

Solden

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ABSTRACT OF TITLE
TO
PART OF THE SOUTH-
EAST QUARTER OF SECTION #11,
TWP.#11, RANGE #8.

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CHRISTIAN R. WINGERD
ATTORNEY AT LAW
1001 FIRST NATIONAL BANK BLDG,
CANTON, OHIO

Plain Township Historical Society

ABSTRACT OF TITLE to a part of the Southeast Quarter of Section #11, Township #11, (Plain), Range #8, bounded as follows:-

Beginning for the same at a post in the south line of said quarter 13 chains and $28\frac{1}{2}$ links west from the southeast corner thereof, the same being the southwest corner of land owned by Vincent Hill; thence west along the quarter line 12 chains and $98\frac{1}{2}$ links to the southeast corner of lot now owned by Edwin Fausnight in said quarter; thence north 3° east 4 chains and 77 links; thence east parallel to the south line 12 chains and $98\frac{1}{2}$ links to said line of land owned by said Vincent Hill; thence south along said line 4 chains and 27 links to the place of beginning, containing six acres and $19/100$ of an acre.

No. 2.

When husband or wife join in the granting clause, the full name will appear in the Abstract, but when dower only is released, the designation will be "husband" or "wife."

Each instrument herein mentioned is properly witnessed and acknowledged unless otherwise noted.

Cancellations of mortgages are regular unless otherwise noted.

No. 3.

Thomas Jefferson,
President of the
United States,
to
Jacob Sell.

Patent.
Dated Oct. 3, 1805.
Date of record not given.
Vol. B.. page 58.

Grants all of the Southeast Quarter of Section #11,
Twp. #11, Range #8 of the lands directed to be sold at Steuben-
ville by Act of Congress.

No. 4.

Jacob Sell
to
John Sell of A.

Warranty Deed.
Deed not dated.
Ack. Oct. 16, 1854.
Rec. for rec. Jan. 11, 1856.
Vol. 63, page 394.
Two witnesses.
Geo. Hill, J.P.
Adams County, Pa.
Certified to by Eden
Norris, Clerk of Adams
County, Pa.

Conveys the Southeast Quarter of Section #11, Twp.
#11, Range #8.
Marital status of grantor not given.
Signature of Jacob Sell is written in German.

No. 5.

John Sell of A.
and Elizabeth Sell,
husband and wife,
to
Mary Bard.

Warranty Deed.
Dated Feb. 3, 1865.
Rec. for rec. Oct. 25, 1865
Vol. 89, page 75.
Two witnesses.
Edward Landon, J.P.

Conveys all of the Southeast Quarter of Section #11,
Twp. #11, Range #8, excepting 10 acres as described in Vol. 76,
page 39, 4.30 acres as described in Vol. 73, page 65, and 3 acres
as described in Vol. 64, page 487, Stark County Records, con-
taining 143 acres, more or less.

This description includes the premises in question.

No. 6.

Samuel Bard and
Mary Bard,
husband and wife,
to
John T. Warner.

Warranty Deed.
Dated Mar. 30, 1868.
Rec. for rec. Apr. 7, 1868
Vol. 99, page 294.
Two witnesses.
D.C. Fisher, W.P.

Conveys same premises as shown in Section #5 above.
Free and clear of all encumbrances.

No. 7.

John T. Warner and wife,
to
Abraham Welty.

Warranty Deed.
Dated Mar. 26, 1873.
Rec. for rec. Mar. 20, 1877.
Vol. 148, page 144.
Two witnesses.
A. Pontius, N.P.

Conveys all of the Southeast quarter of Section #11,
Twp. #11, Range #8, excepting 10 acres as described in Vol. 76,
page 391, 4.30 acres as described in Vol. 73, page 65, 3 acres
as described in Vol. 64, page 487, and 2.19 acres as described
in Vol. 116, page 39, Stark County Records, containing 139 acres.
This tract includes the tract in question.

No. 8.

Abraham Welty and wife,
to
Thomas Hill, Jr.

Warranty Deed.
Dated Mar. 31, 1877.
Rec. for rec. May 15, 1878
Vol. 154, page 537.
Two witnesses.
R.Z. Wise, N.P.

Conveys all of the Southeast Quarter of Section #11,
Twp. #11, Range #8, lying east of the Randolph Road, excepting
two acres conveyed to John Hill, two acres to John Snyder, 10
acres to Elias Werstler, 3 acres and 24 acres to Manias Werstler,
containing 106 acres.
The remaining tract includes the tract in question.

No. 9.

Thomas Hill, Jr. and wife,
to
William Hinton.

Warranty Deed.
Dated Aug. 17, 1878.
Rec. for rec. Nov. 16, 1878.
Vol. 157, page 260.
Two witnesses.
Geo. Holtz, J.P.

Conveys the premises as described in the heading of
this Abstract.
Free and clear of all encumbrances.

No. 10.

William Hinton
to
Henry B. Goldsmith.

Warranty Deed.
Dated Dec. 11, 1880.
Rec. for rec. Dec. 11, 1880
Vol. 172, page 232.
Two witnesses.
Edward M. Grimes, J.P.
Stark County, Ohio.

Conveys the premises as described in the heading of
this Abstract.
Free and clear of all encumbrances.

No. 11.

I find no deed on record from Henry B. Goldsmith or to
the grantees named in Section #14 herein.

No. 12.

I find no administration of the estate of Henry B.
Goldsmith in the records of the Stark County Offices.

STATE OF OHIO)
) SS. AFFIDAVIT
STARK COUNTY)

Frank A. Goldsmith, being first duly sworn, deposes and says that he is the son of Henry B. Goldsmith, deceased, and that Henry B. Goldsmith died in the year _____; that at the date of his death, he left the following heirs at law living: Frank A. Goldsmith, affiant, Lillian N. Warstler, John G. Goldsmith, Joseph H. Goldsmith and Eva L. Goldsmith; that affiant and Eva L. Goldsmith, his sister, now deceased, were never married; that on the date of the deed recorded in Vol. 491, page 430, Stark County, Ohio, Records, the grantees and the grantor in said deed were all the heirs at law of Henry B. Goldsmith, with their respective spouses, as shown in said deed; that _____ Goldsmith, _____ of Henry B. Goldsmith, died in the year _____.

Plain Township Historical Society

Vol. 1078, page 207
Two witnesses:
Christian E. Wiggard, S.P.
Stark County, Ohio.

Sworn to before me and subscribed in my presence this _____ day of April, A.D. 1931.

Frank Goldsmith,
unmarried,
Lillian N. Warstler
and William B. Warstler,
wife and husband,
John G. Goldsmith
and Florence Goldsmith,
husband and wife,
Joseph H. Goldsmith
and Hattie E. Goldsmith,
husband and wife,
to
Eva L. Goldsmith.

Quit Claim Deed.
Dated Apr. 24, 1911.
Rec. for rec. Apr. 24, 1911.
Vol. 491, page 450.
Two witnesses.
Maurice E. Aungst, N.P.
Stark County, Ohio.

Quit claims premises in question.

Eva L. Goldsmith,
deceased,
to
Joseph H. Goldsmith,
Frank Goldsmith,
Homer Goldsmith,
William Goldsmith.

No. 15.

Affidavit of Transfer of
Real Estate Inherited.
Dated Mar. 27, 1931.
Rec. for rec. Mar. 31, 1931.
Vol. 1072, page 267
Two witnesses.
Christian R. Wingerd, N.P.
Stark County, Ohio.

No. 16.

Eva Goldsmith's Estate.

Doc. X., page 213.
Probate Court.

1930	Sept.	20	Application for letters filed. Joseph Goldsmith and Frank A. Goldsmith, adms.
"	"	"	Bond \$7000.00 with Aaron Snyder and D.L. Yarrick as sureties.
"	"	"	Bond filed and approved.
"	"	"	Letters issued.

Plain Township Historical Society

No. 16.
(Continued).

Abraham Kelly
to
John L. Warner.

1930 Oct. 28 Application for
appointment of
appraisers filed.
" Nov. 5 Appraisalment
ordered.
" " " Proof of publi-
cation filed.
(No further record)

Application recites that Joseph H. Goldsmith, Frank A. Goldsmith, Homer I. Goldsmith and William Goldsmith are the only heirs at law of Eva L. Goldsmith.

No. 17.

Homer Goldsmith,

Plaintiff.

Case #61521.
Stark County Clerk's Office.

vs.

Joseph H. Goldsmith,
Frank A. Goldsmith,
William Goldsmith,
Florence Goldsmith,
Guardian of William
Goldsmith,

Defendants.

1931 Mar. 31 Petition and
praecipe filed.
" " " Summons issued.
" Apr. 10 Summons returned
not served.
" " 14 Answer of William
Goldsmith filed.
" " " Florence Goldsmith
appointed guardian
ad litem.
" " " Answer of Florence
Goldsmith, guardian
ad litem, filed.
" " " Praecipe filed.
" " " Alias summons
issued.
" " 16 Answer of Frank A.
Goldsmith filed.
" " " Answer of Joseph
H. Goldsmith filed.
" " " Waiver of Joseph
H. Goldsmith and
Frank A. Goldsmith
filed.
" " " Summons returned
served on William
Goldsmith and
Florence Goldsmith,
mother of William
Goldsmith, a minor.
" " " Partition ordered.

Plain Township Historical Society

No. 18.

Abraham Welty
to
John T. Warner.

Mortgage Deed.
Dated Mar. 31, 1873.
Rec. for rec. Mar. 31, 1873.
Vol. 125, page 254.
Not cancelled.

Description corrected in Vol. 134, page 451, as shown
in Section #19 below.

No. 19.

Abraham Welty
to
John T. Warner.

Mortgage Deed.
Dated Mar. 31, 1873.
Rec. for rec. Apr. 26, 1873.
Vol. 134, page 451.
Cancelled.

This is a correction of the same mortgage recorded in
Vol. 125, page 254, shown in Section #18 above.

No. 20.

Thomas Hill, Jr.
to
Abraham Welty.

Mortgage Deed. \$6000.00.
Dated Mar. 31, 1877
Rec. for rec. June 12, 1877
Vol. 149, page 506.
Cancelled.

No. 21.

No leases or mechanics' liens.

No. 22.

No pending suits, living judgments or foreign executions.

No. 23.

Taxes due in December, 1930 are paid.

No. 24.

I have made no search for special assessments.

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I HEREBY CERTIFY that this ABSTRACT OF TITLE consisting of Twenty-four (24) Sections was collated by me from the Official Records of Stark County, Ohio, and that the same is correct and shows every instrument of record affecting the title to said premises, as shown by the General Indexes in the several County Offices in and for Stark County, Ohio.

Canton, Ohio,
April 17, 1931.

Christian B. Shinger
ATTORNEY AT LAW

ADDENDA to the foregoing Abstract of Title showing all changes affecting the title thereto since and including April 17, 1931.

No. 2.

Section No. 16 of foregoing Abstract completed:

Doc. "X", page 213

- 1931 Apr. 22 Inventory and appraisal filed
1931 May 14 First, final & distributive account filed
1931 Apr. 22 Petition to Determine Inheritance Tax filed
1931 Apr. 24 Hearing had; estate found as follows: Gross, \$8,830.81; personal, \$7710.81; real estate, \$1120.00; debts, \$1831.43; net, \$6999.38; notice and copies ordered
1931 Apr. 28 Waiver from Tax Commission filed
1931 May 14 Waiver from next of kin filed
1931 May 18 Acknowledgement of receipt of \$227.46 from Auditor of State filed
Costs paid

No. 3.

Section No. 17 of foregoing Abstract completed:

#61521

- 1931 Apr. 18 Writ of partition issued
1931 Apr. 22 Writ of partition returned; property appraised at \$1120.00
1931 Apr. 22 Report of commissioners confirmed; election to take confirmed; deed ordered; fees of \$200.00 allowed attorney for plaintiff and also \$2.00 to each appraiser
1931 July 2 Distribution ordered
Costs paid

Petition recites that Eva L. Goldsmith was in her lifetime seized in fee simple and in possession of the property as described in the heading of the foregoing Abstract; that she died on July 11, 1930, intestate, leaving plaintiff and defendants her only heirs at law; that the plaintiff and all the defendants are over twenty-one years of age except William Goldsmith, whose age is eighteen years; and that Florence Goldsmith is the duly appointed and acting guardian of William Goldsmith. Plaintiff prays for partition, or sale of said property and that his interest be set off to him in severalty.

Partition ordered in the following proportions:

No. 3.
(continued)

William Goldsmith, minor	one-sixth
Homer I. Goldsmith	one-sixth
Frank A. Goldsmith	one-third
Joseph H. Goldsmith	one-third

Frank A. Goldsmith elects to take property at appraised value and distribution ordered by sheriff.

No. 4.

Sheriff Roscoe W. Oberlin
to
Frank A. Goldsmith

Sheriff's Deed in Partition
S. & A. May 13, 1931
R. for K. Sept. 18, 1931
Vol. 1074, page 557
Two witnesses

Recites proceedings in the foregoing section and conveys the property described in the heading of the foregoing Abstract.

Frank A. Goldsmith's Will
Will Rec. 75, page 321

"Item I. I direct that all my just debts and funeral expenses be paid out of my estate as soon as practicable after the time of my decease.

Item II. I give, bequeath and devise to my nephew, William Goldsmith, the sum of Twenty-five dollars, \$25.00; and to Homer Goldsmith, my nephew, the sum of five dollars, (\$5.00).

Item III. I give, bequeath to my two nieces, Marie Himes and May Correll, each the sum of Fifty Dollars, \$50.00.

Item IV. I hereby give, bequeath and devise to the Trinity Lutheran Warbler Church on the Middlebranch Road, the sum of Three Hundred dollars (\$300.00).

Item V. All the rest, residue and remainder of my property which I may own or have the right to dispose of at the time of my decease and wheresoever situate, I give, devise and bequeath as follows, to wit: One-fourth to Harry Goldsmith; one-fourth to Vesta Blazer and the remainder to wit; one-half to my nephew, Carl Goldsmith, to be theirs absolutely and in fee simple.

Item VI. I request that my housekeeper who has worked for me for almost seven years, be permitted to remain in and occupy my house and farm until my estate is settled. Certain items of furniture, a list of which is attached hereto, belong to my housekeeper and should not be considered a part of or administered as property, belonging to my estate.

Item VII. I hereby nominate and appoint Carl Goldsmith to be the executor of this my last Will and Testament hereby authorizing and empowering my said executor to compound, compromise and adjust all claims and demands in favor of or against my estate, and to sell at public or private sale any part or all of my real or personal property at such prices and upon such terms of credit or otherwise as he may deem best, hereby authorizing said executor to execute proper deeds of conveyance to the purchaser or purchasers.

In witness whereof I have hereunto set my hand and seal this 17th day of August, A. D. 1937.

F. A. Goldsmith"

Application to probate will states that said testator died on the 21st day of August, 1937, leaving no widow and the following persons all of his next of kin:

Homer Goldsmith
William Goldsmith
May Correll

Marie Himes
Carl Goldsmith
Harry Goldsmith

Notice to Heirs shows Homer Goldsmith, William Goldsmith, May Correll, Marie Himes and Harry Goldsmith as the heirs at law of Frank A. Goldsmith, deceased.

Sheriff's Return is as follows: "Received this writ August 25, 1937 at 10:00 o'clock A. M. and pursuant to its command on August 26, 1937 I notified the within named defendants, Homer Goldsmith, William Goldsmith, Marie Himes and Harry Goldsmith by leaving for each of them at their usual places of residence a true and certified copy of this writ with all endorsements thereon. August 26, 1937 I notified the within named defendant, May Correll, by delivering to her personally a true and certified copy of this writ with all endorsements thereon.

Jos. T. Nist, Sheriff
Margaret Sidle, Deputy"

No. 6.

Frank A. Goldsmith's Estate
Adm. Doc. 30, page 174
#30060

1937 Aug. 25 Application to probate will filed; notice issued
1937 Aug. 27 Notice returned served
1937 Aug. 25 Waiver filed
1937 Aug. 28 Hearing had; will admitted to probate and record
1937 Aug. 28 Application for letters filed; Carl Goldsmith of R. D. #3, Canton, Ohio, Executor
1937 Aug. 28 Bond of \$32,000 with London & Lancashire Indemnity Co. as surety
1937 Aug. 28 Bond filed and approved
1937 Aug. 28 Letters issued

No. 6.
(continued)

- 1937 Oct. 21 Inventory, appraisal and waiver filed; hearing set and notice by publication ordered; proof of publication approved; hearing had
- 1937 Oct. 26 Proof of publication filed
- 1937 Oct. 26 Inventory and appraisal allowed and confirmed
- 1937 Dec. 30 Petition for sale of personal property filed
- 1938 July 20 Sale bill filed
- 1939 Jan. 12 Certificate to Probate Court on filing petition to contest will filed; hearing had; all papers ordered transmitted to Court of Common Pleas
- 1939 May 3 Application for authority to pay counsel fee filed; hearing had; authority granted
- 1939 May 4 Certified copy of Journal Entry from Common Pleas Court finding will valid
- 1939 June 6 Petition for sale of personal property filed; hearing had; sale ordered
No further record

No. 7.

Carl Goldsmith, Executor
of the Last Will
and Testament of
Frank A. Goldsmith, dec'd

Plaintiff

vs

Homer Goldsmith
Louisville, Ohio
William Goldsmith
Louisville, Ohio
May Correll
930 Shorb Ave. N. W.
Canton, Ohio

Marie Himes
Carl Goldsmith (individually)
Harry Goldsmith
Vesta Blaser
Warstler Church

Defendants

Civ. Doc. "X", page 488

- 1938 Mar. 19 Petition for Instructions filed
- 1938 Mar. 19 Summons issued to Sheriff of Stark County, Ohio
- 1938 Mar. 19 Hearing set for 3/21/38; notice ordered
- 1938 Mar. 23 Summons returned served on Homer Goldsmith and William Goldsmith
- 1938 May 23 Hearing had; will construed

Petition for Instructions recites that on or about the 24th day of January, 1938, Homer Goldsmith, one of the defendants therein, together with several other defendants, filed his action in the Common Pleas Court of Stark County, Ohio contesting the will of said Frank A. Goldsmith, deceased, and prayed that said will be set aside; that in all probabilities, said action to contest the will of said decedent would not be heard by the Court of Common Pleas for some time; that a large portion of the estate of said decedent consisted of real estate and farm lands which had always been kept in a high state of cultivation by the deceased prior to his death; and that said farm lands would greatly deteriorate in value in the event that the same were not tilled and cultivated during the coming year. Prays for judgment and direction of the court in proceeding with the management and care of the real estate in question and as to plaintiff's duties in the premises.

Journal Entry ordered said cause to be heard on March 31, 1938 and that due and legal notice of the filing, pendency, and prayer of said petition be given as provided by law to all interested parties, excepting those who shall enter their appearance, and said cause was continued.

No. 8.

Homer Goldsmith
William Goldsmith
Mrs. Harold Correll
Mrs. Lloyd Himes
vs
Carl Goldsmith
Vesta Blaser
Harry Goldsmith
Warstler Church
Carl Goldsmith, as
Executor of the Last
Will & Testament of
Frank A. Goldsmith, dec'd
App. Doc. 180, #77472

1938 Jan. 25 Petition and praecipe filed
1938 Jan. 25 Summons issued
1938 Jan. 31 Summons returned
Received this writ Jan. 26, 1938 at 10:00 o'clock A. M. and pursuant to its command I notified the within named defendant, Carl Goldsmith, as executor of the last will and testament of Frank A. Goldsmith, by delivering to him personally a true and certified copy of this writ with all endorsements thereon. Jan. 26, 1938 I notified the within named defendants, Carl Goldsmith and Miss Vesta Blaser, by delivering to each of them personally a true and certified copy of this writ with all endorsements thereon. Jan. 28, 1938 I notified the within named defendant, Harry Goldsmith, by leaving for him at his usual place of residence a true and certified copy of this writ with all endorsements thereon. Jan. 28, 1938 I notified the within named defendant, Warstler Church, by delivering personally to Mr. Leonard Dunwoody, Trustee of Warstler Church, a true and certified copy of this writ with all endorsements thereon. (Trustee

Plain Township Historical Society

No. 8.
(continued)

served at the request of
plaintiff's attorney.)
Jos. T. Nist, Sheriff
1939 Jan. 12 Certificate issued to
Probate Court
1939 Feb. 24 Motion for trial filed
1939 Apr. 19 Order to make up issue
to a jury
1939 Apr. 20 Trial to jury; verdict
for defendants
1939 Apr. 22 Motion for new trial
filed
1939 May 3 Motion for new trial
overruled
1939 May Judgment on verdict
Costs not paid
No further record

No. 9.

Frank A. Goldsmith
to
The East Ohio Gas Co.

Right of Way to Lay Pipe
Signed Nov. 21, 1933
Ack'd Dec. 19, 1933
Vol. 1102, page 541
Two witnesses

Lease on the property in Plain Township described as follows:

On North by lands of public highway
On East by lands of Eli & Jno. Garber
On South by lands of Eli & John Graber - Elmhurst Allt.
On West by lands of Chas. Werstler

No. 10.

Carl Goldsmith and
Pearl Goldsmith, his wife
Harry W. Goldsmith and
Evelyn Goldsmith, his wife
William Goldsmith, unmarried
Homer Goldsmith, unmarried
Vesta Blazer, single
Marie E. Himes and
Lloyd D. Himes, her husband
Harold F. Correll and
Mae Correll, his wife
to
The Ohio Power Company

Right of Way
Signed Nov. 28, 1938
Ack'd Nov. 28, 1938 and
Dec. 7, 1938
R. for R. Jan. 20, 1939
Vol. 1236, page 361

For existing line only over following described property in
Plain Township, Stark County and part of Section #11, Township #11, Range #8
and bounded as follows:

On the North by lands of John V. Heng
On the East by lands of D. L. Yarick
On the South by lands of Frank Goldsmith
On the West by lands of Harry Goldsmith

No. 11.

Frank Goldsmith, single
to
The East Ohio Gas Company

Lease
Signed Oct. 6, 1932
Ack'd Oct. 13, 1932
R. for R. Nov. 23, 1932
Vol. 52, page 54
Cancelled

No. 12.

Frank Goldsmith, single
to
The East Ohio Gas Company

Lease
Signed Apr. 23, 1937
Ack'd Apr. 24, 1937
R. for R. May 22, 1937
Vol. 80, page 80

*Cancelled on Record
11/13/41*

Oil and gas lease for ten years from October 6, 1937 and so much longer as oil or gas is found in paying quantities in the judgment of the lessee, on the following described land:

N. by lands of John V. Hang
E. " " " D. L. Yarick
S. " " " Public Road
W. " " " J. Goldsmith

Containing 6/19 acres, more or less.

No. 13.

No mortgages.

No. 14.

No mechanic's liens.

No. 15.

No judgments, pending suits, or foreign executions.

No. 16.

No recognizance, personal tax, or federal tax liens.

No. 17.

Taxes for December 1933 are paid.

No. 18.

I have made no search for special assessments.

Plain Township Historical Society

I hereby certify that the foregoing Abstract was collated by me from the official records of Stark County, Ohio, and that I believe the same is correct and shows every instrument of record affecting the title to said premises as indicated by the General Indexes of the several county offices.

Plain Township Historical Society

Joseph K. Dweeney.
Attorney at Law

Canton, Ohio
June 19, 1939
4:30 P. M.

ADDENDA to the foregoing Abstract of Title showing all changes affecting the title thereto since and including June 19, 1939.

No. 2.

Section No. 6 of the
Foregoing Addenda
Completed
Adm. Doc. 30, Page 174
#30060

- 1939 June 6 Petition for distribution in kind filed 6/6/39; hearing had; distribution ordered
- 1939 June 15 Petition to determine inheritance tax filed
- 1939 June 16 Hearing had; estate found as follows: Gross, \$32,732.54; personal, \$22,532.54; real, \$10,200.00; debts, \$7,261.93; net, \$25,470.61
Waivers and notices ordered
- 1939 June 20 Waiver of Dept. of Taxation filed; recorded in Inh. Tax Rec. Vol. 7, page 285, fees, \$5.00
- 1939 June 26 Waiver of next of kin filed
- 1939 June 26 Motion for order to reduce interest filed
- 1939 June 26 Hearing had; interest ordered reduced to 5%
- 1939 June 29 Ack. of receipt for \$1405.53 from auditor of state filed
- 1939 July 1 Certified
No further record

No. 3.

Section No. 7 of the
Foregoing Addenda
Completed
Civ. Doc. "X", Page 488

Waiver of Summons:

Harry Goldsmith
Mae L. Correll
Marie E. Kimes
Vesta Blazer

Carl Goldsmith
Warstler Church,
L. W. Dunwoody, Trustee

After due consideration, the court finds and adjudges the true intention and construction of said will to be as follows:

That Vesta Blazer is entitled to occupy the house and farm of said testator, as set forth in Item 6 of said will, until the estate is settled, and that she is entitled to the use and income of said premises for said period of time under said item of said will. Said Vesta Blazer to give bond in the amount of \$300 to cover the income received by Vesta Blazer due to the contingency which might arise in case said will should be set aside.

Section No. 8 of the
 Foregoing Addenda
 Completed

App. Doc. 180, #77372

Petition to contest will recites that on the 21st day of August, 1937, one Frank A. Goldsmith died possessed of an estate and thereafter on the 28th day of September, 1937, a certain paper writing purporting to be the last will and testament of Frank A. Goldsmith, deceased, bearing date the 17th day of August, 1937, was admitted to probate by the Probate Court of Stark County, Ohio. Said petition lists plaintiff and defendants, except Miss Vesta Blaser and Warstler Church, as heirs at law of Frank A. Goldsmith, deceased, and recites further that said paper writing is not the last will and testament of said Frank A. Goldsmith, deceased. Jury found in favor of defendants and the paper writing is the valid last will and testament of Frank A. Goldsmith, deceased.

No. 5.

Wallace L. Mohler

vs.

William Goldsmith

App. Doc. 185, page 80129

1939 Sept. 9 Petition and praecipe
 filed
 1939 Sept. 9 Summons issued
 1939 Sept. 19 Summons from Cuyahoga
 County returned: "Received
 this writ Sept. 10, 1939 at
 10:10 A. M. and pursuant to
 its command on Sept. 13, 1939
 I notified the within named
 William Goldsmith by leaving
 at his usual place of residence
 a true and certified copy
 thereof with all endorsements
 thereon. Martin L. O'Donnell,
 Sheriff, Cuyahoga County, Ohio."
 1939 Oct. 6 Leave to defendant to
 plead by 10/21/39

Petition states this to be an action for damages due to an automobile accident on Route #3 in Stark County, Ohio between plaintiff's car and defendant's car and seeks damages in the amount of \$20,000.

No. 6.

Pearl Irene Goldsmith

vs.

Vesta Blazer

App. Doc. 185, page 80038

1939 Aug. 10 Petition and praecipe
 filed
 1939 Aug. 10 Summons issued
 1939 Aug. 15 Summons returned:
 "Received this writ Aug. 12,
 A. D. 1939 at 10:00 A. M. and
 pursuant to its command on
 Aug. 12, 1939 I notified the
 within named defendant, Vesta
 Blazer, by leaving for him at
 his usual place of residence
 a true and certified copy of
 this writ with all endorsements
 thereon. Jos. T. Nist, Sheriff,
 Stark County, Ohio."
 1939 Nov. 2 This cause settled and
 dismissed; no record
 Costs paid

No. 6.
(continued)

Petition recites that Pearl Irene Goldsmith and Carl Henry Goldsmith are husband and wife and that Vesta Blazer by her actions, alienated the affections of her husband, and that she has been deprived of the companionship, love, affection, and support due her from her said husband, all to her damage of \$20,000.

No. 7.

Pearl Irene Goldsmith
vs.
Carl Henry Goldsmith
D. R. #15, P. 8442

Divorce, neglect
1939 Aug. 10 Petition and praecipe
filed
1939 Aug. 10 Motion for alimony
filed
1939 Aug. 10 Motion for order
filed
1939 Aug. 10 Temporary restraining
order allowed
1939 Aug. 10 Motion for order
filed
1939 Aug. 10 Temporary restraining
order allowed
1939 Aug. 10 Summons, copy of
petition, motion, and journal
entries issued
1939 Aug. 15 Summons returned:
"Rec. at 10:00 o'clock A. M.
on the 10th day of Aug., 1939,
and on the 10th day of Aug.
A. D., 1939 I served the same
by delivering personally to
Carl Henry Goldsmith a true
copy thereof, together with a
certified copy of the petition
filed against him in this
cause. Joseph T. Nist, Sher-
iff."
1939 Aug. 11 Service on Thomas
Kober, Sec'y of The First Trust
& Savings Bank
1939 Aug. 17 Temporary alimony
and attorney fees allowed
1939 Sept. 22 Restraining order
dissolved
1939 Nov. 2 Decree for plaintiff;
separation agreement approved;
defendant to pay costs
No record

Petition for divorce for gross neglect of duty and extreme cruelty; order restraining Carl Henry Goldsmith from interfering with or molesting plaintiff; order restraining Carl Henry Goldsmith from disposing of any of his property, both individually and as executor; restraining order vacated and defendant herein is directed from such assets to comply with said property arrangements.

No. 8.

No deeds.

No. 9.

No mortgages.

No. 10.

No leases or mechanic's liens.

No. 11.

No judgments, pending suits, or foreign executions.

No. 12.

No recognizance, personal tax, or federal tax liens.

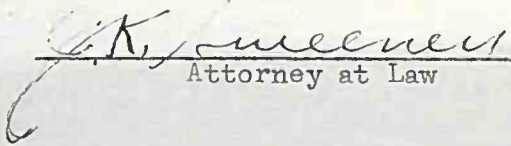
No. 13.

Taxes due and payable June 1939 are paid.

No. 14.

I have made no search for special assessments.

I hereby certify that the foregoing Addenda consisting of fourteen (14) sections was collated by me from the official records of Stark County, Ohio, and that I believe the same is correct and shows every instrument of record affecting the title to said premises as indicated by the General Indexes of the several county offices.



Attorney at Law

Canton, Ohio
November 6, 1939
12:00 M.