one Lorenzo
 Peleford of Union County on oath that he has just Cause to fear
 and does fear that Jacob Hudson, George Brown and Samuel
 Hudson late of the County of Union will beat wound or kill
 him or will commit some other act of personal violence upon him
 or will maliciously injure his property, and whereas I exam-
 ined into the truth of said Complaint and was of opinion that
 there was just cause therefor and thereupon ordered the said Jacob
 Hudson George Brown and Samuel Hudson to enter into recognizance
 with security as the law directs which they have refused to
 do. Therefore in the name of the State of Ohio I hereby Com-
 mand you to receive the said Jacob Hudson George Brown and
 Samuel Hudson into your custody in the Jail of the County aforesaid
 said there to remain until discharged by due course of law.
 Given under my hand and seal this 4th day of May AD 1852
 Wm. G. Young J. P. Seal And afterwards to wit on the day and year
 last above written the said Jacob Hudson George Brown and Sam-
 uel Hudson directed to the Judge of the said Court of Probate
 their application that they might be discharged from confine-
 ment in said Jail on a writ of Habeas Corpus, Whereupon on
 the day and year first above written a writ of Habeas Corpus
 was issued from the Court directed to the Sheriff of said County
 as follows: The State of Ohio Union County ss. To the Sheriff of Uni-
 on County Greeting: We command you that the bodies of Jacob Hud-
 son George Brown and Samuel Hudson in your custody de-
 tained as it is said together with the day and Cause of their
 Caption and detention you safely have before me Thomas Brown
 Probate Judge in and for the County of Union and State of Ohio
 forthwith to do and receive all and singular the things which
 the said Thomas Brown Judge as aforesaid may consider of them
 shall then and there consider of them in this behalf; and have you
 then and there this writ Witness Thomas Brown Probate Judge
 of the County of Union and State of Ohio at Marysville this 5th
 day of May 1852. Tho. Brown Judge Probate Court. And after-
 wards to wit on the day and year last above written the Sheriff aforesaid
 said made return of the said writ of Habeas Corpus endorsed as

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follows to wit: The above William C Malin Sheriff certifies to the above Thomas Brown Judge of the Probate Court that the above named Jacob Hudson George Brown and Samuel Hudson was taken into the custody of the said William C Malin Sheriff as aforesaid on the 5th day of May AD 1852 and is now detained in his custody by virtue of the following mittimus from G. M. Ewing a Justice of the Peace of the County of Union aforesaid. the tenor of which mittimus follows — See above — and this is the cause of the taking and detention of the aforesaid Jacob Hudson George Brown and Samuel Hudson under my custody. Yet the bodies of them the said Jacob Hudson George Brown and Samuel Hudson I have before you as this writ requires William C Malin Sheriff. And afterwards to wit: on the day last aforesaid the said Jacob Hudson George Brown and Samuel Hudson entered in to recognizance for their appearance before the Judge of the Court of Common Pleas of this County on the first day of the next term thereof with Richard Hudson as their security as follows. The State of Ohio Union County ss. Be it remembered that on the fifth day of May in the year of our Lord one thousand eight hundred and fifty two personally came before me Thomas Brown Probate Judge of the County of Union and State of Ohio, Jacob Hudson George Brown Samuel Hudson and Richard Hudson and severally acknowledged themselves to owe the State of Ohio the sum of one hundred and fifty Dollars, each, to be levied of their Goods and Chattels lands and tenements, if default be made in the condition following, to wit: The Condition of this recognizance is such that whereas the above bounden Jacob Hudson, George Brown and Samuel Hudson have been examined by G. M. Ewing a Justice of the Peace in and for the County of Union and State of Ohio, on the complaint of Lorenzo Belford that he had just cause to fear and did fear that said Jacob Hudson George Brown and Samuel Hudson would beat wound or kill him or would commit some other act of personal violence upon him or would maliciously injure his property and in default of bail committed to the Jail of said County of Union on said Complaint and whereas the said Jacob Hudson, George Brown and Samuel Hudson have been brought before me Thomas Brown Judge as aforesaid on a writ of Habeas Corpus and examined concerning said Commitment and admitted to bail in the sum of one hundred and fifty Dollars conditioned for their appearance before the Court of Common Pleas of said County of Union on the first day of the next term to answer said Charge Now therefore if the said Jacob Hudson George Brown and Samuel Hudson so committed as aforesaid shall personally appear before the Court of Common Pleas of the County aforesaid on the first day of the next term thereof them and there to plead to or answer said Complaint and abide the order of the Court thereon and not depart without leave and in the mean time to keep the Peace and be of good behavior towards the

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 in full force and virtue in law - ^{his} Jacob Hudson ^{seal}
 George H Brown ^{seal} Samuel ^{mark} Hudson ^{seal} Richard ^{mark} Hudson
 signed sealed and acknowledged before me this 5th
 10th day of May 1852 Thomas Brown P. J.

The State of Ohio Probate Court held at the Court house in the
 town of Marysville within and for the County
 of Union and state of Ohio before Thomas Brown
 John C Sherman } Probate Judge within and for the County and
 State aforesaid on the 10th day of July 1852
 Be it remembered that on this day to wit on the 10th day
 of July 1852 John C Sherman who was heretofore to wit
 on the 19th day of June 1852 admitted to the jail of said
 county by virtue of a certain mittimus issued by J B Dort
 Esqr was brought before said Court by virtue of a certain
 writ of Habeas Corpus hereupon issued which writ reads as
 follows, to wit: The State of Ohio Union County ss. - To William
 C Malin, Sheriff of said County Greeting, I command
 you that the body of John Sherman in your custody detain
 ed as it is said together with the day and cause of his cap-
 tion and detention by whatsoever name the said John
 Sherman may be known or called you safely have before
 the Probate Court within and for said County of Union forth
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The State of Ohio } Probate Court held at the Court
 house in the town of Marysville
 within and for the County of Union
 and State of Ohio, before Thomas
 John C Sherman } Brown Probate Judge within and
 for the County and state aforesaid
 on the 6th day of July 1852, Be it remembered that
 the said John Sherman made to said Court the following
 application for a writ of Habeas Corpus, to wit: The State
 of Ohio Union County ss. - To Thomas Brown Probate
 Judge of Union County - John Sherman of the County of
 Union aforesaid respectfully represents that he is im-
 prisoned by William C Malin jailer in said County
 and said imprisonment is without any legal authority

under color of a extended commitment which does not state the cause of commitment nor show substantially a criminal matter of which a true copy is herewith annexed. The said Sherman therefore prays that a Habeas corpus may be issued to the said William C Malin and that he may be discharged from his said imprisonment - July 3rd 1832 John Sherman by J B Doughty Cole & Porter his attorneys and that afterwards to wit on the ^{10th} day of July AD 1832 the following writ of Habeas Corpus was issued to the said William C Malin commanding him to bring before said Court the body of the said John Sherman to wit

The State of Ohio Union County ss To William C Malin Jailer in said County Greeting - I command you that the body of John Sherman in your custody detained as it is said by whatsoever together with the day and cause of his caption and detention by whatsoever name the said John Sherman may be known or called you safely have before the Probate Court within and for said County ^{of Union} forthwith to do and receive all and singular those things which the said Court shall then there and there consider of him in this behalf; and have you then there this writ - Witness Thomas Brown Judge of said Probate Court at Marysville this 6th day of July AD 1832

Thomas Brown P. J. - And afterwards to wit on the said 6th day of July 1832 the said William C Malin produced before the Court the body of the said Sherman together with the said and made return as follows, to wit: To Thomas Brown Judge of the Probate Court. I hereby certify that before the coming of this writ to me directed, John Sherman in this writ named was committed into my custody by a certain mittimus from James B Dost a Justice of the Peace within and for ~~said~~ ^{the} County of Union aforesaid the tenor of which said mittimus follows

The State of Ohio Union County ss - To the Keeper of the Jail of the County aforesaid Greeting; Whereas John Sherman late of the County aforesaid has been arrested on the oath of J B Woodburn for the crime of forgery and has been examined by me James B Dost one of the Justices of the Peace in and for said County on such charge and required to give bail in the sum of two hundred and fifty dollars for his appearance before the Court of Common Pleas of said County on the first day of the next term thereof, which requisition he failed to comply with, therefore in the name of the state of Ohio, I command you to receive the said John Sherman into your custody in the Jail

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of the County aforesaid there to remain until he be discharged by due course of law. This 19th day of June A D 1832 James B Dorr J P ^{Great} I certify the above to be a true copy of the original mittimus Henry Coughler Const and this is the cause of the taking and detention of the aforesaid John Sherman under my custody, but the body of him the said John Sherman is before you as this writ requires - Fees Service 100 attending said Prisoner to Court 50 Commit and discharging from prison 100 Sustaining prisoner in jail twenty one days at 25 cents per day 5.25 = \$2.75 July 10th 1832 William C Malin Sheriff And on said day the proofs and allegations being heard by the Court and it appearing to the Court that the said John Sherman is lawfully detained under the custody of the custody of the said William C Malin it is ordered that the said William C Malin return the said John Sherman to the jail of said County under safe and sure conduct and that this Cause be adjourned until Saturday next that the said John Sherman may be enabled to procure bail for his appearance at the next term of the Court of the Court of Common Pleas of said County of Union And afterwards to wit on the 10th day of July aforesaid the said John Sherman was again brought before the Court and having entered into recognizance in the sum of one hundred and fifty dollars J. H. Vaid and J C Thompson as his sureties as follows to wit (The State of Ohio Union County ss. Be it remembered that on the tenth day of July in the year of our Lord one thousand eight hundred and fifty two personally came before me Thomas Brown judge of the Probate Court within and for the County of Union aforesaid said John C Sherman Holly Vaid and James Thompson and severally acknowledged themselves to owe the State of Ohio the sum of one hundred and fifty dollars each, to be levied of their goods and chattels, lands and tenements if default be made in the condition following, to wit: The condition of this recognizance is such that whereas the above bounden John C Sherman has been arrested upon the charge of forgery on the oath of Samuel Woodburn before James B Dorr, a justice of the peace of said county and committed to the jail of said County of Union upon a certain mittimus issued by said justice to await his trial before the Court of Common Pleas of said County on said charge and whereas the said John C Sherman has this day been brought before me, Thomas Brown judge as aforesaid upon a writ of Habeas Corpus and admitted to bail in the above sum of one hundred ~~and~~ and fifty dollars conditioned for his appearance on the first day of the next term of the Court of Common Pleas for said County. Now if the said John C Sherman so ad-

mitted shall appear before the court of Common Pleas of the county aforesaid on the first day of the next term thereof and there and there plead to or answer said charge or any indictment that may be preferred against him on said charge and abide the judgment of the said Court thereon and not depart the Court without leave. Then this recognizance shall be void and of no effect otherwise to be and remain in full force and virtue in law. John C Sherman [Seal]

J. H. Said [Seal] J. C. Thompson [Seal] Signed Sealed and acknowledged before me this tenth day of July A. D. 1852

Thos Brown Prob. Judge

Whereupon it was ordered by the Court that that be the said John C Sherman be discharged from the custody of the said William C Malin and that he go hence

Witness Thos Brown

Charles Scott
vs

Application for Habeas Corpus

Heleen Southwick

Probate Court continued and held in the town of Marysville within and for the County of Union and state of Ohio before Thomas Brown Probate Judge within and for said County and State on the sixth day of August in the year of our Lord one thousand eight hundred and fifty three

Be it remembered that heretofore to wit on the twentieth day of July in the year of our Lord one thousand eight hundred and fifty three Charles Scott by his attorney J. B. Coats filed herein the following application for a writ of Habeas Corpus to wit: To the Honorable Thomas Brown Probate Judge of the County of Union and state of Ohio: Charles Scott of the County of Union and state of Ohio respectfully represents that he is imprisoned by William C Malin without any legal authority, under color of a certain pretended commitment of which the following is a true copy: The State of Ohio Union County ss: To the Keeper of the jail of the county of aforesaid greeting. Whereas Charles Scott has been arrested and brought me Jared O Jewett a Justice of the Peace in and for said County by warrant issued by me on complaint of Heleen Southwick of bastardy made against him by Heleen Southwick an unmarried woman and resident of said County the said Heleen Southwick examined in presence of Charles Scott and such proceedings had that said Charles

Scott was in the second term of the said accusand you Charles Scott there to remain under my

The said writ may be the

And after of our Lord following o Scott by eas Corpus to have the day and forthwith ing writ Ohio Union No come today detain his captio Court was to do and Court shall have you Judge of sa

Which was as follows to me directed into et a justice said the Union County Greeting before me County by against him of said County proceeding enter into dred dolla

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amined in pres
that said Charles

Scott was ordered by me to enter into recognizance with security in the sum of Five hundred dollars for his appearance at the next term of the Court of Common Pleas of said County to answer said accusation &c which he hath neglected to do. Therefore I command you in the name of the State of Ohio to receive said Charles Scott into your custody in the jail of the County aforesaid there to remain until discharged by due course of law. Given under my hand and seal this 2nd day of July A.D. 1853

Jared O Jewett J.P. [Seal]

The said Charles Scott therefore prays a writ of Habeas Corpus may be issued to the said William C. Malin and that he may be thereupon discharged from his said imprisonment

John B Coats Atty for Petitioner.

And afterwards to wit on sixth day of August in the year of our Lord one thousand eight hundred and fifty three the following order was made by the Court to wit: On application of Charles Scott by J B Coats his attorney it is ordered that a writ of Habeas Corpus issue to the Sheriff of said County commanding him to have the body of the said Charles Scott together with the day and cause of his capture and detention before this Court forthwith. Whereupon on the day last above written the following writ was issued from said Court to wit. The State of Ohio Union County J. - To the Sheriff of Union County Greeting We command you that the body of Charles Scott in your custody detained as it is said together with the day and cause of his capture and detention you safely have before the Probate Court within and for said County at the office thereof forthwith to do and receive all and singular those things which said Court shall then and there consider of him in this behalf and have you then there this writ Witness Thomas Brown Judge of said Court at Marysville this 6th day of August A.D. 1853

[Seal] Thomas Brown P.J.

Which writ was returned on the day last aforesaid endorsed as follows to wit: I certify that before the coming of this writ to me directed Charles Scott in this writ named, was committed into my custody by a certain mittimus from Jared O Jewett a Justice of the Peace within and for the County Union aforesaid the tenor of which mittimus follows. The State of Ohio Union County J. To the Keeper of the Jail of the County aforesaid Greeting Whereas Charles Scott has been arrested and brought before me Jared O Jewett a Justice of the Peace in and for said County by Warrant issued by me on a complaint of bastardy made against him by Helen Southwick an unmarried woman and resident of said County. The said Helen Southwick examined by me and such proceedings had that said Charles Scott was ordered by me to enter into recognizance with security in the sum of Five hundred dollars for his appearance at the next term of the Court

of Common Pleas of said County to answer said accusation in which he hath ~~refused~~ neglected to do. Therefore I command you in the name of the state of Ohio to receive said Charles Scott into your custody in the County Jail of the County aforesaid there to remain in until discharged by due course of law. Given under my hand and seal this the 22^d day of July A.D. 1853 Jared C Jewett J.P. (Seal)

I certify that the above is a full and true copy of the original writ issued and given to me by Jared C Jewett J.P. and by virtue of which I commit the above named Charles Scott into your the custody of the jailer of Union County Ohio

July 22^d 1853 John M Combs Constable

And this is the cause of the taking and detention of the aforesaid Charles Scott under my custody: Get the body of him the said Charles Scott I have before you as this writ requires

August 6th 1853. Fees Service 100 Return, 30. \$1.30

W.C. Malin Sheriff

And afterwards, to wit: on the said 6th day of August 1853 the said Charles Scott entered into the following recognizance to wit: The state of Ohio Union County fs. Be it remembered that on the 6th day of August in the year of our Lord one thousand eight hundred and fifty three Charles Scott Abigail Gandy Stewart McIntire James McMaster and Alfred Scott personally appeared before me Thomas Brown Probate Judge in and for the county of Union and state of Ohio and jointly and severally acknowledged themselves to owe the state of Ohio the sum of five hundred dollars to be levied of their goods and chattels lands and tenements if default be made in the condition following to wit:

The condition of this recognizance is such that if the above bound Charles Scott shall personally appear before the Court of Common Pleas on the first day of the next term thereof next to be holden in and for the county aforesaid, and then and there to answer to the charge and complaint of bastardy and abide the decision judgment of the Court and not depart the Court without leave then this recognizance shall be void otherwise it shall be and remain in full force and virtue in law

Charles Scott (Seal) Abigail Gandy (Seal) Stewart (Seal) McIntire (Seal) James McMaster (Seal) & Alfred Scott (Seal)

Taken and acknowledged before me on the day and year first above written Tho Brown P.J.

And afterwards to wit on the day last above written the following orders and entries were made: to wit. further in the matter of Charles Scott: This day William C Malin to whom a writ of Habeas Corpus was this day issued upon the application of Charles Scott of said County appeared in open Court having with him the body of the said Charles Scott together with said writ and the day and cause of his capture and detention as by said

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writ is commanded and thereupon the proofs and allegations of the par
 ties being heard and fully understood and it appearing to the
 Court that the said Charles Scott be held to bail in the sum
 of five hundred dollars with good and sufficient sureties
 is legally detained under the custody of the said William C
 Malin. Therefore it is ordered that the said Charles Scott
 be held to bail in the sum of five hundred dollars with good
 and sufficient sureties conditioned according to law.
 And thereupon the said Charles Scott entered into recog
 nizance of Bail for his appearance at the next term of
 the Court of Common Pleas for said County with Elizabeth
 Gandy Newart McIntire James McMaster and A. J. Scott
 as sureties. [Bond Above] Whereupon it is ordered
 that he be discharged from said Custody and afterwards
 to wit on the day last above written the following writ
 was directed to the said Sheriff to wit: (The State of Ohio
 Union County ss - To the Sheriff of said County greeting:
 You are hereby commanded to discharge from your custody
 in the jail of said County the body of Charles Scott, the
 said Charles having been before this Court upon a writ
 of Habeas Corpus and entered into recognizance with
 sufficient security for his appearance at the next term
 of the Court of Common Pleas for said County. And of
 this writ make due return. Witness Thomas Brown
 Judge of the Probate Court within and for said County
 at Marysville this 6th day of August A. D. 1853
 [Seal] Tho^s Brown J. P.
 which writ was on the same day returned endorsed as fo
 lows to wit: I have released the body of the within name
 named Charles Scott from the jail of this County. August
 6th 1853 - Fees mileage & service 35 Return 3^d Committing
 and discharging from Prison 100 - \$145 William C Malin Sheriff

 Attest Tho^s Brown J. P.

Probate Court continued and held at the office thereof at Marysville within and for the County of Union and State of Ohio before Thomas Brown Probate Judge within said County and State on the third day of October in the year of our Lord one thousand eight hundred and fifty three.

The State of Ohio }
vs } Pettit Larceny
James M. Curdy }

Be it remembered that heretofore to wit on the first day of October in the year above written James W. Robinson Prosecuting Attorney within and for said County filed in said Court the following information to wit The State of Ohio Union County } Probate Court. James W. Robinson Prosecuting Attorney of said County comes unto said Court and informs upon James M. Curdy and says that on or about the thirteenth day of September in the year eighteen hundred and fifty three at the County of Union aforesaid the said James M. Curdy did feloniously ^{take} steal ~~take~~ and carry away one half a cord of fire wood of the property of Nathan McWilliams of the value of fifty cents in money contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of Ohio James W. Robinson Prosecuting Attorney. The State of Ohio Union County ss. The said Nathan McWilliams being duly sworn says the matters and things set forth in the above information are true. Nathan McWilliams. Sworn to and subscribed before me this 1st day of October A.D. 1853 Thos Brown P. J. And afterwards to wit on the third day of October in the year above written the following warrant was issued from said Court to wit: The State of Ohio Union County ss. To the Sheriff of said county Greeting: Whereas complaint has been made under oath before me that James M. Curdy on the 13th day of September A.D. 1853 stole one half a cord of wood of the property of Nathan McWilliams. You are therefore commanded to take the said James M. Curdy and him forthwith to have before me at my office in Marysville to answer unto said charge; and have you then and there this writ given under my hand and official seal at my office in Marysville this 3^d day of October A.D. 1853
Thos Brown P. J.

Seal

Which writ was returned on the said 3rd day

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of October in the year aforesaid endorsed as follows to wit
 Received this writ Oct 30 1853 I have taken the body of
 the within named James McCurdy, whose body I have
 ready before the Court from which this writ issued,
 October 30 1853 Fees Mileage 5 Sen 35 - Attending prisoner
 at Court 30 Return 5 = \$0.95 - William C. Malin Sheriff
 Whereas the said parties being ready for trial the
 charge in said information, ^{set forth} was read to the said defend
 ant. and the defendant pleads that he is guilty of the
 offence charged against him, wherefore it is consider
 ed by the Court that he make restitution to the said
 Nathan McWilliams to double the value of the property
 stolen and that he pay into the State of Ohio a fine of
 five dollars and the costs of this prosecution taxed
 to dollars and cents
 Attest Thos Brown P.J.

The State of Ohio } Probate Court continued and held at
 } the office of the Probate Judge at May
 } ville within and for the County of Union
 vs } and State of Ohio before Thomas
 James Flowers et al } Brown Probate Judge within and for
 } said County on the twenty eighth day of February in the year
 of our Lord one thousand eight hundred and fifty four.
 Be it remembered that heretofore to wit on the first day of
 February in the year above written that the following information and
 Affidavit were filed in said Court to wit; State of Ohio vs Henry
 McBlisk David Dial, James Flowers John McBlisk, In Probate
 Court. (The said Henry McBlisk David Dial James Flowers and John Mc
 Blisk did on or about the first day of February 1852, at the County of
 Union and State of Ohio, unlawfully play at Cards with each other the
 game commonly called seven up for the sum of two dollars in money,
 contrary to the Statutes in such case made and provided and against
 the Peace and dignity of the state of Ohio. J. C. Bought, Prosecuting Atty.
 The State of Ohio, Union County, ss; Personally appeared before me
 Thomas Brown Probate Judge of Union County, Ohio Martin Flowers
 who being duly sworn according to law deposed and said that the
 matter and facts set forth in the above information are true as the
 said affiant verily believes. Martin Flowers
 Sworn to and subscribed before me this 1st day of February A.D.
 1852. Thomas Brown P.J. And afterwards to wit on the day and
 year last above written the following warrant was issued from
 said Court; to wit. The State of Ohio Union County - Whereas
 complaint has been made before me Thomas Brown Probate Judge

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within and for the County aforesaid upon the oath of Martin Flowers that Henry McBlish David Dial James Flowers and John McBlisk late of the County aforesaid did on or about the 1st day of January AD 1834, at the County of Union and State of Ohio, unlawfully play at cards with each other the Game commonly called Seven up for the sum of two dollars in money contrary to the Statute in such case made and provided; These are therefore to Command you to take the said Henry McBlish David Dial James Flowers and John McBlisk if they may be found in your Bailiwicks or if they shall have fled to pursue them to any other County within this state and take and safely keep them so that you have their bodies before the Probate Court of said County on the 1st day of the February Term of said Court thereof it being the 6th day of February Instant to answer to said complaint and be further dealt with according to law.

Witness Thomas Brown Judge of said Court at Maysville this 1st day of February AD 1834. Tho Brown P. J.

And afterwards to wit on the fourth day of February in the year above written Precept being filed therefor the following Subpoena was issued to Martin Flowers therein named "The State of Ohio, To Martin Flowers Greeting, We Command and strictly enjoin you that laying aside all manner of business and excuses whatsoever you be and appear in your proper person before the Probate Court within and for the said County of Union at Maysville on the 6th day of February Instant at 10 o'clock A.M. then and there to testify what you may know in a certain action pending in said Court wherein The State of Ohio is Plaintiff and Henry McBlish et als are Defendants and this do you under the penalty of the law

Witness Thomas Brown Judge of said Court at Maysville this 2nd day of February AD 1834. Tho Brown P. J.

And said writ was on the same day returned endorsed, Served this writ by reading to the within named Martin Flowers Feb 4th 1834, W. C. Malin Sheriff And afterwards to wit on the day and year last above written the following Bonds were filed in this Court by the said Sheriff to wit: The State of Ohio Union County ss. Be it remembered that on the 2nd day of February in the year of our Lord one thousand eight hundred and fifty four personally came before me Levi Anderson Deputy Sheriff of the County of Union David Dial and J. H. DeWine and severally acknowledged themselves to owe the State of Ohio the sum of fifty dollars each to be levied on their goods and chattels, lands and tenements, - if default be made in the conditions following to wit: The Condition of this Recognizance is such that whereas the above bounden David Dial has been arrested by me on a writ of Capias, issued out of the Probate Court in and for the County of Union on a certain complaint presented in the said Court against the said David Dial, for the offence charged in said complaint Now therefore if the said David Dial so arrested as aforesaid shall

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foresaid on the first day of the next term thereof then and there to
plead to the same complaint and abide the judgment of the Court
thereon and not depart the Court without leave, then this recognizance
to be void and of no effect, otherwise to be and remain in full force
and virtue in law - David Dial ^{vs} Henry McBlisk ^{vs} Alexander McBlisk

The State of Ohio Union County ss. Be it remembered that on the
4th day of February in the year of our Lord One thousand Eight hundred
and fifty four personally came before me William C. Malin Sher-
iff of the County of Union Henry McBlisk and Alexander McBlisk
and severally acknowledged themselves to owe the State of Ohio the
sum of fifty dollars each, to be levied on their goods and chattels
lands and tenements, if default be made in the conditions follow-
ing to wit; The Condition of this Recognizance is such, that whereas
the above named Henry McBlisk has been arrested by me on a
writ of Capias issued out of the Probate Court in and for
the County of Union on a certain complaint presented in the
said Court against the said Henry McBlisk, for the offences
charged in the said Complaint. Now, therefore if the said Henry
McBlisk so arrested as aforesaid shall personally appear before the
judge of the Probate Court of the County aforesaid on the first day
of the next term thereof then and there to plead to the same
complaint and abide the judgment of the Court thereon and
not depart the Court without leave then this Recognizance to be
void and of no effect, otherwise to be and remain in full force
and virtue in law Henry McBlisk ^{vs} Alexander McBlisk

Attest William Bancroft, and afterwards to wit on the sixth day
of February, in the year above written W. C. Malin the above named
Sheriff returned into this Court the warrant heretofore issued
therefrom for the arrest of the above named defendants endorsed as
follows; to wit Received this writ February 1st 1854, I have taken the
bodies of the within named Henry McBlisk and David Dial, the
within named James Flowers and John McBlisk not found
here with return the Bail Bond of David Dial and Henry McBlisk, Feb-
ruary 6th 1854, Fees = 4.00, 20 Verora, 50 Bail Bond 100 Return & atten-
dance at Court 30 = \$2.30 William C. Malin Sheriff, and afterwards
to wit on the day last aforesaid the Sheriff having made return
of service upon Henry McBlisk and David Dial and returned James
Flowers and John McBlisk not found; the said Henry McBlisk and the
said David Dial being each arraigned on said charge plead guilty
of the charge against him. Wherefore it is considered by the Court that
they make to the State of Ohio a fine of two dollars each and pay each
his proportion of the costs of this prosecution and this cause is contin-
ued with reference to James Flowers and John McBlisk, and after-
wards, to wit on the day first above written the said James Flow-
ers appeared in Court and upon his paying his proportion of this pros-
ecution J. C. Doughty entered his nolle prosequi on the same Thos. Brown

The State of Ohio Probate Court began and held on the
 seventh day of August and continued and held
 on the eighth day of August in the year of
 our Lord one thousand eight hundred and fifty
 four at the Court house in Marysville within and for the County
 of Union and State of Ohio before Thomas Brown Probate
 Judge within and for said County.

Be it remembered that heretofore to wit on the twentieth
 day of July in the year above written John B. Coats Esq a Justice
 of the Peace in and for said County filed in this Court the fol-
 lowing Transcript & Recognizance to wit: The State of Ohio in
 the Station County ss - July 3^d 1854. This day came John Bassil and
 of Ohio made solemn oath that Seven Gibson is the keeper of a room at his res-
 idence in Paris Township Union County and State of Ohio where in
 Seven Gibson's intoxicating liquors are sold in violation of law. Took his affidavit
 thereof and thereupon issued a warrant against
 Seven Gibson and delivered the same to Abel Marks
 Constable. July 3^d 1854. Subpoena issued at the in-
 stance of the Prosecuting Witness for Elijah Walford.

Costs
 J P Affidavit 25 Henry Byland Charles Langrey C B Giles Henry Walford
 Warrant 25 for Levi Douley Jonah Marks P B Smith B L Haznes
 Subpoenas 110 Charles Fairfield Jerow Wood W Powell Calvin P Robin
 Swainings son Nathan Mc Williams Aaron Mather J J Scott and
 Teen Witnesses 90 Moses Walford. July 3^d 1854. Warrant returned (with
 judgment 25 the body of Defendant endorsed as follows. July 3^d
 Recognizance of 1854. I executed the within writ by bringing the body
 Witnesses 25 of the Defendant into Court Service 25 mileage 10-
 Transcript 85 35 Abel Marks Const. Whereupon the defend-
 ant asked that this cause be continued for trial on
 Costs by Defendant - the 7th day of July 1854 at Newblock A. M. which
 continuance 10 was done, and defendant entered into a recognizance
 Recognizance for ap for his appearance on said day in the sum of one
 hundred and fifty dollars with Elijah Walford
 Recognizance before Const 25 and Henry Byland sureties. July 6th 1854. Subpoenas
 Subpoenas 25 issued at the instance of Defendant for Joshua Judge
 Constables fees 85 John Mackey and Thomas Holly day. July 6th 1854
 Two days day attendance Subpoena issued at the instance of the prosecuting
 at Court 157 witness for Thomas Mills Thomas Anderson Samuel
 Serving Warrant 35 Wheeler Robert Stout Joseph Triplet Wyatt Cordell
 Serving Subpoenas and C B Paris. July 9th 1854. First subpoena return
 mileage 270 ed endorsed served by reading to the within named
 Witnesses fees 455 witnesses except B L Haznes. Not found Service 165
 Elijah Walford 50 mileage 10 - 175 Abel Marks Constable. July 7th
 C B Giles 30 the within by reading July 7th 1854 to all the witness
 H Byland 50 except Thomas Mills and Robert Stout
 Charles Fairfield 50 found. Service 55 mileage 10 - 65 July 7th 1854. Abel Marks Const

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Jerow Wood 50 July 7th 1854 Subpoena issued at the instance of the
Henry Powell 50 Defendant also returned endorsed served by reading this
Samuel Wheeler 50 7th day of July 1854 to John Mackay and Thomas Holy-
Joseph Dripet 50 day Joshua Judy not found service 25 miles 10-35-
E. C. Davis 50 Abel Marks Constable. - July 7th 1854. Defendant
P. B. Smith 50 appeared and this cause came on for the heave trial, said
Myat Cordell 50 Defendant plead not guilty. Elijah Wolford 636 Miles 26.
Jonah Marks 50 Byland Charles Fairfield Cerow Wood Henry Powell Sam
Moses Wolford 50 nel Wheeler Joseph Dripet E. C. Davis, P. B. Smith Myat
Levi Donley 50 Cordell Jonah Marks Moses Wolford Levi Donley Aaron
Aaron Mather 50 Mather A. J. Scott C. P. Robinson and Nathan M. Williams
A. J. Scott 30 sworn and examined for the State, John Mackay and
C. P. Robinson 50 Thomas Holyday present on behalf of Defendant but
Nathan M. Williams 50 not examined, and thereupon the Defendant was order
Defendants witnesses ^{\$ 200} ed by me to enter into recognizance in the sum of two
John Mackay 50 hundred dollars for his appearance before the Probate
Thomas Holyday 50 ^{\$ 21.00} Court on the first day the Criminal Term next to
be holden in and for the County of Union and State

of Ohio, which was done accordingly John Gibson and Nathan M. Wil-
liams his Sureties. - Recognized the following witnesses in behalf
of the State, viz Elijah Wolford Henry Byland Charles Langhoy P. B. Smith
E. C. Davis Joseph Dripet Levi Donley Jonah Marks Aaron Mather Andrew
J. Scott. The State of Ohio Union County Paris Township ss. - I
do hereby certify that the foregoing is a full and true Copy from my
docket of the proceedings had by and before me in the above case

John B. Coats J. P. of the aforesaid Township
The State of Ohio Union County ss. Be it remembered that on
the seventh day of July in the Year of our Lord one thousand eight
hundred and fifty four Leven Gibson John Gibson and Nathan M. C.
Williams personally appeared before me John B. Coats one of the Justic-
es of the Peace in and for the County aforesaid and acknowledged
themselves to owe the State of Ohio the sum of two hundred dollars to
be levied of their Goods and Chattels Lands and Tenements if default
be made in the Condition following to wit - The Condition of this re-
cognizance is that if the above bound Leven Gibson shall personally ^{or} ap-
pear before the Probate Court of the County of Union and State of Ohio on
the first day of the Criminal Term they next to be holden in and for
the County aforesaid and then and there to answer to the Charge of keep-
ing a Room at his residence in Paris Township in said County where
intoxicating Liquors are sold in violation of law, and abide the judgment
of the Court and not depart without leave, then this recognizance shall be
void, otherwise it shall be and remain in full force and virtue in law
Leven ^{his} Gibson ^{Great} John Gibson ^{Great} Nathan M. Williams ^{Great}
Taken and acknowledged before me this 7th day of July 1854 John B. Coats J. P.
And afterward to wit on the twenty eighth day of July in the year
above written the Prosecuting Attorney of said County having been duly
ly notified of the pendency of this Cause filed in this Court the

following information, to wit: The State of Ohio vs Seven Gibson
 In Probate Court of Union County Ohio, - Jackson C Doughty
 Prosecuting Attorney in and for the said County of Union who proce
 cutes for and in the name of the State of Ohio, now comes and for said
 State gives the Court here now to understand and be informed that
 Seven Gibson late of said County on the fifteenth day of June in the
 Year of our Lord one thousand eight hundred and fifty four and at
 divers times other days and times as well before as afterwards including
 the third day of July in the year of Our Lord one thousand eight hun
 dred and fifty four at said County of Union did unlawfully keep a
 Room where intoxicating liquors were sold in violation of law, and
 did then and there in the Commission of the aforesaid offence unlawf
 ly sell and deliver and cause to be sold and delivered to divers persons in
 intoxicating liquors to be drunk ~~where sold~~ upon and about the premises
 where sold, and did then and there in like Commission of the aforesaid
 offence unlawfully sell and deliver and cause to be sold and deliv
 ered to divers persons who were then minors intoxicating liquors
 without being authorized so to do, by any written order of any Parent Guar
 dian or family physician of said minor, and did then and there in like
 commission of the aforesaid offence unlawfully sell and deliver and cause
 to be sold and delivered to divers persons ~~who~~ in the habit of getting
 intoxicated intoxicating liquors contrary to the form of the statute ~~and~~
 in such case made and provided and against the peace and dignity
 of the State of Ohio. Jackson C Doughty Prosecuting Attorney
 And afterwards to wit on the eighth day of August in the year above
 written came as well the Prosecuting Attorney as the Defendant Seven Gibson
 in his own proper person who being arraigned for plea says he is
 not guilty of the charge preferred against him; and thereupon came a ju
 ry to wit: Thomas Patrick Levi Longbrake A. A. Woodworth William Porter Nathl
 Naham Josiah Reed William Sales Adam Walford just, Reuben Foot
 George Reed John G Jolly and Joseph Powers, who being empanelled and
 sworn the truth to speak upon the issue joined between the parties, up
 on their oaths do say that the defendant is guilty in manner and form
 as charged against him the said Seven Gibson, and afterwards to wit on the
 day and year first above written the said defendant by his Attorney filed here
 in the following Bill of exceptions signed and sealed by the Court and attested
 that the same be made part of the Record which is accordingly done to
 wit (The State of Ohio vs Seven Gibson, In Probate Court Union County
 Information against Defendant for keeping a Room and selling liquor under
 section 4 of the act to provide against the evils resulting from the sale of
 intoxicating liquors in the State of Ohio passed May 1st 1854. Be it remem
 bered that on the trial of this cause the defendant asked the Court
 to charge the jury as follows, 1st That the jury cannot find the
 defendant guilty of violating section 4 of said act unless they find
 that he has violated all the provisions of said act and especially
 sections 1, 2 and 3 - which charge the Court refused to give but
 charged that a continuous violation of either of said sections was a

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violation of section 2 - 2nd That before the jury can find the defendant guilty of a violation of section 2 of said act they must find that the defendant ^{at the time he sold} knew the person to whom he so sold was a minor. This charge the Court refused to give, and charged it was the defendant's duty to know the age of the person so buying and that defendant sold to minors at his peril but that if it can be shown that he was really received by such person the jury would take that fact into consideration. 3d Defendant asked the Court to charge the jury that before they could find him guilty of a breach of section 3 they must find that defendant at the time he sold knew that the person to whom he sold was at the time intoxicated or in the habit of getting intoxicated which charge the Court refused to give and charged that it was defendant's duty to know whether or not the person to whom he sold was intoxicated or in the habit of getting intoxicated and that the defendant sold at his peril to such person being excusable for actual deception as before. 4th The defendant asked the Court to charge the jury that the said act is unconstitutional and void which charge the Court refused to give. Whereupon the Counsel for the said Seven Gibson made their exceptions to the said several rulings and overrulings of the Court as aforesaid. And inasmuch as the said matters do not appear on the Record the Counsel on behalf of said Gibson pray that the Judge of the said Court would set ^{his} hand and seal to this bill of exceptions containing the several matters which defendant asked said Judge to charge the jury as aforesaid according to the form of the statute in such case made and provided. And thereupon the said Judge at the request of the Counsel for said Gibson did sign and seal this bill of exceptions pursuant to the aforesaid statute in such case made and provided.

That Brown P J ^{of} and afterwards to wit on the day and year last above written The defendant Seven Gibson being this day again in Court the Court pass sentence that he be confined in the jail of the said County for the term of twenty days and make the State of Ohio a fine of fifty dollars and pay the Costs of this prosecution taxed to dollars and cents and it is ordered that the said Room be shut up until the said Seven Gibson shall give bond with satisfactory security Conditioned according to law that he will not sell intoxicating liquors contrary to law and thereupon the Court having signed and sealed said defendant's bill of exceptions to the rulings of the Court, and having entered into recognizance with Nathan McWilliams and Robert Gibson as his sureties in the sum of five hundred dollars on motion it was ordered that the execution of the said sentence be suspended until the next term of this Court and this Cause was continued. Said Recognizance reads as follows to wit: You Seven Gibson Nathan McWilliams and Robert Gibson do acknowledge yourselves to be joint ^{ly} and severally held and bound unto the State of Ohio in the penal sum of five hundred dollars to be levied of your Goods and Chattels lands and tenements if default be made in the

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condition following, which are that whereas the above bound Leven Gibson has been tried and convicted in the Probate Court of Union County Ohio at the August ^{criminal} Term thereof A.D. 1854, and has been on this 9th day of August A.D. 1854, sentenced under said Conviction to be fined and imprisoned for a violation of the 4th section of the act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio passed May 1st A.D. 1854, and whereas said Court has on the application of the said Leven Gibson suspended the execution of said sentence until the next Criminal Term of said Court in order that a case in error founded in a bill of exceptions signed and sealed in said case of the State of Ohio against Leven Gibson can be heard, now if the said Leven Gibson shall appear at the next ~~Term~~ Criminal Term of said Court and abide the said sentence and further order of said Court and not depart without leave then this recognizance to be void otherwise to remain in full force Leven ^{his} Gibson ^{vs} Nathan M Williams ^{vs} Robert ^{his} Gibson ^{vs} Taken signed sealed and acknowledged before me this 9th day of August 1854, Tho Brown P.J. And afterwards to wit on the twenty first day of August in the year above written Nathan M Williams one of the sureties on the Bail Bond of the said Leven Gibson surrendered the said Gibson to Court and refused to stand longer as such surety. And thereupon the said Gibson refusing to obtain further bail, it is ordered that the said Leven Gibson be committed to the jail of the said County until he finds further bail or is legally discharged whereupon the following mittimus was issued to the sheriff of said County

Tho Brown P.J.

The State of Ohio } Probate Court began and held at the Court house at Mansville within and for the County of Union and State of Ohio on the first day of January in the year of our Lord one thousand eight hundred and fifty five before Thomas Brown Probate Judge within and for said County. Be it remembered that heretofore to wit on the 20th day of December A.D. 1854 the following transcript and recognizance were filed in this Court to wit

The State of Ohio } Assault & Battery, Dec 14th 1854. This day came Henry Hamahan who being duly sworn according to law deponeth that on or about the 14th day of December A.D. 1854 he saw John W. Futton did unlawfully assault strike and wound him the said Henry Hamahan. Thereupon I issued a warrant for John W. Futton and deliver the same to William Wells Const, also Subpoena

Adjournment
 Recognizance
 1 Subpoena
 1 Person in custody
 3 Witnesses
 Judgment
 Satisfaction
 Constables
 Warrant
 Subpoena
 Defendant's bond
 2 Subpoenas
 2 Person in custody
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Adjournment 10 for Isa Carr, & John Kaunahau, Dec 15th 1857, Warrant
 Recognizance 25 returned served by bringing the defendant before the Court
 1 Subpoena 15 and he is now before the Court, Fees Service 25 mileage
 1 Person in addition 15 = 40 Dec 15 1857 Wm Wells Const, Dec 15th 1857 Subpo
 Involving 4, Witness 26 na returned served by reading to each one named in
 Recognizance of def 25 this writ Fees Service 25 mileage 25 = 57 Dec 15 1857
 in Witness 25 Wm Wells Const Defendant entered into recognizance with
 3 Witness fees 135 John Hawley as his surety for his appearance on the 19th
 Judgment 23 day of December 1857, at 10 o'clock A.M. and the Cause
 Satisfaction 10 stands adjourned until that time, Dec 18th 1857, Issued
 8333 a Subpoena in favor of Defendant for Philip Lee & Edward Miller
 Constables costs 4 & delivered same to Defendant same day, issued Subpoena
 Warrant 40 in favor of Defendant for Thomas Markes & Seven Gibson
 Subpoena 37 and delivered same to Wm Wells Constable, Dec 18th 1857
 " 40 Issued a subpoena in favor of State for John Kaunahau
 1,30 v. Isa Carr, & delivered to Wm Wells Const, Dec 19th
 Defendant's costs 1857 Subpoena in behalf of State returned, served by
 2 Subpoenas 30 reading to each one named in the writ Fees Service 25
 2 Person in addition 10 mileage 15 = 40 Wm Wells Const, Dec 19th 1857, Sub
 Involving 5, Witness 25 poena in behalf of Defendant returned served by read
 Witness fees 260 ing to each one named in this writ Fees Service 25,
 3,25 mileage 10 = 35 Wm Wells Constable, Dec 19th 1857
 Constables cost 10 o'clock A.M. Defendant appeared and plead "not Guilt
 1 Subpoena 35 ty", trial had Henry Kaunahau, John Kaunahau, Isa Carr, &
 Transcript 30 4 Jurors sworn & examined for & in behalf of the State
 Certificate 25 John Hawley, Philip Lee, Seven Gibson, Thomas, Markes & Ed
 190 ward Miller sworn & examined on the defense and there
 upon the Defendant was ordered by me to enter into a
 recognizance in the sum of one hundred dollars for his appearance before
 the Probate Court on the first day of the Term thereof next to be holden
 in and for the County of Union and State of Ohio which was done ac
 cordingly with John Hawley's surety. Recognized the following
 named witnesses in behalf of the State to wit Henry Kaunahau
 & Isa Carr, The State of Ohio Union County, Paris Township ss
 I do hereby certify that the above is a full and true copy from my
 docket of the proceedings had by and before me in the above cause
 John Barbour J. P. of the aforesaid Township
 The State of Ohio Union County ss. Be it remembered that on the
 19th day of December in the year 1857, John V. Dutton and John Hawley
 personally appeared before me John Barbour one of the justices of the
 Peace in and for the County aforesaid and jointly and severally, acknowl
 edged to owe to the State of Ohio the sum of one hundred dollars to
 be levied of their goods and Chattels land and tenements if default
 be made in the condition following to wit: The condition of this re
 cognizance is such that if the above bound John V. Dutton shall
 personally be and appear before the Probate Court on the first
 day of the Term thereof next to be holden in and for the County

aforesaid and then and there to answer to the Charge of Assault
and Battery and abide the judgment of the Court and not depart
without leave then this recognizance shall be void, otherwise it shall
be in and remain in full force and virtue in law John Dutton
John Hawley

Taken and acknowledged before me this 19th day of December
A.D. 1854, John Barbour J. P.

And afterwards to wit on the 18th day of December A.D. 1854 the
following information was filed herein by J. C. Doughty Prosecu-
ting Attorney to wit The State of Ohio vs John Dutton, In
Probate Court Union County Ohio, Information, In the
name and by the authority of the State of Ohio & Jackson C. Doughty
Prosecuting Attorney of the County of Union and State of
Ohio now Comes and shows to this Court that hereupon, to
wit on the fourteenth day of December Eighteen hundred
and fifty four at the County aforesaid one John Dutton
did unlawfully commit an assault and battery upon one Heu-
ry Hausman contrary to the form of the Statute in such case
made and provided and against the peace and dignity of the
State of Ohio J. C. Doughty Prosecuting Atty And afterwards to
wit on the day and year first above the following proceeding
were had in the Probate Court within and for said County to
wit The State of Ohio vs John Dutton - Assault and Battery
This day came as well the Prosecuting Attorney as the defendant
John Dutton in his own proper person who being arraigned
for plea says he is not guilty of the offence charged against
him and thereupon came a jury to wit Richard & Judge William
McGill John McCampbell John D. Genay Henry Baldwin Francis
Baldwin Charles M. Robinson Stephenson Henry Isaac Brodbeck
Samuel McBratney Labor Naudall and J. J. Welch who being
by ~~sworn~~ empanelled and sworn the truth to speak upon the
issue joined between the parties upon their oaths do say that
the said Defendant is guilty in manner and form as charged
against him, Wherefore it is considered by the Court that the
said Defendant John Dutton make to the State of Ohio his fine
of ten dollars and pay the costs in their behalf expended taxed
to dollars and cents, Judgment for costs

Thos Brown Jy.

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Probate Court held at the Court
House in the Town of Marysville within
and for the County of Union and
State of Ohio before Thomas Brown
Probate Judge within and for the

County and State aforesaid on the 15th day of February
A.D. 1860 Be it Remembered that on the 15th day of Feb-
A.D. 1860 the said Richard Reed made to said Court
the following application for a writ of Habeas corpus to
wit: To the Honorable the Probate Judge of Union County
Ohio. Richard Reed of the County of Union State of
Ohio respectfully represents to your honor that he is
imprisoned by Abraham Wiley Sheriff of said County
without legal authority under color of a certain pre-
tended commitment of which the following is a
true copy. The State of Ohio Union County ss
To the Keeper of the Jail of the County aforesaid Greeting
whereas Richard Reed late of said County has been
arrested on the oath of J. H. M. House for breaking into
the factory of Welsh House in the night season and
taking stealing and carrying away goods and chattels
of the amount of \$76.25 Dollars of the effects of Welsh
House and has been arraigned before me S. McMa-
hill one of the Justices of the Peace in and for said County
on such charge and said Richard Reed waived
an examination and required by me to give
bail in the sum of four hundred dollars for his
appearance before the Court of Common Pleas of said
County on the first day of the next term thereof
which requirement he has failed to comply with
Therefore in the name of the State of Ohio I command
you to receive the said Richard Reed into your custody in
the jail of the County aforesaid there to remain until
he be discharged by due course of Law

Given under my hand and seal this 2nd day of Sept.
1859. S. McMabill J. P. Seal

He therefore prays that a writ of Habeas corpus may be
issued to the said Abraham Wiley Sheriff and that
he may be thereupon discharged or admitted to bail as
to your honor shall seem

Richard Reed By
M. C. Lawrence his Atty.

Afterwards to wit on the 15th day of February A.D. 1860 the
following writ of Habeas corpus was issued which reads as
follows: The State of Ohio Union County ss
To Abraham Wiley Sheriff within and for the County of
Union Greeting: You are hereby commanded that

The body of Richard Reed in your custody detained as it is said together with the day and cause of his capture and detention by whatsoever name the said Richard Reed may be known or called you safely have before me Thomas Brown Judge of the Probate Court within and for said County forthwith to do and receive all and singular these things which said Court shall then and there consider of him in this behalf and have you then and there this writ. Witness Thomas Brown Judge of said Probate Court at Mansfield this 15th day of February A.D. 1860.

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Thomas Brown Probate Judge

Which writ was returned endorsed as follows The within named Abraham Wiley Sheriff hereby certifies to the within named Thomas Brown Probate Judge that the within named Richard Reed was taken into custody of the said Abraham Wiley Sheriff on the 5th day of September 1857 and is now detained in his custody by virtue of a mittimus made by J. McMahon J. P. of Paris Township Union Co. Ohio on the 2nd day of September 1857 a copy of which mittimus is now herewith filed. Feb. 15th 1860 Abraham Wiley Sheriff

Afterwards to wit on the 5th day of September A.D. 1857 the following mittimus was issued which reads as follows. The State of Ohio Union County J. P. In the keeper of the jail of the County aforesaid greeting. Whereas Richard Reed late of said County has been brought on the oath of J. W. House for breaking into the factory of Welch's House in the night season and taking stealing and carrying away goods and chattels of the amount of \$76.25 dollars of the effects of Welch's House and has been arraigned before me J. McMahon one of the Justices of the Peace in and for said County on such charge - and said Richard Reed waived arraignment and required by me to give bail in the sum of Four Hundred Dollars for his appearance before the Court of Common Pleas of said County on the first day of the next term thereof which requisition he has failed to comply with. Therefore in the name of the State of Ohio I command you to receive the said Richard Reed into your custody in the jail of the County aforesaid there to remain until he be discharged by due course of Law. Given under my hand and seal this 2nd day of September 1857. J. McMahon J. P. Seal
I certify the foregoing to be a true copy

A. Wiley Sheriff

Afterwards to wit on the 15th day of February A.D. 1860 the following Recognizance was issued which reads as follows. to wit

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The State of Ohio, Union County, ss.
 Be it remembered that on the 15th day of February A.D. 1860
 personally came before me Thomas Brown Probate Judge in
 and for the County of Union Ohio Richard Reed, Smith S.
 Alexander, Wesley Amrine, A. J. Whitney, D. J. Walsh, E. Powers,
 M. Wagon, Alf Scott, J. S. Alexander, C. H. Marks, Jobe Sullivan,
 Lebb Wood & C. Houston J. D. Smith & James M. Welsh who
 jointly and severally acknowledged themselves to owe and
 stand indebted to the State of Ohio in the sum of Three Hun-
 dred Dollars to be levied of their goods and chattels lands
 and tenements if default be made in the condition
 following to wit: The conditions of this recognizance is
 such that if the above named Richard Reed, be and
 appear before the Court of Common Pleas of said County
 of Union Ohio, on the first day of the next term thereof,
 to answer unto the State of Ohio in a prosecution therein
 pending against him on a charge and indictment
 for Burglary and Larceny and then and there to
 abide the order of the Court and not depart without
 leave then this recognizance to be void otherwise to be
 and remain in full force

Richard Reed Seal
 Smith S. Alexander Seal
 Wesley Amrine Seal
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 J. D. Smith Seal
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 Lebb Wood Seal
 C. Houston Seal

Afterwards to wit on the 15th day of February A.D. 1860
 the following Entry was made in the Journal of said
 Court which reads as follows: This day came into Court
 Richard Reed by M. C. Lawrence his attorney and filed his
 application for a writ of Habeas corpus, on consideration
 whereof It is ordered that a writ of Habeas corpus issue
 to Abraham Wiley Sheriff, of this County, commanding
 him to have the body of the said Richard Reed together with
 the day and cause of his caption and detention before this
 Court forthwith. And thereupon the said Abraham
 Wiley Sheriff as aforesaid to whom the writ of Habeas corpus
 herein was directed on the application of Richard Reed

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appeared in open court having with him the said
Richard Reed together with said writ and the day
and cause of his the said Reeds caption and detention
as by said writ is commanded; and thereupon the
proofs and allegations of the parties being heard and fully
and it appearing to the court that the said
Richard Reed is legally detained under the custody of the
said Abraham Wiley. Wherefore it is ordered that the
said Richard Reed be let to bail upon his entering into
a recognizance with security to the amount of Three
Hundred Dollars and thereupon the said Richard Reed
with Smith A. Alexander, Wesley Annine, A. J. Whitney,
D. J. Walsh, J. D. Smith, J. M. Walsh, E. Powers, M. Wagon,
Alf Scott, S. S. Alexander, C. V. Marks, Job Sullivan,
Leb. Wood, & C. Houston. his sureties entered into such
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Union County Probate Court

James B. Whipple July 12th 1882

Nathan Howard
and Uriah Cahill
Commissioners
of Union County
Ohio.

Elizabeth Hills and
Orlando Hills

Proceedings to appropriate Gravel For Gravel Road Improvement

In the Probate Court of Union County
Ohio.

This day came James B. Whipple, Nathan Howard and Uriah Cahill, Commissioners of Union County Ohio, and filed herein their application in writing for the purpose of procuring an order from this Court, to appoint appraisers to assess the value of gravel and the damages to accrue by reason of the taking of the same from and over the lands of the owners of said lands, to wit, Elizabeth Hills and Orlando Hills, which lands are described in said petition or application, and are situate in Liberty Township, Union County Ohio. The amount of gravel as set forth in said petition or application being so much as will gravel four miles of improve four miles by graveling four miles and ninety six rods of the Piquette and Middleburg gravel Road improve ment. Said Commissioners, in their said application allege that they cannot agree with the owner of said gravel on a reasonable and fair price for said gravel, and ask that appraisers be appointed to assess the value of the same, in pursuance of the Statute, in such case made and provided, and the Court being satisfied that said Commissioners are entitled to a hearing on said application, Whereupon it is ordered by the Court, that said Commissioners, be and they are hereby directed to give notice in writing to the said Elizabeth Hills and Orlando Hills of the filing and pendency of said application, herein, which time of hearing, is fixed by the Court for the 24th day of July A.D. 1882, at one o'clock P.M.

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Union County Probate Court July 24th 1882.

James B Whelpley,
Nathan Howard and
Uriah Cahill
Commissioners of
Union County Ohio
vs
Elizabeth Wells and
Orlando Wells

Proceedings to appropriate
Gravel for Gravel Road Improvement

This came the parties, into Court, Orlando
Wells, in person, and for Elizabeth Wells, and thereupon, this
Cause came on to be heard, and it appearing to the satisfaction
of the Court, that the notices heretofore ordered to be given
to the said Elizabeth Wells and Orlando Wells, have been
duly given as ordered, and the return thereof duly
made to the Court, and the Court being fully ad-
vised in the premises doth order that Samuel Wood-
burn, Israel Slack and George Wilber, three disinterested
freeholders of this County, be and they are hereby appointed
to assess the value of gravel on the premises of Elizabeth Wells,
in Liberty Township, Union County Ohio, and in Virginia Military
Survey No. 4404, and occupied by the said Elizabeth Wells and
Orlando Wells, sufficient to gravel four miles and ninety six rods
of the Provia and Middleburg Road Improvement, and specifica-
tions made by the Commissioners of Union County with Joseph
and Stephen Shirk, to be appraised by the lineal rod, cubic yard or mile,
and said Samuel B Woodburn, Israel Slack and George Wilber
being first duly sworn as aforesaid, to impartially assess the
value of said gravel for the purposes aforesaid, shall within ten
days from this date make said assessment, and also assess
the damages that will accrue to the owner of said lands by
the removal of the material through said lands of said
owner, and make return of their proceedings to this Court
within ten days from this date. Thereupon an order was
duly issued to said appraisers

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Union County Probate Court August 1st 1882.

James B. Whelpley
Nathan Howard and
Uriah Cahill
vs
Elizabeth Hills and
Orlando Hills

Application to appropriate
Gravel for Road Improvement.

This day came Samuel B. Woodburn
Israel Slack and George Miller, appraisers heretofore appointed
by the Court to assess the value of gravel on the premises of
Elizabeth Hills, in Liberty Township Union County Ohio,
in Survey No. 4404, for the purpose of improving four miles
and ninety six rods of the Proria and Middleburg Road
in Union County Ohio, by grading and graveling the same
and also to assess the damage that would accrue to the
owner of said premises, by the removal of said material
through the premises of the owner thereof, and made
return of their award assessing the value of said gravel
at nine cents per cubic yard, or at one hundred and
seventy two Dollars and eighty cents per mile, and also
assessed the damage to the owner of the premises, the removal
of the same, through said premises at fifty Dollars,

Whereupon the Court having examined said report of said
award, the same is ordered to be filed, and neither party having
signified to the Court an intention to appeal, It is therefore
considered, ordered and adjudged, by the Court, that the
said owner of said gravel, Elizabeth Hills, recover of the
Commissioners of Union County Ohio, the sum of Seven
hundred and forty three Dollars and four cents, being the
amount so as aforesaid assessed at one hundred and
seventy two Dollars and eighty cents per mile or nine
cents per cubic yard for said gravel, and also fifty Dol-
lars the amount so as aforesaid assessed as damages,
together with the costs of this proceeding taxed to
Dollars. It is further ordered that on payment of the said
sum so assessed, as aforesaid, including said damages
and said costs, that the said Commissioners, enter upon
said lands of the said Elizabeth Hills, either enclosed
or uninclosed and remove said gravel.

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Union County Probate Court August 8th 1882.
In the matter of Appropriation
of gravel for Construction of
Meansfield Extension Pike } In Probate Court of
Union County Ohio
No. 2.

This day came Henry Kelley, C. C. Cookston and John Garrod
as County Commissioners of Logan County Ohio, and made
and filed application herein for the appropriation of about
acres of gravel in Survey No. 9893, in Washington Township,
Union County Ohio, owned by John A. Green and being
part of his home farm; said application being sought for the
purpose of the construction of said Pike in said Logan County.

It is thereupon ordered, by the Court, that the time for the
hearing of said application, be and the same is hereby fixed
for the 22nd day of August A. D. 1882, in this office at noon
A. M. and that notice be given, by said Commissioners of
Logan County, in writing upon said John A. Green, forthwith
said notice to contain a description of said gravel so
sought to be appropriated, the uses to which the same
is to be put, to wit, the construction of said Pike, and
to state the time of hearing as above fixed.

John Blewats
Probate Judge

August 15th 1882.
In the matter of the matter of the
Appropriation of Gravel for
Construction of Meansfield
Extension Pike } In the Probate Court
of Union County Ohio

This day came the Comm-
missioners of Logan County Ohio, and on their motion
further proceedings in this matter are discontinued
and Cause dismissed, at the costs of petitioners;
Judgment for costs } John Blewats
Probate Judge.

Union County Probate Court

October 7th 1882.

The New York Pennsylvania and Ohio Rail Road Company Plaintiffs

Uriah Casull, Nathan Howard and James B. Mabley, Commissioners of Union County, Ohio, et al Defendants

Appeal from Order of County Commissioners in assessment of compensation for Damages on Claybourne Ditch No. 188.

This day came the Plaintiffs, the New York Pennsylvania and Ohio Rail Road Company and filed herein their bond and a transcript of the proceedings of the County Commissioners of Union County Ohio, for the purpose of appeal from the proceedings and order of the said Commissioners of Union County Ohio, in the assessment of damages, awarded to said Plaintiffs, herein, ^{and also carrying out and establishing said Claybourne Ditch} ~~therein~~ it is ordered, that a hearing thereon be had, in this Court, on the 12th day of October 1882, at one o'clock P.M., for the hearing of all preliminary motions in the proceedings in said matter,

John Bleaals Probate Judge

October 12th 1882

The New York Pennsylvania and Ohio Rail Road Company Plaintiffs

Uriah Casull, Nathan Howard and James B. Mabley, Commissioners of Union County, Ohio, et al Defendants

Appeal from order of County Commissioners in assessment of compensation for Damages on Claybourne Ditch. No. 188.

This day came the parties, in this proceeding, and by consent of said parties, all proceedings in said cause are continued for hearing on the 19th day of October 1882 at one o'clock P.M.

John Bleaals Probate Judge

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The New York Pennsylvania and Ohio Rail Road Company

Uriah Casull, Nathan Howard and James B. Mabley, Commissioners of Union County, Ohio, et al

This day

Thereupon a record of parties in Union County Ohio, for the record has not been made and appeal bond and sureties do not appear. There is no bond from the parties and any person named is liable for said motion for said damages, and said appeal concluded was copy of October

The New York Pennsylvania and Ohio Rail Road Company

Uriah Casull, Nathan Howard and James B. Mabley, Commissioners of Union County, Ohio, et al

Union County Probate Court
October 19th 1882.

The New York Pennsylvania and
Ohio Rail Road Company
Plaintiffs

vs
Uriah Cahill, Nathan Howard and
James B. Phelps, Commissioners of
Union County Ohio, et al

Appeal from
Order of County
Commissioners,
In assessment of
Compensation for
damages, on
Blairborne Ditch
No. 108.

This day came the parties by their attorneys, and
thereupon this cause came on to be heard, in pursu-
ance of the continuance whereof was ordered by consent
of parties, on the 12th day of October 1882. The Commissioners
of Union County Ohio, by Porter & Porter their attorneys, filed
herein a motion to dismiss the appeal in this cause
for the reasons stated therein to wit, 1st The appeal of Plaintiffs
has not been perfected according to law, 2^d The pretended ap-
peal bond contains no words of obligation, binding the
sureties or either of them, 3^d The name of neither surety
appears in the body of the bond pretended appeal bond;
there is no obligation, nor any words of obligation binding
the sureties or either of them to pay the penalty of said bond to
any person or obligee, whatever, 4th There is no obligee
named in said bond. The sureties are therefore not
liable for the same, said motion is marked "A" and
made a part of the record in this proceeding; thereupon
said motion was duly argued by Porter & Porter attorneys
for said defendants, and by Herbert Ward and D. M.
Ayers attorneys for Plaintiffs, with all other proceed-
ings, and preliminary questions, in reference to
said appeal, ^{being argued} and the arguments, not being all
concluded, thereupon by consent of parties, this cause
was continued for further hearing on the 28th day
of October A. D. 1882, at one o'clock P. M.

John Blewett, Probate Judge

October 28th 1882

The New York Pennsylvania and
Ohio Rail Road Company
Plaintiff

vs
Uriah Cahill, Nathan Howard and
James B. Phelps, Commissioners of
Union County Ohio et al

This day came the parties

Appeal from
Order of County
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In assessment of
Compensation
damages
Blairborne
No. 108.

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by their attorneys, the plaintiff filed herein a motion to correct the bond which is marked B and made a part of the record herein, and also filed the written consent of the sureties on said bond authorizing said correction which written consent is marked C and also made a part of the record, and thereupon by consent of parties this cause is continued for hearing on the 7th day of November A.D. 1882 at one o'clock P.M.

J. M. Blewett
Probate Judge

November 7th 1882.
 The Grand York Pennsylvania and Ohio Rail Road Company
 Plaintiffs
 Uriah Cahill, Nathan Shepard and James B. Shuppley, Commissioners of Union County, Ohio et al
 Defendants

Appeal from order of County Commissioners in assessment of compensation for damages on claim borne ditch No. 108.

This day came the parties by their attorneys, and thereupon this cause came on to be further heard in pursuance of the continuance heretofore ordered herein, by consent of parties, and after hearing the arguments of counsel on all the motions of the plaintiffs and defendants heretofore filed in this cause by the plaintiffs and defendants and on examination of the record heretofore filed in this proceeding for appeal from the decision and finding of the Commissioners of Union County Ohio, in their proceedings and award of damages to the plaintiffs in the matter of the claim borne ditch No. 108, and the Court being fully advised in the premises finds that so much of the motion heretofore filed in this proceeding, herein by the plaintiffs as seeks to correct the bond heretofore filed for appeal to this Court, from the proceedings of said Commissioners by inserting the names of the obligees therein is an irregularity and error in substance, and not a technical defect, error, or omission as in the discretion of the Court, may be allowed, by law to be corrected, therefore it is ordered that said motion, together with the written consent of the sureties on said bond authorizing such correction to be made, filed with said motion

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be and are hereby overruled and the defendants by
their attorneys still insisting on their motion as to
the irregularity in said bond so far as it relates to
the omission in the body thereof, of the names of any
person or persons as obligee or obligors therein, which
motion is sustained in that behalf. Therefore it is considered
ordered and adjudged by the Court, that for and
by reason of such omission and irregularity, so far as
found as aforesaid, to be error in substance, said
appeal is hereby dismissed at the costs of the
defendants. It is therefore considered ordered and adjudged
by the Court that said appeal be dismissed, and
it is further ordered considered and adjudged
by the Court that the defendants recover of the plain-
tiff The New York Pennsylvania and Chesapeake
Road Company their costs in this behalf expen-
ded taxed to nine dollars and twenty four cents, to
which rulings findings and judgment the Plaintiff
excepts.

John Blewett
Probate Judge

Union County Probate Court April 25th 1883.
William Hobolt, Plaintiff

Nathan Howard
Lyther Leggett and
Uriah Schill
Commissioners of Union
County Ohio, and
Ezra Hedges et al
Petitioners and
L. Bush, Jas. Bryant
and A. W. Packard
Commissioners of Delaware
County Ohio and
Ezra Hedges et al
Petitioners
Defendants

Appeal from order of the
County Commissioners of Union
and Delaware Counties, Ohio
in ^{the laying out and establishing and} assessment of compensation
for damages, in the matter
of Ottawa Run Ditch No. 78.

This day came the Plaintiff, William
Hobolt, and filed herein his bond, and a transcript
of the proceedings of the County Commissioners of
Union and Delaware Counties, for purpose of Appeal
from the proceedings and order of the said Commissioners
of Union and Delaware Counties, Ohio, in ^{the laying out, establishing and} assessment of
damages, awarded to said Plaintiff, in the matter of
the laying out and establishing a ditch known as
the Ottawa Run Ditch No. 78, on a joint petition on
behalf of petitioners of Union and Delaware Counties
Ohio, and heard and determined before the joint
Board of the Commissioners of said Union and
Delaware Counties, whereupon it is ordered that a
hearing thereon, in the matter of all preliminary
questions, touching said appeal, be had on the 30th day
of April A.D. 1883 at ten o'clock A.M.

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Union County Probate Court April 30th 1883.

William Hobolt Plaintiff
vs
Nathan Howard, Luther
Leggett and Uriah Cahill
Commissioners of Union
County Ohio, & Bush
James E. Bryant and
A. H. Packard, Commis-
sioners of Delaware County
Ohio, and Ezra Bridges
& als, Defendants

This day came the parties by
their attorneys, and on motion and consent
of the said parties, this matter and all questions
connected therewith are continued for hearing
on the 8th day of May A.D. 1883, at one o'clock
P.M.

May 8th 1883

William Hobolt Plaintiff
vs
Nathan Howard, Luther Leggett and
Uriah Cahill Commissioners of
Union County Ohio, & Bush
James E. Bryant and A. H. Packard
Commissioners of Delaware
County Ohio, & als
Defendants

Appeal from order
of the County Commissioners
of Union and Delaware
Counties Ohio, in the laying
out establishing and
assessment of compensation
for Damages, in the matter
Ottaway Run Ditch No. 78.

This day came the parties, by their attorneys, and thereupon
this cause came on to be heard in pursuance of the con-
tinuance, heretofore ordered, on the matter of the prelimi-
nary questions therein, and the Court being fully advised
in the premises, find that the appeal in the matter has
in all things been perfected in conformity to law,
thereupon it is by the Court ordered that the trial of
this case as appealed, by a jury be had in pursuance of
law on the 18th day of May A.D. 1883, at 8 o'clock A.M.
and thereupon issued an order to the Clerk of the Court of
Common Pleas and Sheriff of the County of Union to meet
at the Clerk's in said County and proceed at once to draw
from the jury box the names of sixteen jurors, to serve in this
case in the Probate Court, thereupon, on said day, the
Clerk of said Court, returned to this Court said order
with a duly certified list of sixteen jurors, as follows

Union County Probate Court. May 8th 1883.
 to wit, A. J. Thompson, J. M. M. Kroy, George Scheiderer, Ben
 Williams, Josiah Blue, George Karris, Cyrus Zimmerman,
 Garrison Longherry, J. Evans, Homer Leggett, H. B. Tucker,
 H. N. Henderson, W. M. Laughon, Alexander Crist, Philip
 Snider and George Karris. And thereupon issued a
 venire for said jurors, and a process to be and
 appear in said Court, on the 18th day of May A. D.
 1883, at 8 o'clock A. M. and delivered the same to
 John Kobensack Sheriff.

May 12th A. D. 1883.

William Abbott Plaintiff
 vs
 Nathan Howard, Luther Leggett and
 Uriah Cahill, Commissioners of
 Union County Ohio, J. Bush
 Jas. E. Bryant and W. Packard
 Commissioners of Delaware County
 Ohio, and Ezra Pedges et al
 Defendants

This day the Sheriff of Union County Ohio made
 return of the venire heretofore issued in this
 case, duly served.

Cause dismissed
 costs paid.

May 8th 1883.

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Union County Probate Court, January 16th 1884.

Watt Watkins, R. U. Watkins and J. P. Watkins S^{ts} Plaintiffs

V^s Nathan Howard, Luther Ziggett and Uriah Cahill, Commissioners of Union County Ohio and C. E. Cromer, George Bitterer, and Samuel McHaffey, Commissioners of Marion County Ohio, et als Defendants

Appeal from order of the joint Board of the County Commissioners of Union and Marion Counties, in the laying out Establising and assessment of damages in the matter of Patten Run and Landon Run Ditch.

This day came the plaintiffs, Watt Watkins, R. U. Watkins and J. P. Watkins, and filed herein their bond, together with transcripts of the doings of the Boards of Commissioners of Union and Marion Counties, respectively, with original papers, in the matter of the joint Boards of said Commissioners, in the Patten Run and Landon Run Ditch proceedings, on petition of Thomas Baldwin and others, laying out and establising said Ditch, for the purpose of appeal to this Court from the action and decision of said Commissioners, in the award and assessment of damages to the said Watt Watkins, R. U. Watkins and J. P. Watkins, whereupon it is by the Court ordered, that a hearing on all preliminary motions, and examination of the papers, in said matter be had before this Court on the 21st day of January A.D. 1884, at one o'clock P.M.

John Pleats
Probate Judge

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Joint Board
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missioners of
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Counties, in the laying
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posed others,
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Union County Probate Court, January 21st 1884
Matt Watkins, R.C. Watkins and
J.P. Watkins, et al Plaintiffs

vs
Nathan Howard, Luther Liggett and
Uriah Cahill Commissioners of
Union County Ohio and W.
Cromer, George Peltzer and
Samuel McHaffey, Commissioners
of Marion County Ohio, et al
Defendants

Appeal from order of
the joint Board of the
County Commissioners
of Union and Marion
Counties, in the laying
out, establishing and as-
sessment of damages in
the matter of Patten Run
and Landon Run Ditch.

This day came the parties, by their attorneys, respectively,
in behalf of said plaintiffs and defendants, and there-
upon, on motion, and by consent of said parties,
plaintiffs and defendants, the matter of the hearing
on preliminary motions, and the examination
of the papers filed in this case, and all matters and
things relating thereto are continued for hearing on
the 28th day of January A.D. 1884 at one o'clock
P.M.

John Bleats
Probate Judge.

Union County Probate Court, January 28th 1884
Matt Watkins, R.C. Watkins and
J.P. Watkins, et al Plaintiffs

vs
Nathan Howard, Luther Liggett and
Uriah Cahill, Commissioners of
Union County Ohio, and W.
Cromer, George Peltzer and
Samuel McHaffey, Commissioners
of Marion County Ohio, Defendants

Appeal from order of the joint Board of the
County Commissioners of Union and
Marion Counties, in laying
out, establishing and assess-
ment of damages, in the matter
of Patten Run and Landon Run
Ditch.

This day came the parties by their
attorneys, in behalf of said plaintiffs and defendants, and
thereupon, on motion, and by consent of said parties, plaintiffs
and defendants, the matter of the preliminary motions and the
examination of the papers filed in this case, and all matters
and things relating thereto are continued for hearing on
the 3^d day of March A.D. 1884, at 2 o'clock P.M.

John Bleats
Probate Judge.

Union County Probate Court March 3^d 1884.

Nath Mathins, R. U. Mathins and J. P. Mathins, Plaintiffs

Nathan Howard, Luther Leggett and Uriah Cahill, Commissioners of Union County Ohio, and G. H. Cromer, George Pette and Samuel McChaffey, Commissioners of Marion County Ohio, et al Defendants.

Appeal from order of the joint Board of the County Commissioners of Union and Marion Counties, in the laying out, establishing and assessment of damages, in the matter of Patten Run and London Run Ditch.

This day came the parties, by their attorneys in behalf of the Plaintiffs and defendants, and thereupon, on motion and consent of said parties, Plaintiffs and defendants, the matter of preliminary motions and the examination of papers filed in this case, and all matters and things relating thereto, are continued for hearing on the 2^d day of April 1884 at two o'clock P. M.

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Union County Probate Court April 2nd 1884.

Nath Mathins, R. U. Mathins and J. P. Mathins, Plaintiffs.

Nathan Howard, Luther Leggett and Uriah Cahill, Commissioners of Union County Ohio, and G. H. Cromer, George Pette and Samuel McChaffey, Commissioners of Marion County Ohio, et al Defendants.

Appeal from order of the joint Board of the Commissioners of Union and Marion Counties, in the laying out, establishing and assessment of damages, in the matter of Patten Run and London Run Ditch.

This day this cause came on to be heard in pursuance of the continuance heretofore ordered and had by consent of parties, on preliminary questions and examination of the papers filed herein; on appeal from the order and decision of the joint Board of County Commissioners of the Counties of Union and Marion Counties Ohio, in laying out, establishing and the award of damages in the matter of Patten Run and London Run Ditch, and no exceptions to said appeal having been filed by either and the Court having carefully examined the papers in the case and the bond herein filed by the plaintiffs do find that the appeal has been legally taken in the case, it is thereupon ordered that a jury be drawn

Nath Mathins, R. U. Mathins, J. P. Mathins, Nathan Howard, Uriah Cahill, G. H. Cromer, George Pette, Samuel McChaffey, Marion

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March 3^d 1884.

Board of the
Commissioners
of Union
County, in the laying
out and assessment
matter of Patten
Run Ditch,

parties, by their
attorneys, and
other parties, plain-
tiffs and defendants,
and all
continued
at two o'clock

April 2^d 1884.

The joint Board of
Commissioners
of Union and
Marion Counties,
in the laying out,
and assessment
matter of Patten
Run Ditch,

case came on
and heretofore
preliminary
pleas herein;
of the joint
Commissioners of
Union and Marion
Counties in the
laying out
and assessment
of the matter
of Patten Run
Ditch, and no
objection being
made by either
party to the
pleas, the
pleas were
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and summoned in pursuance of the Statute in
such case made and provided to appear before
the Probate Court, at the office of said Court on the
9th day of April 1884 at eight o'clock A.M. and there-
upon issued an order to the Clerk of the Court of
Common Pleas, Union County, Ohio, to draw and
return to this Court a jury of sixteen good and lawful
men in the manner and time prescribed by law, there-
upon said Clerk of said Court, on said 2^d day of April 1884
truly returned to the Court the names of the following persons
drawn in pursuance of said order to wit, George H.
Court, Calvin Skinner, Samuel M. Allister, D. M.
Loe, W. B. Burnham, B. K. Kyles, A. E. Knox, D. H.
Henderson, Robert M. Miller, Jr., Samuel James,
J. M. Lane, W. Smith, James Cunningham, A. L.
McLeod and J. R. Kichouse, thereupon on the same
day issued a venire for said persons to be and appear
before said Court on said ninth day of April 1884, then
and there to serve as jurors, and delivered the same to
John Hokenack, Sheriff of said County,

John B. Leats
Probate Judge

Union County Probate Court, April 8th 1884.

Nath Watkins, R. B. Watkins and
J. P. Watkins, Plaintiffs

vs
Nathan Howard Luther Liggett and
Uriah Cahill, Commissioners of
Union County, Ohio, and
C. C. Cromer, George Ketterer and
Samuel McHaffey, Commissioners of
Marion County, Ohio,
Defendants

Appeal from order of the joint
Board of the County Commissioners
of Union and Marion Counties
in the laying out, estab-
lishing and assessment of
damages in the matter of
Patten Run and Tandon
Run Ditch.

This day came the Sheriff of Union County
Ohio, and made return to this Court of the venire for
the jury heretofore issued to him, indorsed as follows,
"In obedience to the Command of this writ summoned
the within named jurors as follows; By notice prescribed
by law served personally upon all of the within named jurors
except D. M. Loe not found in my County, and each is
entitled to mileage set opposite their names,

John Hokenack
Sheriff U.C.O.
John B. Leats
Probate Judge

Union County Probate Court, April 9th 1884.

Leah Watkins, P. Watkins and
J. S. Watkins Plaintiffs

Nathan Howard Luther Leggett and
Uriah Cahill, Com. of Union County, Ohio, and
G. H. Cromer, George Ketterer and
Samuel McShaffey, Com. of Marion County, Ohio, et al.
Defendants.

Appeal from order of the
Joint Board of the County Com-
missioners of Union

Union

the 1884.

Union County Probate Court January 22nd 1885

order of the
the County Com.
of Union

Union County Probate Court February 4th 1885.

The State of Ohio
on Relation of
J. O. Mara
vs
Marion Hopkins
Sheriff of Union County
Ohio Defendant

Petition for
Habeas Corpus.

This day came J. O. Mara
and by Posters, Posters, his attorneys filed
his petition for a writ of Habeas Corpus, and
it appearing from the statements of said petition that
the said J. O. Mara, is in custody of the Sheriff of
Union County Ohio, under a writ to issue, it
is therefore ordered, that a writ of Habeas Corpus
issue to the Sheriff of Union County for the production
of the body of said J. O. Mara before this Court on
this 4th day of February A.D. 1885;

Union County Probate Court, February 4th 1885.

The State of Ohio
on Relation of
J. O. Mara
vs
Marion Hopkins
Sheriff of Union County
Ohio

Petition for Habeas Corpus.

This day came the Sheriff of
Union County Ohio, and brought the body of
J. O. Mara, into Court, and made return of the
writ of habeas Corpus, and thereupon no good cause
being shown for a continuance, this cause came on to be
heard, and the Court having examined the warrant of
Commitment and the return of the Sheriff as to the cause
of the Capture and detention of the J. O. Mara, and
being fully advised in the premises, and having heard
the arguments of Counsel, that said the writtimus or
warrant of Commitment on which the said J. O. Mara
was committed, and held in imprisonment, in the
Custody of said Sheriff is defective in substance, and
wholly null and void in this that it nowhere charges
that the said J. O. Mara has committed or is
charged with the commission of any crime whatev-
er, and is otherwise defective in substance. It is there-
fore ordered, by the Court that said J. O. Mara be forthwith discha-
rged from said imprisonment of John Posters
Probate Judge

May 4th 1885.

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May 4th 1885.

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Union County Probate Court April 8th 1885.
 The State of Ohio
 vs
 Benjamin Mustain Union County Examining Court.

In pursuance of notices heretofore served by the Sheriff as required by law, the Probate Judge, Clerk and Prosecuting Attorney, this day met at the Court-house, in Marysville in said County and an Examining Court was held; and the defendant was brought before the Court in custody of the Sheriff and the Probate Judge having examined the witnesses, including the defendant who requested to be examined, and heard the arguments of Counsel, and being fully advised in the premises finds that there is probable cause for holding the said Benjamin Mustain to answer said charge; it is, therefore, ordered that said Benjamin Mustain enter into a recognizance in the sum of One hundred Dollars, with good and sufficient surety, conditioned for his appearance at the next term of the Court of Common Pleas of this County to answer said charge, and upon his compliance with this order he will be discharged, but in default thereof he is remanded to jail.

John Bleaats
 Probate Judge.

Union County Probate Court April 8th 1885.
 The State of Ohio
 vs
 Benjamin Mustain Union County Probate Court Charge of Grand Larceny

The defendant having failed to give security heretofore ordered by the Examining Court for his release from confinement it is ordered that the amount of such recognizance for the release Benjamin Mustain at any time hereafter be fixed at the sum of One hundred Dollars with surety to be approved by the Judge releasing him, and the Clerk of the Court of Common Pleas is ordered to enter the substance of this order upon the journal of said Court.

John Bleaats
 Probate Judge.

W.
 The State
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 J. Smith
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8th 1885.

Examining
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Union County Probate Court April 11th 1885
The State of Ohio }
Union County ss } Union County Probate Court

Charge of Grand Larceny.
This day came the said Benjamin
Meustain, and with Jackson Debolt and Andrew
Smith as his surety which is approved, entered into
a recognizance, as required by a former order of the
Court made herein, and he is accordingly dischar-
ged.

John Bleats
Probate Judge.

Union County Probate Court,

The State of Ohio
in relation of
William Evans
vs
Mason Hopkins
Sherriff of Union
County Ohio

Union County Probate
Court
Petition for Habeas Corp.

This day came William Evans
and filed his petition for a writ of habeas
Corpus in his own behalf, and it appear-
ing from the statements of said petition
that said William Evans is in the custody
of the Sheriff of Union County, under process
issued by J. G. Furness a Justice of the Peace of the
County of Union in the State of Ohio, which
Justice of the Peace had jurisdiction to issue
such process, but that no crime is set forth
in said Warrant of Commitment, and
it appearing to the satisfaction of the Court
that said writ ought to issue, it is ordered
by the Court, that a writ of habeas Corpus issue
to the Sheriff of Union County, Ohio for the
production of the body of said William Evans
before this Court on the 13th day of July 1886,
directed to said Sheriff to appear and show
cause of the taking and detention of the said
William Evans ~~for the same~~, said ~~cause~~
thereupon issued

John Pleas
Probate Judge

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Union County Probate Court
The State of Ohio
on the relation of
William Evans

Marion Hopkins
Sheriff of Union
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Union County Probate
Court, Habeas Corpus

This day came the Sheriff of Union County Ohio and in obedience to the writ of habeas corpus heretofore issued, brought the body of William Evans and made return of said writ, and thereupon said cause came on to be duly heard, the said William Evans being in person before the Court and by his attorneys Cameron & Hoodburn, and J. M. Broderick the prosecuting attorney of Union County, Ohio appearing for the State of Ohio, and having examined the warrant of commitment issued by the Justice of the Peace the said J. G. Turner, and having heard the arguments of counsel, and being fully advised in the premises, the Court find that no crime known to laws of the State of Ohio is charged or set forth in the said warrant of commitment, and therefore said William Evans is unlawfully detained and restrained of his liberty by the said Marion Hopkins, Sheriff of Union County Ohio, as aforesaid; it is therefore ordered that said William Evans be forthwith discharged from said imprisonment, and thereupon issue an order to the Sheriff for the discharge of the said William Evans.

John Bleas
Probate Judge

Union County Probate
Court, Habeas Corpus

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