State of Indiana
SS:
County of Adams

In the Adams Circuit Court,

September Term, 1907.

Andrew Gottschalk, executor

vs.

Edward Ehle et al.

The defendant, Edwrd Ehle ~~for answer to plaintiff's~~ in the way of Cross Complaint ~~petition~~ alleges and says, that on August 24, 1901, that Clarance C. Shepherd and Emma Shepherd became indebted to this plaintiff in the sum of Two Hundred Dollars ($200.00), by their certain promissory note of that date and which said note is in words and figures as follows, to-wit:

$200.00 Bluffton, Indiana, Aug, 24, 1901

Two Years after date we jointly and severally promise to pay to Edward Ehle or order, Two Hundred Dollars, Dollars, Payable at WELLS COUNTY BANK, Bluffton, Indiana. With interest at the rate of eight per cent. per annum from date _____ and attorney's fees. Value received, without any relief whatever from Valuation or Appraisment Laws. The drawers and endorsers severally waive presentment for payment, protest and notice of protest and non-payment of this note.

P. O. _____ Clarance C. Shepherd

NO _____ _____

Due _____189__ _____

Endorsements.

Interest paid in full for two years Aug. 21, 1903
In full " 20, 1904
Paid interest " 20,1905
" " " 20, 1906

That a reasonable fees for plaintiff's attorney's is $40.00

Defendant further avers that to secure payment of said note said Clarance C. Shepherd and Emma Shepherd did on said day execute and deliver to this plaintiff their certain mortgage of that date by which the mortgage to this plaintff the following described

real-estate in the County of Wells, State of Indiana, to-wit:"Lot One Hundred and sixty-three (163), of R. W. and J. W. Tounley's South Addition to the City of Bluffton."

That said mortgage was duly entered for record in the office of the recorder of said Wells County within fourty-five days from date of its execution and was on the 26th day of August, 1901 duly recorded in mortgage record 5 at page 227; a copy of which said mortgage is filed herewith and made a part of this complaint and marked exhibit "A".

That on the 8th day of December, 1902, Clarance C. Shepherd and Emma Shepherd, his wife sold and transferred, by warantee deed the above described real-estate to Wilson H. Shepherd, said deed was recorded December 8, 1902, in the deed records of Wells County, Indiana in book 38, page 486.

That there is now due and unpaid on said note the sum of Three Hundred Dollars ($300.00).

Wherefore, defendant asks judgment for Three Hundred Dollars ($300.00) and that said sum of Three Hundred Dollars ($300.00) be declared a prior lien against the above described real-estate and that said executor be ordered to pay said amount out of the first money collected by him from the sale of said real-estate and for all other just and proper relief.

Frank M Gordon

ATTORNEY'S FOR DEFENDANT.

State of Indiana, Adams County.

In the Adams Circuit Court, November Term, 1907.

Andrew Gottschalk, Extr

vs

Robert M.Engle, et al.

Comes now Marcellus E.Hutton one of the defendants in the above cause and states and shows to the Court, that the decedent in his life time transferred to this defendant three of his shares in the capital stock of the Shepherd Oil Co., a corporation, and that said three shares are now the absolute property of this defendant.

That said decedent also transferred to this defendant two shares of the capital stock of the Shepherd Oil Company to secure and indemnify this defendant as surety for said decedent on accertain note calling for sum of $80.00 given to the Bank of Geneva, which note was the debt of said decedent and signed by this defendant as surety; that there is now due on said note the sum of $80.00 and that the same is a just debt of said estate.

And this defendant now waives issuance and service of notice and summons in this cause, and appears thereto, and asks the Court that said two shares of stock be ordered sold at public or private sale, separate from the other stock of the decedent, and on such time, terms and conditions as Court may order and that proceeds thereof be held by said executor to protect this defendant assurety in the event said estate should be insolvent, and if said estate shouldprove insolvent that the executor be ordered to apply so much of the porceeds of the sale thereof to the payment of said debt as may be necessary to protect this defendant.

And he also asks that said other three shares be declared and adjudged his absolute property.

Marcellus E. Hutton

State of Indiana, Adams County.

In the Adams Circuit Court, November Term, 1907.

Andrew Gottschalk, executor of
will of Wilson H.Shepherd,
deceased,

vs

Robert M.Engle, et al.

Appearance by Jacob J.Stahly
and consent to sale.

Comes now Jacob J.Stahley,,and waives the issuance and service of notice and summons in this cause and now enters his appearance to the petition herein filed to sell certain oil stock belonging to the estate of said decedent, and said Jacob J.Stahly, shows to the Court:

That in his life time said decedent Wilson H.Shepherd borrowed from this defendant the sum of $200.00, giving to this defendant his note therefor in said sum bearing date of June 20th, 1904; that on said day said decedent assigned and delivered to this defendant three sahres of the capital stock of the Shepherd Oil Company, a coperation, to seuure the payment of said note; that said note has not been paid and has been filed as a claim against said decedent's estate and that there is now due thereon the sum of two hundred thirty dollars.

And he asks that the Court ordered that said three shares of stock be sold separate and aprt from the other stock of said Wilson H. Shepherd, at private of public sale, and upon such time terms and conditions as the Court may deem best, and that the proceeds therefrom be first applied to the payment of said note.

Jacob J Stahly

State of Indiana, Adams County.

In the Adams Circuit Court, February Term, 1908.

Estate of / No.1096

Wilson H.Shepherd, deceased. / Petition for re-appraisement. of real estate.

Comes now Andrew Gottschalk, executor of the last will and testament of Wilson H.Shepherd, deceased, and states andshows to the Court, that agreeable to the order of this Court he caused notice of the time terms and place of the sale of certian real estate ordered sold in this cause, and hereinafter described to be given by publication and posting of notices, proofs of which publication and posting have been heretofore filed in this cause and are hereby referred to and made a part hereof.

That in all things agreeable to the order of this Court and said notice so given he offered for sale at private sale at the Drug Store of Andrew Gottschalk in the town of Berne, Adams County, Indiana, on Wednesday the 29th day of January, 1908, between the hours of 10 o'clock A.M. and 4 o'clock P.M. of said day, the following described real estate ordered sold in this cause, which real estate is situated in Adams County, Indiana, to-wit:

The east half of the south east quarter of the north west quarter of section sixteen, township twenty five north, range thirteen east.

That he received no bids therefor equal to the appraisement, and that agreeable to said notice he continued said sale. That since the said 29th day of January, 1908, he has from day to day continued to offer said real estate for sale and has endeavored to get a bid thereon equal to the appraisement but he has been unable to do so. He further shows that he believes said real estate is appraised too high, being appraised at the sum of $1600.00, and that he does not beleive he will be able to obtain a bid thereon equal to such appraisement, and that he beleives said real estate ought to be re-appraised. Wherefore he asks an order directing him to re-appraise said real estate, and for any further necessary order in in the premises.

Andrew Gottschalk

Executor of Will of Wilson H. Shepherd, deceased.

Subscribed and sworn to before me this March 19" 1908

My commission expires My Commission Expires Feb. 5, 1911

Frank C Foreman
Notary Public.

State of Indiana, Adams County.

In the Adams Circuit Court, September Term, 1907.

Andrew Gottschalk, Executor of

last will of Wilson H.Shepherd,

deceased

vs

Clarence C.Shepherd

Nellie I.Steiner

Amos Steiner,

et al.

No.

Waiver of summons and notice and consent to sale

Comes now Clarence C.Shepherd, Nellie I.Steiner and Amos Steiner, each and all of whom are defendants in the above entitled cause, and each for himself hereby waives the issue and service of notice and summons in the above cause, and each now hereby enters an appearance herein, and each for himself hereby consents and assents that the real estate of the decedent be ordered sold by the Adams Circuit as prayed for in the petition of such executor, and for any further necessary order in the premises.

Clarence sign here → Clarence C Shepherd.

Mr Steiner here → Nellie. I. Steiner.

Mr. Steiner here → Amos Steiner