

Description: Recorded Will of Rebecca Osborn (d. 1893)  
Champaign Co., OH Will Book H, Pages 38 - 40

Repository: Family History Library, Salt Lake City, UT  
Format: Online images made from microfilm  
Microfilm#: 545425

These images were downloaded from the familysearch.org website and re-posted at the Osborne  
Origins website at:

<http://www.osborne-origins.org/oh/champaign/oh-champaign-will-h-38.pdf>

In the matter of  
The will of Probate Court Champaign County Ohio.  
Rebecca Osborn

Be it Remembered that on the 22<sup>nd</sup> day of November 1893 an instrument of writing purporting to be the last will and Testament of Rebecca Osborn deceased was produced in open court, and an application filed therein by John R. Garard. Whereupon the following proceedings were had.  
Said instrument of writing being in words and figures following to-wit:  
(will)

will

Written at Home May 10<sup>th</sup> 1893

I, Rebecca Osborn. Will to John R. Garard the note \$100.00 dated Aug. 18<sup>th</sup> 1879 with interest on same since Aug. 18<sup>th</sup> 1881. Also the interest on nine hundred dollar (\$900.00) note from time of date Feb. 25<sup>th</sup> 1891. until my death, and to each of his nine children, Rebecca E. Armstrong, Martha A., Adaline S. - Irwin F., Ora H. Sarah E. Sidney W., and Francis M. Garard and Mary F. Covault. I will one hundred dollars (\$100.00), a piece, and to Fannie Gold I will ten dollars (\$10.00), and out of the res-remaining I bear for my funeral expenses, Dr. bill and a neat but plain head stone at my grave. If after that there is any left, it is to be equally divided between John R. Garard and his nine children or if what is set aside for said expenses is not sufficient, John R. Garard and his nine children are to share equally in said expenses. If John R. Garard should die before I do, his share is to be divided equally among his nine children, or if any of his nine children should die before me, without children their share is to be equally divided between John R. Garard and his children, who are still living, unless the deceased has children, then their share is to go to their children and if Fannie Gold should die before me, what I will her, will go to her children.

My Will

Rebecca Osborn

Written by Adaline S. Garard

Witness

Sarah E. Garard.

Application

Application to Probate being in words and figures following to-wit:  
The State of Ohio } Applications for Probate of will  
Champaign County, ss. }  
In Probate Court:

In the matter of the Last will and Testament of Rebecca Osborn Deceased. Application to admit to Probate to the Probate Court of said County. Your Petitioner respectfully represents that Rebecca Osborn late a resident of the Township of Salem in said County, died on or about the 4<sup>th</sup> day of November A.D. 1893 leaving an instrument in writing, hereto attached purporting to be her last will and Testament. That the said Rebecca Osborn died leaving no widow and the following named persons his only next of kin residents of the State of Ohio: Rebecca E. Armstrong Grand Daughter Urbana O., Martha A. Garard Daughter Urbana O., Adaline S. Garard Grand Daughter Urbana O., Irwin F. Garard Grand son Urbana O., Ora H. Garard Grand son Urbana O., Sarah E. Garard Grand Daughter Urbana O., Sidney W. Garard Grand son, Urbana O., Francis M. Garard Grand son Urbana O., Mary F. Covault Grand Daughter Urbana O., Fannie Gold Grand Daughter Great Bend Kansas

No. 4126

Will of Rebecca Osborn

Your Petitioner herewith offers said will for Probate and Prays that a time may be fixed for the proving of the same, and that said above named persons may be notified according to law of the pendency of said proceedings

John R. Garard Petitioner

The State of Ohio } The above named John R. Garard being  
Champaign County ss. } first duly sworn says that the facts stated  
and allegations in the foregoing Application contained are true as  
he believes.

John R. Garard.

Sworn to before me and signed in my presence this 22 day of November A.D. 1893.

Joseph P. Mottcutt. Probate Judge

Waiver

On the back of said Application is the following waiver to wit:

WE, the undersigned next of kin of the within named decedent hereby waive further notice, and consent to the Probate of said will.

- Rebecca E. Armstrong, Martha Ann Garard,
- Adaline S. Garard, Irvin T. Garard, O. H. Garard
- Sarah E. Garard, S. W. Garard, Francis W. Garard
- Mary Frances Corvett

Thereupon the court ordered as follows:

Entry  
of  
Filing

In the matter of the will of Rebecca Osborn deceased. Appln. to Probate  
Wednesday Nov. 22<sup>nd</sup> 1893

This day an instrument of writing purporting to be the last will and testament of Rebecca Osborn late of Salem Township in this county deceased was produced in open court and an application filed for Probate. And Rebecca E. Armstrong, Adaline S. Garard, O. H. Garard, S. W. Garard, Martha Ann Garard, Irvin T. Garard, Sarah E. Garard, Francis W. Garard and Mary Frances Corvett next of kin of the testator resident of the State of Ohio, having waived service of notice and entered their appearance herein said Application will be for hearing before this court on the 22<sup>nd</sup> day of Nov. A.D. 1893 at 10 o'clock P.M.

V. P. ... 389

Joseph P. Mottcutt Probate Judge

and afterward on same day testimony of witnesses was filed herein:

Testimony

The State of Ohio } Probate of will  
Champaign County ss. } In Probate Court.

Personally appeared in open court Adaline S. Garard and Sarah E. Garard the subscribing witnesses to the last will and testament of Rebecca Osborn late of Salem Township in said Champaign County deceased. who being duly sworn according to law, to speak the truth the whole truth and nothing but the truth in relation to the execution of said will depose and say that the papers before them bearing date the 10 day May A.D. 1893 purporting to be the last will and testament of Rebecca Osborn and deceased is the will of said deceased Rebecca Osborn that they were present at the execution of said will, and at the request of the testatrix respectively subscribed their names to the same as witnesses in her presence, that they saw the said Rebecca Osborn deceased sign and seal said will, and heard her acknowledge the same to be her last will and testament and that the said Rebecca Osborn Osborn at the time of making, signing and sealing said will

No. 4126.

## Will of Rebecca Osborn

was of full age of sound mind and memory, and not under any restraint

Adaline S. Garard  
Sarah E. Garard

Sworn to and subscribed by said witnesses in open court this 22 day of November A.D. 1893.

Joseph P. Monahan  
Probate Judge

Whereupon the court ordered as follows to-wit:

Order  
of  
Probate

In the matter of the will of Rebecca Osborn deceased. Will admitted to Probate  
Wednesday Nov. 22<sup>nd</sup> 1893

Be it Remembered that heretofore to-wit: on the 22<sup>nd</sup> day of November A.D. 1893. an instrument of writing purporting to be the last will and testament of Rebecca Osborn, late of Salem Township in this county deceased was produced in open court and offered for Probate and was then filed together with waiver of notice and consent to Probate of all next of kin of the testator resident of the state of Ohio. Thereupon on this day came Adaline S. Garard and Sarah E. Garard the subscribing witnesses to said will who being duly qualified testified to the due execution and attestation of said will, which testimony was reduced to writing, by them respectively subscribed and filed with said will. Whereupon the court finds that the aforesaid instrument of writing is the last will and testament of said Rebecca Osborn deceased, that the same was duly executed and attested, and that the said testator, at the time of making signing and sealing the same, was of full age of sound mind and memory and not under any restraint. It is therefore by the court ordered that the said will be admitted to Probate, and that the same together with the testimony of the witnesses above named be entered of record in this Court.

Journal 17... Page 389

Joseph P. Monahan  
Probate Judge