

Doc. 53 No. 18632

IN RE ESTATE OF

A. N. A. D. U. F. F.

For Estate, see No.

" Guardianship, " No.

" Land Sale, " No.

S. P. Bond

Inv. Appr.

Doe. No. 17637

PROBATE COURT.

The State of Ohio, }
CUYAHOGA COUNTY, } SS.

SHERIFF'S FEES.

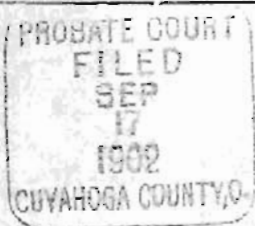
Service and
return on \$ 20

..... Cop. 24

..... Miles Travel 240

..... 2.84

SUBPCENA.



On the 15th day of
Sept 1902, I served this

Subpcena on the within named.
Joseph L Pasnow

Mrs. Hill Pasnow not
found in my County,

Joe J. Klein

Received sep 13 1902 189

Edwin D Barry. M.

SHERIFF

RETURNED AND FILED,

189

76 2-103

The State of Ohio, } ss.
CUYAHOGA COUNTY,

To Joseph L. Pasmow - of The
Bishop & Babcock Mfg Co. Cor. Hamilton & Kirtland Sts.
and Mrs. Will Pasmow - 48 Woodside Ave. Glenville

You are required to attend, under the penalty of One Hundred Dollars, before our
PROBATE COURT, held at the Probate Court Room, in the City of Cleveland, within and for
said County, on the 16th day of Sept A. D. 1902, at 10 o'clock A.M.
to testify, all and singular, such matters and things which you may know in a certain action
in said Court depending, and then and there to be determined in the matter of.....
Estate Anna Puff.
on the part of executors

Witness, HENRY C. WHITE, Judge of said Court, at
Cleveland, this 13th day of Sept
A. D. 1902.

Henry C. White Judge.
By Frank J. Gorman Deputy Clerk.

WITNESSES must report each attendance to the Clerk in the Court Room, in order to insure the taxation of their fees.

Doc. No. 18632

PROBATE COURT.

The State of Ohio, } ss.
CUYAHOGA COUNTY,

SHERIFF'S FEES.

Service and return on \$ 20
✓ ✓ Cop. 24
✓ ✓ Miles Travel 120
\$ 164

On the 12th day of

Sept. 1890, I served this

Subpcena on the within named.

The Society for Savings
in the City of Cleveland,
Society

for Sav. with J. M.
Harner Acct in charge
hereof. The President and
other chief officers not
being found in my County.

Mrs. Quinn not found in
my County.
J. M. Harner demanded his fees
and was not paid.

J. M. Harner

PROBATE COURT
FILED
SEP 17 1890
CUYAHOGA COUNTY, O

Received SEP 12 1902 189
Edwin D. Barry. A. M.

SHERIFF
RETURNED AND FILED.

189

76

The State of Ohio, } ss.
CUYAHOGA COUNTY.

To Mrs. Quinn - 14 Carroll St.
and The Society for Savings in the City of Cleveland, to
bring with it the books showing the account of Anna Duff,
29 Cory Ave. in Sept. 1898.

You are required to attend, under the penalty of One Hundred Dollars, before our
PROBATE COURT, held at the Probate Court Room, in the City of Cleveland, within and for
said County, on the 16th day of Sept. A. D. 1902, at 10 o'clock A.M.
to testify, all and singular, such matters and things which you may know in a certain action
in said Court depending, and then and there to be determined in the matter of
the Estate of Anna Duff
on the part of ~~executors~~ to accounts of executors

Witness, HENRY C. WHITE, Judge of said Court, at
Cleveland, this 12th day of Sept.
A. D. 1902.

Henry C. White Judge.
By Frank J. Gilman Deputy Clerk.

WITNESSES must report each attendance to the Clerk in the Court Room, in order to insure the taxation of their fees.

The State of Ohio, } ss.
CUYAHOGA COUNTY,

IN THE PROBATE COURT.

IN THE MATTER OF THE ESTATE OF }
Anna Duff Deceased. }

AFFIDAVIT OF EXECUTOR.

Mary Duff the executor, named in the last will and testament of
Anna Duff deceased, being duly sworn, says that the names and postoffice
address of all the persons required by law to be stated in this affidavit are fully set forth in the application to probate said
will and the same is hereby referred to and made part hereof as though rewritten herein, that the whole personal estate of
said decedent consists of: *household goods*

the probable value of which will not exceed *Three Hundred* dollars.
The real estate of said decedent consists of *a house lot # 29 Com. Ave*

the probable value of which will not exceed *Three Thousand* dollars.

Mary Duff
Resides at No. *29 Com Ave City*

Sworn to and subscribed before me this *24th* day of *Sept* 189*8*

F. M. Chandler Probate Judge.
Deputy Clerk.

Doc. 57

No. 18632

IN THE MATTER OF THE ESTATE OF

Anna Duff

AFFIDAVIT OF EXECUTOR.

Filed

189



Bond 12-10

v

The State of Ohio,
CUYAHOGA COUNTY,

ss.

IN THE COURT OF COMMON PLEAS.

Gatharine Duff

No. *71571.*

vs.

To Contest Will and for Equitable Relief

Mary Duff Executrix
etc

To the Probate Court, Cuyahoga County:

of Anna Duff et al

William R Coates

William R Coates, Clerk of the Court of Common Pleas, within and for the County aforesaid, do hereby certify that a petition in the above entitled cause has been filed in the Court of Common Pleas, aforesaid, contesting the validity of the will of *Anna Duff de'd*

In Testimony Whereof, I hereunto subscribe my name, officially, and affix the seal of said Court, at the Court House, in the City of Cleveland, this

25 day of *Aug* A.D. *1881*

William R Coates Clerk,

H. Nicholas Deputy Clerk.

53.

18632



The State of Ohio,
CUYAHOGA COUNTY,

} ss.

IN THE COURT OF COMMON PLEAS.

Catharine Duff

No. *71571.*

vs.

To Contest Will and for Equitable Relief

Mary Duff Executrix

To the Probate Court, Cuyahoga County:

vs. Anna Duff et al

vs. William R Coates

vs. William R Coates, Clerk of the Court of Common Pleas, within and for the County aforesaid, do hereby certify that a petition in the above entitled cause has been filed in the Court of Common Pleas, aforesaid, contesting the validity of the will of *Anna Duff dec'd*

In Testimony Whereof, I hereunto subscribe my name, officially, and affix the seal of said Court, at the Court House, in the City of Cleveland, this

25 day of *Aug* A.D. *1887*

W. R. Coates Clerk,

H. J. Nicholas Deputy Clerk.

The State of Ohio,
CUYAHOGA COUNTY,

ss.

IN THE COURT OF COMMON PLEAS.

No. 64603

Catherine Duff
vs.

To Contest Will of for Relief

Mary Duff
Etc

To the Probate Court, Cuyahoga County:

I, Warry L. Nail, Clerk of the Court of Common Pleas, within and for the County aforesaid, do hereby certify that a petition in the above entitled cause has been filed in the Court of Common Pleas, aforesaid, contesting the validity of the will of

Anna Duff deceased

In Testimony Whereof, I hereunto subscribe my name, officially, and affix the seal of said Court, at the Court House, in the City of Cleveland, this

29th day of Sept A.D. 1888.

Warry L. Nail Clerk,

W.R. Cripe Deputy Clerk.

ULLMAN & GEISMER,
ATTORNEYS AND COUNSELLORS AT LAW,
315-316 SOCIETY FOR SAVINGS BLDG

CLEVELAND, O. Sept. 25, 1902.

Mary Duff Hutchinson,

Dr.

Executrix & Trustee of Estate of Anna Duff,

IN ACCOUNT WITH ULLMAN AND GEISMER:

Sept. 7-30, 1901,	To consultation, and drawing agreements for distribu-	
	tion of estate among all the children,	\$15.00
Jan. 1-20, 1902,	To consultation, investigating facts and drawing ans-	
	wer to suit to set aside will,	25.00
Jan. 20 to		
May 28,	" To services in proceedings to sell land at public	
	sale, in full,	75.00
March 17 to		
April 28,	" To services in four continuances and hearing of motion	
	to remove executrix,	10.00
May 28,	" To services in distribution of personal property among	
	the children,	10.00
May 28,	" Making first partial account, and agreeing to file	
	second partial and final accounts, and to close up	
	the estate,	<u>15.00</u>

\$150.00

Received payment in full of above
of Mary Duff Hutchinson, \$150.

Ullman & Geismer
May 28, 02.

Civil Doc.

53

No.

18632

PROBATE COURT.

ESTATE OF

Anna Buff

EXECUTOR'S BOND,

Filed,

189



Recorded, Printed Bonds and Letters of Probate Court.

No.

6

Page

59

EXECUTOR'S BOND.

Know all Men by these Presents, That we

as principal, and ^{Mary Duff} Anna Duff and Maggie D. Thompson

as sureties, of the County of Cuyahoga, in the State of Ohio, are held and firmly bound unto the State of Ohio, in the penal sum of Three Hundred Dollars, to the payment of which sum, well and truly to be made to the said State of Ohio, we do bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

Signed and dated the 27th day of Sept in the year one thousand eight hundred and ninety-eight

The Condition of the above Obligation is Such, That if the above named

^{+ Trustee} Execut~~or~~ of the last Will and Testament of ^{Mary Duff} Anna Duff deceased, late of Cleveland in the County of Cuyahoga

aforsaid: 1st, Shall make and return to the Probate Court within and for said County, on oath, within three months, a true inventory of all the moneys, goods, chattels, rights and credits of the Testat~~or~~ which are by law to be administered, and which shall have come to her possession or knowledge, and also, if required by said Court, an inventory of the Real Estate of deceased. 2d, That he shall administer, according to law and to the will of the Testat~~or~~ all the goods, chattels, rights and credits, and the proceeds of all the Real Estate that may be sold for the payment of the debts or legacies, which shall at any time come to her possession, or to the possession of any other person for her; and 3d, Shall render upon oath a just and true account of her administration, within eighteen months, and at any other times, when required by said Court or the law, and failing so to do for thirty days after he shall have been notified of the expiration of the time by the Probate Judge, he shall receive no allowance for services, unless the Court shall enter upon its journal that such delay was necessary and reasonable: then this obligation shall be void, otherwise it shall remain in full force and virtue in law.

Mary Duff Resides at No. 29 Cory Ave City
Anna Duff Resides at No. " " " "
Maggie, D. Thompson, Resides at No. " " " "
R. No. _____

53 - 18632



✓ 18632

In re Estate of
Anna Dieff

18632

Part of Voucher
in pay of Attys
fcs.

Filed Sept 29/02

The State of Ohio,
Cuyahoga County, ss.

IN THE PROBATE COURT.

In re Estate of Anna Duff.

Exceptions to the first partial account of Mary Duff,
Executrix.

Now come Charles Duff, James Duff, Maggie Duff Thompson, Anna Duff Winder and Jessie Duff and represent that they are heirs-at-law of Anna Duff, deceased and except to the first partial account of Mary Duff Hutchinson, Executrix of the Estate of Anna Duff filed in this Court on the 3rd day of March, 1902, and which account has been approved by the Court without the knowledge of the above mentioned heirs.

Said account is excepted to in the following, to wit:

1st. That said Executrix has not charged herself with the money of the testatrix on deposit in the Society for Savings, amounting to about \$150.00.

2nd. To all items in said account in which the Executrix is credited with having paid house rent, she being entitled to no such allowance under the will or by law.

Charles Duff,
James Duff,
Maggie Duff Thompson,
Anna Duff Winder,
Jessie Duff.

By Fielder Sanders and J.A. Cline

Their Attorneys

53 = 18632

No. 18632

In re Estate Anna Duff
Plaintiff

vs.

Defendant

Exceptions to First

Account of Executrix.

Set for Sept 8/02
10 den. Exceptions
to give notice

Fielder Sanders + J.A. Cline

Attorneys for

✓ 53 = 18632

No. 18632

In re Estate Anna Duff
Plaintiff

vs.

Defendant

Exceptions to First

Account of Executrix.

Filed Sept 8/02
10 Dec. Exceptions
to give notice.

Fielder Sanders & J.A. Cline

Attorneys for

✓

The State of Ohio,
Cuyahoga County, ss.

IN THE PROBATE COURT.

In re Estate of Anna Duff, deceased.

Exceptions to the account current of Mary Duff
Hutchinson, Executrix.

Now come Charles Duff, James Duff, Maggie Duff Thompson, Anna Duff Winder and Jessie Duff and represent that they are heirs at law of Anna Duff, deceased, and except to the second partial account of Mary Duff Hutchinson, Executrix of the Estate of Anna Duff, deceased, filed in this court on the 18th day of June, 1902 and approved by this court August 4th, 1902 without the knowledge of the above mentioned heirs, in the following to wit:

1st. Said Executrix has not charged herself with all the assets which have come into her hands, in that she has charged herself with but \$850.00 for the sale of decedent's property on Cory Avenue in the City of Cleveland, when in fact she should have been charged with at least \$2000.00, the property being reasonably worth that amount, and that the sale of said property, if one took place was not made in good faith.

2nd. To all items in said account in which the Executrix has charged the Estate with house rent, said Estate being not liable therefor under the will or at law.

3rd. To the amount of the attorneys' fee allowed, which is excessive and unwarranted.

4th. To items of fees of County Auditor and Recorder, these being items which should have been paid by the purchaser of decedent's property.

Charles Duff, James Duff, Maggie Duff Thompson, Anna Duff Thompson and Jessie Duff.

By Fiddell Sanders and J.A. Chise
Their attorneys.

✓ 53 = 18632

No. Probate Court

In re Estate Anna Duff
Plaintiff

vs.

Defendant

Exceptions to Record
Account of Executrix

Set for Hearing
Sept. 8/02. 10 am
Exceptor to give notice
Filed under W. A. Cline

Attorneys for

In re Estate of Anne Duff
Exceptions to acc'ts

Richard Hunter: - Tre. for
Duff's - Anne Duff.

244,539.
Sept 3, 1898. There was \$17¹⁰
withdrawn Dec. 12, 1898.

~~Ma~~
Mrs. Will Tashow:

I know Mrs. Huntington the
Exec. I know where she
lived in one of James Huntington
Houses. - In 1899, Spring
when she lived in Yelton
in Cross Street. Said she
paid \$500 to her father in
law for rent.

Mrs. Huntington's son
Hunter died Sept. 1898.
There was a bank account.
I could draw it out if I
could to - It was drawn
out \$1700 in December 1898.
I have not checked any
thing for the amount
of support of children -

Mary Mackey: 246 Oregon St.

I am married about 5 years
ago.

Mrs Rosenberg. 24 Clair St
483

Wish requested -

In re Estate of
Anna Duff.

Sept. 20, 1902
9 am.

Exception to Accounts of
Executor -
Argument by Mr. Sanders.

The ex. as to sale should not
be sustained by the Ch. evidence
should be heard.

St. O. St 254. This was a sale
under a power of
sale. The ex. was obj'd with
additions made on the ground
of fraudulent sale.

No dispute that the charge of
\$1780 should be added to the
Account.

18632

Annakluft

State of Ohio } ss In the Probate Court.
Cuyahoga County }

In the matter of the estate } Motion for removal of
Anna Duff deceased. } Executrix.

Now comes Charles F. Duff one of the heirs at law of said Anna Duff deceased, and moves the court to remove Mary Hutchinson the executrix of the will of said Anna Duff deceased for the following reasons to wit:

1st That said Mary Hutchinson, as executrix has been guilty of gross neglect of duty, and that she is incompetent to act as such, and that she has refused and failed to file an inventory or account of the administration as required by law, although she has acted as executrix for a period more than three years.

Chas. F. Duff by
Joseph Moore and
Robt. S. Granger
his attys.

In re Estate of)
Anna Duff) 18632.

On motion of the executrix, this day filed, it is made to appear to the satisfaction of the court that the appraisers appraising the personal assets on or about the 19th day of November, 1898, set off and allowed for the support and maintenance of one Joseph Duff, the sum of \$300.00, he being the minor of Anna Duff, deceased, but the court find that the said Joseph Duff was then above the age of fifteen years, and was not entitled to any allowance to be set off by the appraisers for his support for twelve months.

It is therefore hereby ordered that said motion be and is hereby granted, ~~and that the sum of three hundred dollars (\$300.00) which was set off by the appraisers~~ and the court coming to review the allowance by the appraisers, does find that the same, to the extent of \$300.00, was illegal and excessive, and the same is hereby disallowed to that extent.

53 — 18632

In re Estate of
Anna Duff.

July 1/02

67
579

✓

The State of Ohio,)
The State of Ohio,)
Cuyahoga County, ss.)

IN THE PROBATE COURT.

IN THE PROBATE COURT.

IN THE MATTER OF THE ESTATE OF ANNA DUFF, DECEASED.

MOTION FOR REMOVAL OF EXECUTRIX.

Now comes Charles Duff, one of the heirs at law of the said Anna Duff, deceased, and moves the Court to remove Mary Duff, the executrix of the will of the said Anna Duff, for the reason that she is wholly unfit to administer said trust; that she has ordered said petitioner from the home without any just cause; that he is now recovering from an attack of typhoid fever which he contracted in the army at Tampa, Florida, and is now under the care of a physician and is in need of a home; that on several occasions he has been forced to call to his assistance the police authorities of the City, to protect him from the menaces, threats and insults, not only of herself, but of disinterested parties.

Chas Duff
Clark & Clark
Attys

The State of Ohio,

IN THE PROBATE COURT.

from her all control, and have taken upon themselves to run the place as they see fit; that he was forced to call to his assistance the police authorities; that he verily believes that if the said Mary Duff is allowed to continue as executrix, the little home which their mother left them will be lost, and taken away from them; that she is not a fit person to administer any trust, and therefore offers this affidavit in support of his motion to have her removed.

Chas. T. Duff

Sworn to before me and subscribed in my presence
this 5th day of October, A. D. 1893.

Tax 40¢

Gas. L. Kenille

Notary Public.

Probate Court
53 = 18632

In re Estate of
Anna Duff

Motion to Remove
the Executive Trustee

Filed Oct. 5. 1898.

Set for Hearing
Nov. 5/98, 10 am.

State of Ohio,)
)SS.
Cuyahoga County,)

In the Probate Court. No. 18632.

In the matter of the estate) Motion to set aside allowance of
of Anna Duff, deceased.) appraisers for child's support.

-----ooOoo-----

Now comes Mary Duff Hutchinson, executrix of the estate of Anna Duff, deceased, and moves the court to set aside the allowance of \$300. made by the appraisers of said estate for years support of Joseph Duff, child of Anna Duff, deceased, for the reason that said Joseph Duff was beyond the age of fifteen years at the date of the death of Anna Duff.

William Feisner

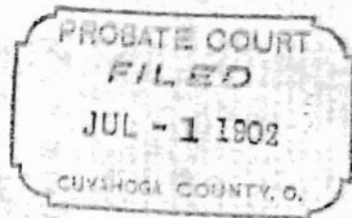
Attorneys for Mary Duff Hutchinson.



#18632.

Estate of
Anna Huff.

Notice.



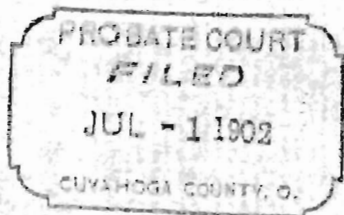
Ullman & Geisner,
Attys for Ex

1711

#18632.

Estate of
Anna Huff.

Motion.



Ullman & Grimmer
Attys for Ex

1711

In re Estate of } Exceptions to the account of the executrix.
Anna Duff. }

On this 29th day of Sept., A.D. 1902, comes Mary Duff Hutchinson and files the itemized statement of Messrs. Ullman & Geisner, attorneys at law retained by her as counsel in the estate, and it appearing to the court, on inspection thereof, that the charges made by said attorneys are just and reasonable, and for services beneficial to the estate, the exceptions to said item of \$150. charged in her account are hereby over-ruled, and said charges are allowed as just and reasonable.

1863

In re Estate of
Annia Duff

Sept. 29/02

Exceptions to the account of the executors

In said account the executor has stated that the same were
and to the court, on inspection thereof, that the executor made
and that the itemized statement of receipts, payments & disbursements, after
the same were reviewed by the court, were found to be correct.

