

Columbiana County Archives and Research Center

*Preserving the past ****

*Saving the future ****

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FALL NEWSLETTER

NO. 3 2022

Families Histories at CCARC

Continued from Summer issue

Ketchum
King
Kinsey
Kirk
Klingaman
Knight
Knowles
Konig/King
Kuester
LaRue
Lee
Leech
Leonard
Lewton
Lindesmith
Lindsay
Lipply
Lodge
Loutzenheiser
Lownds
Lower / Lowers
McBane / McKenzie
McBean
McCave
McCombs
McCord
McCormick
McCowin
McCready
McGaffick
McIntosh
McKarns
McLaughlin
McPherson

McRoberts
Mackall
Mackintosh
Marshall
Mellinger
Mercer
Merkel
Merwin
Metzger
Metzler
Moorhouse
Morgan
Morley-Hill
Morlan
Morrison
Morris
Moser
Musselman
Musser
Newhouse
Nold
Ogle
O'Malley
Pancake
Patterson
Perpointe
Perrott
Phillis
Philpot
Pike
Poe
Raley
Ramsey
Rankin

(to be continued)

President's Message

This issue is about information you are able to find in the Common Pleas Journals. If you go to the courthouse and ask about a case before 1891, you will be told they burnt in a fire in 1976. All has not been lost. Even though the actual file cases up to 1891 were lost in the fire, CCARC has copied and indexed the early Common Pleas Journals. These journals have a **wealth** of information about cases (not everything about the case but something). Our journals go from Vol 2 (108-1817) to Vol 33 (1890-1891). This issue shows you just a few examples of what can be found. It is like opening a **treasure chest** to a world that existed long long ago.

Hopefully you will want to search for yourself our indexes for your family names. Take a road trip, enjoying the beautiful fall colors, to CCARC. We are still open Tues and Thurs 9:30 to 3:00. We look forward to seeing you step into the **past of your ancestors!**

Linda

Court Journals

Have you ever looked at a court journal. If you haven't you may be missing some good "Stuff". A court journal is the day-to-day happenings in the court - any court. Did you know you needed licenses for taverns, or operating a ferry? Other things that can be found are probate records, guardianships, lawsuits, indictments handed down by a grand jury and a list of grand jurors for any particular court term. Documents that give an executor or administrator of a deceased person the permission to go ahead and take care of the estate of that deceased person. A notation of when the final accounts were filed is also found in these records. Property disputes are found in these journals including petitions to partition. Did your ancestor put his papers to become a citizen of the United States. Did he stay in the county long enough to be naturalized? These records can be in Common Pleas Journals. CCARC has copies of Common Pleas Journals Vol 2 (1808-1817) through Vol 33 (1890-1891). **Maybe your brick wall can be solved through an entry in the journals?**

Common Pleas Journal Vol 19 pg 136 has an answer for possibly someone's brick wall. When Charles Fitzpatrick died, his wife was Charlotte Fitzpatrick. Charles had married Mary Hardman pre 1805 (Biographical Cyclopedic & Portrait Gallery of Ohio 1:566) This case tells Mary Hardman Fitzpatrick's father, Daniel Hardman, from Bedford County, Pa and rights of her children, naming them, concerning the real estate with purchase date.

Jacob Fitzpatrick

vs.

Anthony Hardman Admr of Charles Fitzpatrick dec'd

Civil Action: This cause came on to be heard upon the amended petition - the answer of Anthony Hardman administrator of Charles Fitzpatrick, the answer of Charlotte Fitzpatrick widow disclaimers of Jacob Hardman, Daniel Hardman, Catharine Meese, Philip Hardman and John Hardman, the exhibits, depositions and testimony, and the Court being fully advised in the premises, finds that the equity of the case is with the plaintiff that Daniel Hardman of Bedford County Pa, entered the land described in the petition and received a patent from the United States therefore, dated 10th day of June 1811 - that said Daniel Hardman designed the 100 acres as described in the petition for his daughter Mary Fitzpatrick - that the same was surveyed off and possession given to her, and that she and her husband lived on, and improved the same up to the time of her in 1843. That Daniel Hardman designed said 100 acres of land for said Mary Fitzpatrick and her heirs and would have conveyed to her had he not feared to do so, on account of the indebtedness of her husband - that said Daniel Hardman gave said land as an advancement to his said daughter and charged her \$400 therefore, as a part of her share of his estate. The court further finds that said Daniel Hardman in 1820 died, leaving a last will and testament as alleged in the petition. That he thereby devised to said Mary Fitzpatrick one full share of his estate to her and the heirs of her body born or thereafter born and that his intention was to give a full equitable estate to said Mary Fitzpatrick in said 100 acres of land, during her life and that it should descend to the heirs of her body after her death - that the executors and heirs at law of said Daniel Hardman deceased, acted upon said with in accordance with the intention of testating and let said Mary Fitzpatrick have said 100 acres of land as a part of her share of said estate and that the children and heirs at law of said Daniel Hardman deceased and all persons claiming under them should be stopped from setting up any claim to said real estate that on the death of said Mary Fitzpatrick said real estate descended to the children heirs of her body subject to the life estate of said Charles Fitzpatrick and said Charles having deceased. They are entitled to the same in fee -

The court further finds that Charles Fitzpatrick deceased, had no title to said 100 acres of land, except a life estate devised through his said wife Mary and that his administrator has no rights whatever in the same - the court further finds that plaintiff has been in possession of said premises since Oct 1854 and is now in possession of the same - that he is entitled to three tenths of said premises as set forth in the petition and that the following children of said Mary Fitzpatrick dec'd are entitled to the remaining seven tenths there of towit: John Fitzpatrick, one tenth, Matilda Woods one tenth, David Fitzpatrick one tenth, Mary Stauffer one tenth, Dorothy Woods one tenth, Elizabeth Messer one tenth and Joseph Fitzpatrick one tenth and that said plaintiff and his brothers and sisters aforesaid are entitled to said 100 acres of land in fee. Clear of all encumbrances. It is therefore ordered, adjudged and decreed by the court that said plaintiff and his said brothers and sisters are entitled to the fee simple estate in said 100 acres as described in the petition free and clear of all encumbrances. That the children and heirs at law of Daniel Hardman dec'd, as described in the petition shall within 30 days after the entry of this judgment release to said plaintiff and the said other children of Mary Fitzpatrick deceased, all their rights titles, interest and claim in the premises described in the petition. That said Anthony Hardman administrator of Charles Fitzpatrick deceased has no interest whatever in said real estate and that all claims of right on his part to sell estate to pay debts or in any other manner, be abandoned and released, that said Charlotte Fitzpatrick has no dower interest in said real estate and that said administrator and widow be forever precluded from setting up any claims to the same; and it is further ordered by the court that the plaintiff and the other children of Mary Fitzpatrick interest in the real estate pay one half of the costs and that the administrator of Charles Fitzpatrick deceased pay the other half of the costs to be taxed and that execution issue therefore on default of payment and Anthony Hardman admr of Charles Fitzpatrick gives notice of appeal to the District Court.

Common Pleas Journal Vol 21 pg 618 has an answer to where heirs of Lydia Farmer lived and their ages. Lydia Freed Farmer died 17 Feb 1867 in Wisconsin. Her spouse was Reazin Farmer. The case above this has Jerusha A Little vs. Rebecca Farmer etal in a Partition.

Heirs of Lydia Farmer deceased } On motion and it appearing to the Court that
Parthema Farmer aged 17 years
Parlyett or Parletta Farmer aged about 15 years
William Farmer aged about 13 years
And Darius Farmer aged about 11 years, are not residents of the State of Ohio,
and residents of the State of Wisconsin - that they have an interest in the proceeds of
certain real estate situate in the County of Columbiana, Ohio which was sold by the
Sheriff of said County in partition and that part of the proceeds of said real estate is
now due and payable to said minors, the Court appoints John Clarke a Trustee for said
minors to collect, manage and take care of such property, and said Trustee is ordered
to give Bond in the sum of \$1200 conditioned according to law and John Reid and John
McVicker are accepted as his securities, and on filing bond it is ordered that the Clerk
of this court issue a certificate of appointment be, to said Trustees.

Common Pleas Journal Vol 3 pg 72 & 73

A list of Licenses granted at Dec 2nd 1819

	Name	Place	Licenses	Fee Cost
1	Thomas Morrell	New Lisbon	Tavern	15.00
2	James Welch	Wayne Twp	Tavern	10.00
3	Peter Koffel	Wayne Twp	Tavern	10.00
4	William Rogers	New Garden	Tavern	12.00
5	William Heacock	Salem	Tavern	10.00
6	James Workman	Petersburgh	Tavern	10.00
7	James Wallace	Petersburgh	Store/Tavern	35.00
8	John Hemperly	Canton Road	Tavern	12.00
9	George Rudisill	Canton Road	Tavern	12.00
10	Matthias Walters	Elkrun Twp	Tavern	10.00
11	Peter Bowhart	Centerville	Tavern	10.00
12	John Smith	St. Clair Twp	Tavern	12.00
13	William Thompson	West Union	Tavern	12.00
14	Baltzer Young	Achor	Tavern	10.00
15	John Webb	Salem	Tavern	10.00
16	John Rider	Yellow Creek	Tavern	10.00
17	Jacob Nessly	Yellow Creek	Ferry & Tavern	10.00
18	John Smortzkar	New Lisbon	Tavern	13.00
19	Philip Foust	Springfield	Tavern	10.00
20	John Street	Salem	Store	25.00
21	Frederick Leitzer	Beaver Twp	Store	25.00
22	Thomas Knight	Fairfield	Store	25.00
23	Isaac Wilson & Co	St. Clair Twp	Store	25.00
24	George Endly	New Lisbon	Store	25.00
25	Jesse Allen & Co	Columbiana	Store	25.00
26	David Scofield	Salem	Store	25.00

A List of Permits granted after Dec 2nd 1819

27	John Rigby	Hanover	Store	8.70
28	Jacob Brown	Augusta	Store	1.03
29	Jacob Champer	Centerville	Store	8.25
30	Samuel Thomson	New Lisbon	Store	8.08
31	Sanford Hill	Fawcetts town	Store	8.25
32	Orth & Strohn	New Lisbon	Store	.91.5

Common Pleas Journal Vol 3pg 125

Abraham Westfall, William Lee, William Huston and Henry Fisher each appeared in open Court and presented their Declarations in order to obtain the benefit of an act of Congress passed the 18th March 1818 and an act amendatory thereto passed the 18th May 1820 and there and then swore to the truth of the facts their respective Declarations mentioned. and the schedules thereto annexed and also proved to the satisfaction of the Court that they were worth the said Fisher \$147.37, the said Huston not exceeding \$50.00, the said Lee not exceeding \$117.72 and the said Westfall not exceeding \$100.00 – which were ordered to be recorded, and the clerk to certify copies of the same to the War Office agreeable to the provisions of the last mentioned act.

How do children come up on the census in a different family? The following examples tell a story.

Common Pleas Journal Vol 15 pg 119 Sept Term 1849

In the matter of the Indenture of apprenticeship of **Ivy L King**} This day is produced to the Court and Indenture in the words followings to wit: "Article of an agreement made and concluded upon this 18th day of August 1849 by and between Thomas King Jr guardian of Ivy Lucial King of the first part and William Taylor of Unity Township Columbiana County Ohio of the second part. Witnesseth that the said Thomas King Jr as guardian as foresaid doth here by bind the said Ivy Lucial King who is now four years two months and fourteen days old, to the said William until she arrives at the age eighteen years. The said William Taylor binds himself to teach or cause the said Ivy Lucial King to do house work in a respectable manner and teach her to read and write and the four first rules of arithematic and at the end of the term of service to furnish the said Ivy Lucial with 1 bureau, 1 Bed, Bedstead and Beding, and new Bible and at least two new suits of wearing apparel. In witness where of we hereunto set our hands this day and year first written. Thomas King Guardian of Ivy Lucial King. William Taylor attest David Augustine. Where upon the Court approve of the terms and covenant of said indenture as there in contained as well as William Taylor the person to whom said minor is bound.

Common Pleas Journal Vol 15 pg 119 Sept Term 1849

In the matter of the Indenture of apprenticeship of **Mahala J King**} This day is produced to the Court and Indenture in the words followings to wit: "Article of agreement made and concluded upon this 18th day of August 1849 by and between Thomas King Jr guardian of Mahala Jane King of the part and Charles Wetsel of the second part all of Unity Township Columbiana County, Ohio. Witnesseth that the said Thomas King Jr guardian as foresaid doth here by bind the said Mahala Jane King who is now nine years six months and sixteen days old as a servant girl unto the said Charles Wetsel until she arrives at the age eighteen years. The said Charles Wetsel binds himself to teach or cause the said Mahala Jane King to be taught to do house work in a respectable manner also have her taught to read and write and the four first rules of arithematic and at the end of the term of service to furnish the said Mahala Jane King with 1 bureau, 1 Bed, Bedstead and Bedding, 1 cow, one new Bible and at least two new suits of wearing apparel. In testimony of which the parties have her unto set their hands the day and year first written. Thomas King Jr Guardian of Mahala Jane King. Charles Wetsel attest David Augustine. Where upon the Court approve of the terms and covenant of said indenture as there in contained as well as Charles Wetsel the person to whom said minor is bound.



What happened to the family farm? Why did certain members of the family drift away. Maybe they had a disagreement that went to court.

Abraham's mother was Catharine Sheets with his wife being Mary Ann Dustin Sheets. B D Sheets was his son

Common Pleas Journal Vol 24 pg 71 & 72 May Term 1874

Catharine Sheets

Civil Action

vs

Mary Ann Sheets Etal

The Referee to whom this cause was referred for decision having filed his report deciding upon the different matters referred to him for decision and no exceptions having been taken thereto the said report of the referee is approved and confirmed by the court; and the Court finds that the plaintiff during life is entitled to the use of that part of the house (on the farm described in the petition) which she now occupied being two rooms down stairs and one up stairs sufficient barn room for hay &c, and stabling for one cow, pasture for cow and the cow which she now has to be left on the farm for her use. she is to have the use of the garden, which she now occupies and the use of the garden which she now occupies and the use of the spring in common with tenant. The Court further finds that B D Sheets is entitled to the use of the house fitted up for him by his mother on the farm aforesaid and he thereto attached and the fruit trees about it. The Court further finds that the executors of Abraham Sheets dec'd have the right to let or lease the farm subject to the rights of the plaintiff and B D Sheets therein as herein provided and that said Executus have a right to receive the rents and profits or proceeds of said farm that the taxes assessed on the farm equally shall first be paid out of the rents and profits and the balance of said rents and profits after the payment of taxes shall be considered the net profits of the farm and that said net profits shall be divided as follows. The plaintiff shall receive two fifths thereof. the grain in the bushel. the hay in the mow. potatoes and apples in the bushel, and the same proportion of the other fruit, and what straw she may need for the bedding and use of the cow, but all to be left on the farm. The Court further finds that one third of said net profits belongs to the widow of said Abraham Sheets dec'd and that the remaining 4/15 of said net profits belong to said B D Sheets. It is therefore considered adjudged and decreed by the Court; that said rights in the farm found to belong to the plaintiff during life be and the same are hereby adjudged and decreed to her, that the rights in said farm found to belong to said B B Sheets and the same are hereby decreed to him, that the rights of the Executus of Abraham Sheets dec'd are found by the Court in said farm are adjudged and decreed to them and they are adjudged and decreed to pay over and dispose of the new rents and profits of said farm in manner and form as found by the Court that the plaintiff and the Executus of A Sheets shall each within 60 days pay one half of the costs of this case, and in default of payment that execution issue, and by consent of parties it is ordered that a record be not mde. The plaintiff gives notice of appeal and the Court fixes the bond at \$50 and the defendants give notice of appeal and the Court fixes the bond at \$50.00

Columbiana County Early Death Records

Sheets, Abraham Dr 12 Aug 1871, married, 51y 11m 18d, b & d Unity Twp (Vol 1 pg 258)

Abraham Sheets had a Probate Case #7195.

Common Pleas Journals Vol 24 pg 31 & 32 May Term 1874

Mary N Roose Petition for Divorce

vs

William Roose This day came the said petitioner by her Attorney and thereupon it appearing to the Court that due notice of the pendency and prayer of said petition has been published in the Buckeye State, a newspaper printed, published and of general circulation in the County for the time provided in and according to the Statute in such cases made and provided and that a certified copy of the petition herein, and a summons in this action was duly mailed to the said deft as required by law: thereupon this cause came on to be heard upon the petition of the plaintiff, the Answer and cross petition of the defendant William Roose herein filed and testimony adduced in open Court and was argued by counsel and the Court being fully advised in the premises finds that the allegations of the plaintiffs petition are true as therein averred that the plaintiff and defendant were lawfully married on the 5th day of February AD 1861 as therein stated and that there were two children born of said marriage to wit: George Clarkson Roose now aged Eleven years and Charles Williamson Roose now aged nine years and that the petitioner has been for more than ten years last past and now is a bonafide resident of this County and State. The Court further finds that said defendant was guilty of Adultery, with said Elizabeth Shaw on the 15th day of May AD 1864, as averred in said petition and at the place therein stated and that said defendant was guilty of extreme cruelty and gross neglect of duty toward said plaintiff as averred in said petition: And the Court further finds that the averments of said Answer and cross petition of the said defendant William Roose are false & untrue.

It is therefore ordered, adjudged and decreed that a divorce be granted to said plaintiff as prayed for in said petition that the marriage contract existing between said plaintiff and defendant be wholly dissolved, annulled and held for naught and both parties released from the obligations of the same and it is further ordered, adjudged and found that the custody of said children of said marriage be awarded to the said plaintiff that she be restored to her maiden name of Mary N Barber and it is ordered that said defendant pay the costs in this case, which are here adjudged against him within ten days from the rising of the Court at this term and that in default of such payment Execution issue against him to collect the same And thereupon comes the Counsel for the plaintiff and moves the Court to strike the said Answer and Cross petition of said defendant from the files and from the record of this case, because the same is false, scandalous and untrue and wholly unsupported by testimony; on consideration whereof the Court sustain said motion and order said Answer and Cross petition to be stricken from the files for the causes set forth in said motion.

Case No 160 Divorced Granted, Custody of the Children to the petitioner & Maiden Name restored
Deft to pay costs within 10 days or Ex to Issue

Were your ancestors Naturalized?

Common Pleas Journal Vol 3 pg 107 & 108 Aug Term 1820

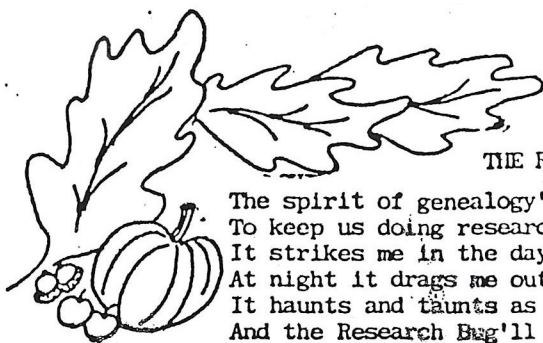
John Stahal; John George Mullenkoff, George Moyer, Michael Ruckebroad, David Ruckebroad, Christopher Baird, Jacob Baird, Solomon Ruckebroad, Michael Easterdy, Michael Libeley, George Rinkinberger, John Gratsinger, Adam Richard, Frederick Shry, Stephen Rints, Christian Libely, Frederick Wilhelm, George Holdereith, Christopher Baird for himself and Conrad Koller aged 20 years & Jacob Gabler aged 14 years, Michael Felnagle for himself & his sons Jacob Felnagle aged 20, John Michael Felnagle aged 18 years, Frederick Felnagle aged 16 & John Felnagle aged 15 years, George Renkenberger for himself & sons Christopher aged 17 & John aged 19. Michael Esterly for himself & his son John aged 17 & Frederick Smith all from Wirtemberg in the Empire of Germany. John Gross from Hungary in the Empire of Austria, Frederick Kliz from Berlin in the Kingdom of Prussia, Samuel Dempsey & Peter Roach from the part of the Kingdom of Great Britain called Ireland all came into Court filed their Report, declared their intention of becoming citizens of the United States, whereupon the Oaths in such cases by law prescribed was administered to each of them

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129 S. Market St.

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THE RESEARCH BUG'LL GET YOU

The spirit of genealogy's come to our house to stay,
To keep us doing research and checking day by day.
It strikes me in the daytime and gets me in a stew,
At night it drags me out of bed to hunt another clue.
It haunts and taunts as after names I scout,
And the Research Bug'll get you, if you don't watch out.

I write to distant places for photographs so rare,
And haunt the Archives weekly to gather data there.
I fill out family group sheets from books I get on call,
I hardly like to take the time for other work at all.
I haven't stopped to wonder just what it's all about,
But the Research Bug has got me so you'd best watch out.

Now let me sound a warning; if to research you apply,
You'll ne'er be cured of it, no matter how you try.
For when you think you have them all...the names, the dates, the town,
Another name or date pops up; you're off till it's tracked down.
So don't you ever start unless you know what you're about,
'cause the Research Bug'll get you, if you don't watch out!

Alvin Montgomery