

Description: Non-Cupative Will of Caleb Osborn(d. 1828)
Morgan Co., OH Court Minutes Book A, Pages 488 - 489

Repository: Family History Library, Salt Lake City, UT
Format: Microfilm
Film #: 911480

These images were scanned by Lee K. Osborne and posted at the Osborne Origins website
at: <http://www.osborne-origins.org/oh/morgan/oh-morgan-ctmin-a-488.pdf>

488

Ex Special Session

Minutes of a special session of the Court of Common Pleas of the County of Morgan and State of Ohio begun and held at the Court house in the town of McConnelsville on the twenty third day of July in the year of our Lord one thousand eight hundred and twenty eight before the Hon. Thomas Irvin President Judge and William M Daves & David Hutton associate Judges of said Court for the purpose of proving the non-culpative will of Lealib Osborn late of Bloom township in said County deceased

George Osborn ^{Harriet Osborn} being duly sworn according to law depose and say that that they were present at the last sickness of Lealib Osborn die a few hours before his death that at that time the said Lealib was of sound mind and memory that he called upon these deponents to take notice of what he was about to say that the said Lealib in our presence and hearing said "that I give and bequeath all my property to my wife Rachel Osborn as long as she lives and at her death the same is to be divided equally among my children when they all become of age but if she marries then she is only to have her thirds of the place on which we now live" and that the said Lealib died on Saturday morning and that the above words spoken by the said Lealib were committed to writing on Monday morning next thereafter and signed by these deponents and Eliza Osborn which said writing is here produced in the words and figures following to wit "Non-culpative will of Lealib Osborn late of Bloom township County of Morgan and State of Ohio made during the last sickness of the deceased (to wit on the 23 day of April Anno Domini Eighteen hundred and twenty) eight and committed to writing within two days after making the same The testator being of sound mind & memory and at the time of making the same called on one of the subscribing witnesses to bear testimony, that such was his will as follows to wit

I give and bequeath all my property to my wife Rachel Osborn as long as she lives and at her death the same is to be divided equally among my children when they all become of age - but if she marries then she is only to have her thirds of the place on which we now live - Given under our hands as witnesses to the same this day of April 28 A.D. 1828

George Osborn
 Eliza Osborn her mother
 Harriet Osborn her mother

Witness to the signatures
 of the three last witness

— Acknowledged in presence of Mr. William Schuyler
 And further these deponents say not signed George Osborn
 Harriet Osborn
 Eliza Osborn

~~which said depositions are on file~~
 sworn & subscribed to in open court
 Attest P. B. Johnson clerk

Whereupon it is considered by the court that the above mentioned Will is duly proven and ordered that the same be recorded

Ordered by the court that Thomas Campbell be appointed Guardian of John Stanbery aged twelve years on the 5th day of October next Joel Stanbery aged ten years the 18th day of May last, Ira Stanbery aged eight years on the 29th day of March last, Ezra Stanbery aged six years on the 3rd day of last January children and heirs of Samuel Stanbery deceased with William Oliver his security in the sum of four hundred dollars - Bond perfectio

Ordered by the court that Sarah Oliver be appointed Guardian of Harriet Stanbery aged five years the 31st day of November