

Description: Will and selected estate papers of Mahlon Osborn(d. 1862)  
Mahoning Co., OH Probate Case File #978

Repository: Mahoning Valley Historical Society Archives Library  
648 Wick Ave., Youngstown, OH 44502

Format: Original case file

These images were scanned from photocopies of the original papers by Lee K. Osborne and posted at the Osborne Origins website at:

<http://www.osborne-origins.org/oh/mahoning/oh-mahoning-prob-case-978.pdf>

The original case file contains additional papers and receipts. Only the will and some of the other papers were copied.

William Cabins  
Estate

978

Shill &

Proof of Will

Filed Dec 30 1862

Recorded in Record  
of Will's No 2 / 290

The State of Ohio, }  
MAHONING COUNTY ss.

W. Jonas Ebert

and Daniel Connor being duly sworn, in open Court, this  
30<sup>th</sup> day of December A. D. 1862, depose and say that we were present  
at the execution of the last will and testament of Mahlon Osborn  
hereunto annexed; that we saw the said testator subscribe said will, and heard him publish  
and declare the same to be his last will and testament, and that the said testator at the  
time of executing the same, was of full age, and of sound mind and memory, and not under any  
restraint; and that we signed the same as witnesses, at his request, and in the presence of each  
other, and in the presence of the testator, and that the said testator is now dead.

Jonas Ebert

Daniel Connor

In the name of the Benevolent Father of all  
I Mahlon Ordens of Jackson Township Mahoning  
County Ohio do make and publish this my  
last will and testament

I give and devise to my beloved Wife in  
lieu of her dower the one third part of the  
farm on which we now reside situated in Jackson  
Township containing about one hundred and  
eighty five acres during her natural life  
the balance of said farm together with said  
dower she shall have the use of until the  
youngest child come of age also six Cows  
Twenty Sheep four Hogs One horse one Buggy  
all my Farming utensils household goods furniture  
Wheat in the barn a sufficient quantity of  
Oats to Wrecks One horse and provisions for  
the House at the time of my decease  
at the death of my said wife the real estate  
ofersaid I give and devise to my son Jonathan  
Calvin and Daughter Nancy March and their  
heirs if however either of my said son or Daughter  
should die before the decease of my wife leaving  
no children living at the decease of my said  
wife then the share of said property above  
devise is hereby devised and bequeathed to  
the son or daughter above named and heirs  
if my said wife should not survive me then  
I devise and bequeath the property ofersaid  
to my above named son and Daughter and  
their heirs forever

I do hereby nominate and appoint my  
beloved wife guardian of my son Jonathan  
Calvin and Daughter Nancy March until

they both arrive at the age of Eighteen  
years of age my said guardian is hereby  
enjoined to give my children a good English  
education and to rear them in habits of  
industry and inculcate upon them as has

if my said wife should not survive me then  
I devise and bequeath the property aforesaid  
to my above named Son and Daughter and  
their heirs forever

I do hereby nominate and appoint my  
second wife guardian of my Son John  
Colman and Daughter Nancy March until

they both arrive at the age of Eighteen  
years of age my said guardian is hereby  
enjoined to give my children a good English  
Education and to rear them in habits of  
industry, and inculcate upon them as far  
as may be Christian faith and Charity  
I do hereby nominate and appoint Jonathan  
Osborn and Peter Wetten Executors of this  
my last will and testament I hereby author-  
ize and empower them to compromise  
adjust release and discharge in such manner  
as they may deem proper the debts and  
claims due me I do also authorize and  
empower them as soon after my decease  
as convenient to sell by private or public sale  
the Thirty Six Acres of Land lying in the  
North East Corner of Bristol Township Lumbard  
County Ohio also all my personal property  
that may be in my possession and not bequeathed  
to my said wife after my funeral expenses  
and all my debts from the balance of the  
Money if any to put to Indent until my  
above named children become of age  
and deeds to purchase to execute a Acknowled  
Edge and believe in fee simple  
in testimony hereof I have hereunto set my hand  
and seal this 20<sup>th</sup> day of December the year  
our Lord one thousand eight hundred & sixty two  
Signed and Acknowledged by said Mahlon  
Mahlon Osborn Mark

as his last will and Testament in our presence  
and signed by us in his Presence  
James Ebert

Quinn Connor

The State of Ohio, } To the SHERIFF of the County of Mahoning in the  
Mahoning County. } State of Ohio, Greeting:

Whereas, Wahlan Osborn late of said County, of Mahoning, deceased, did by his last will and testament, which was on the thirteenth day of December in the year one thousand eight hundred and sixty two duly admitted to probate and ordered to record in the Probate Court within and for said County, make provision for his widow Mary Ann Osborn You are therefore hereby commanded forthwith to cite said Mary Ann Osborn to appear before the Probate Court aforesaid, in her own proper person within one year from the service of this citation, and make her election, whether she will take such provision or be endowed of the lands of her said husband according to the statute in such cases made and provided. And when you shall have so done, you are required to make return of this writ into said Probate Court, with your return of service thereon endorsed.

In testimony whereof I herewith subscribe my name and affix the Seal of said Probate Court, at Canfield, in said County of Mahoning, this thirteenth day of December in the year one thousand eight hundred and sixty two

A. Vandymin Probate Judge.

Mary Ann Osborn hereby acknowledge service of the above and foregoing citation this 12 day of January in the year one thousand eight hundred and sixty three

Mary Ann Osborn

Attest,

J. W. Moore Justice of the Peace  
J. W. Moore

The State of Ohio, }  
MAHONING COUNTY, SS.

TO all to whom these Presents shall Come--Greeting.

Be it Known, That on the *thirteenth* day of *December*  
in the year of our Lord one thousand eight hundred and sixty *two* in the Court of  
Probate within and for the County of Mahoning, in the State of Ohio, the last will and  
testament of *Abner Osborn* late of *Jackson*  
Township, in said County and State, deceased, was duly admitted to Probate, and ordered to re-  
cord, and that *Johnathan Osborn*  
the executor named in said last will and testament *is* duly qualified as such to  
administer upon the estate of said testator according to law and the will of said testator, a true copy  
of which is hereto attached.

 In Testimony Whereof, I hereunto subscribe my name and affix  
the seal of said Probate Court, at Canfield, this *thirteenth*  
day of *December* in the year one thou-  
sand eight hundred and sixty *two*

  
*Wm. H. Hanning* Probate Judge

# EXECUTOR'S BOND.

Know all Men by these Presents,

That we, Jonathan Osborn as principal,  
and Joseph Pearce & Jonas Ebert as sureties,  
of the County of Mahoning, are held and firmly bound unto the State of Ohio, in the penal  
sum of Twenty five hundred Dollars, to which  
payment well and truly to be made unto the said state of Ohio, we do bind ourselves, our  
heirs, executors and administrators, and every of them jointly and severally firmly by these  
presents. Sealed with our seals, and dated the thirtieth  
day of December Anno Domini, One Thousand, Eight Hundred  
and ~~Ninety~~ sixty two

**THE CONDITION OF THE ABOVE OBLIGATION IS SUCH,** That if the above  
named Jonathan Osborn Executor of the last  
Will and Testament of Wahlon Osborn late of the county of  
Mahoning County and State of Ohio deceased, shall  
make and return to the Court, on oath within three months, a true inventory of all the  
moneys, goods, chattels, rights and credits of the testator, which are by law to be admin-  
istered, and which shall have come to his possession or knowledge; and also, if required  
by the Court, an inventory of the real estate of the deceased; and administer according to  
law, and to the will of the testator, all his goods, chattels, rights and credits, and the  
proceeds of all his real estate, that may be sold for the payment of his debts or legacies,  
which shall at any time come to the possession of the executor or to the possession of any  
other person for his and to, render upon oath, a just and true account of his administration  
within eighteen months, and at any other times, when required by the Court or the law,  
then this Obligation to be void; otherwise to remain in full force and virtue in law.

Jonathan Osborn 

Joseph Pearce 

Jonas Ebert 