

State of Indiana, Adams County.

In the Adams Circuit Court, February Term, 1908.

Estate of

Wilson H. Shepherd,

No. 1096

Proof of posting notices of sale of oil stock.

Andrew Gottschalk, executor of the last will and testament, of Wilson H. Shepherd, being duly sworn upon his oath says: That agreeable to the order of this Court, he posted notices of the time, terms and place of the sale of oil stock ordered sold in this cause in more than three public places in Wabash township, Adams County, Indiana, being the township wherein the home office of the Shepherd Oil Company, a corporation, is located, as follows, to-wit:

One on public highway at section twenty in said township, being at John D. Hale farm.

One at office of J. H. Hardison in Geneva, said township

One at M. E. Hutton's blacksmith shop " "

One at elevator " "

One at Ceylon Blacksmith shop " "

One at river bridge near Ceylon " "

A copy of said notices so posted is hereto attached and made a part hereof.

That said notices were so posted for more than three weeks prior to the day set for said sale.

Andrew Gottschalk

Subscribed and sworn to before me this February 21 1908.

Jesse C. Sutton
Notary Public.

Commission expires Jan 5 1910.

State of Indiana, Adams County.

In the Adams Circuit Court, November Term 1907.

Andrew Gottschalk, executor of the last will
and testament of Wilson H. Shepherd, deceased

vs

Robert M. Engle
Samuel Oplinger
Flavius J. Shepherd
Jacob J. Stahley
Robert Speicher
Louis Coon
Marcellus E. Hutton.

Petition to sell shares of capital stock
in Shepherd Oil Company.

Your petitioner, Andrew Gottschalk, executor of the last will and testament of Wilson H. Shepherd, deceased, states and shows to the Court that said decedent in his lifetime was the owner of sixty five shares of the capital stock of the Shepherd Oil Company, a corporation organized under the laws of the State of Indiana, of the par value of twenty five dollars per share and aggregating in par value the sum of sixteen hundred twenty five dollars, and that said decedent had in his possession at the time of his death a certificate of stock of said corporation for sixty five shares of the capital stock of said Company, but your petitioner was then informed and believed and is still informed and believes that said decedent just prior to his death transferred to one Marcellus E. Hutton five shares of said stock, as hereinafter more particularly set out, and that your petitioner then and there believing that said five shares of stock did not belong to decedent, only inventoried sixty shares of said stock, as appears by said inventory.

And your petitioner shows to the Court that said Robert M. Engle is claiming, and your petitioner is informed and believes, that said decedent in his lifetime did transfer, assign and deliver ten shares of said capital stock so owned by him to Robert M. Engle as collateral security for said decedent on a note of \$500.00 given by him to said Robert M. Engle, and that said note is unpaid and has been filed and allowed as a claim against said decedent's estate in the sum of \$546.42

o That said Samuel Oplinger is claiming, and your petitioner is informed and beleives, that said decedent in his lifetime did transfer, assign and deliver twelve ^hsares of said capital stock so owned by him ~~to~~ said Samuel Oplinger as collateral security for said Samuel Oplinger and to secure and indemnify him as surety for said decedent on a cert ain note of \$600.00 given to Robert M.Engle by said decedent and by said Samuel Oplinger, as surety, which note is still unpaid and has been filed and allowed as a claim against said decedent's estate in the sum of \$655.50

o That said Flavius J.Shepherd is claiming, and your petitioner is informed and beleives, that said decedent in his lifetime did transfer, assign and deliver four shares of said capital stock so owned by him to said Flavius J.Shepherd as collateral security for said Flavius J. Shepherd and to secure and indemnify him as surety for said decedent on a certian note of \$300.00 given to Henry Grandlinard by said decedent and by said Flavius J.Shepherd, as surety, which note is still unpaid and has been filed and allowed as a claim against said decedent's estate in the sum of \$322.00

o That said Jacob J.Stahley is claiming, and your petitioner is informed and beleives, that said decedent in his lifetime did transfer, assign and deliver three shares of said capital stock so owned by him to said Jacob J.Stahley as collateral security for said decedent on a note of \$200.00 given by him to said Jacob J.Stahley, and that said note has been filed and allowed as a claim against said decedent's estate in the sum of \$224.83, and is unpaid.

o That said Robert Speicher is claiming, and your petitioner is informed and beleives, that said decedent ~~and~~ in his lifetime did trans-
fer, assign and deliver ^{four} ~~the~~ shares of said capital stock so owned by him to said Robert Speicher as collateral security, as follows:

that ~~two~~ shares were so transferred as collateral security for decedent on a certain note of \$65.00 given by him to said Robert Speicher, and that said other two shares were so transfereed as collateral security for said decedent on a certain note given by him to said Robert Speicher for the sum of \$100.00; that both of said notes have been~~y~~ filed and allowed as one claim against said estate in the sum of \$184.00, and are unpaid.

That said Louis Coon is claim^{ing}, and your petitioner is informed and beleives, that said decedent in his lifetime did transfer, assign and deliver two shares of said capital stock so owned by him to said Louis Coon as collateral security for decedent on a note of \$135.00 given by him to said Louis Coon, which note is unpaid and has been filed and allowed as a claim against said estate in the sum of \$55.70.

That said Marcellus E. Hutton is claiming, and your petitioner is informed and beleives, that said decedent in his lifetime did transfer, and sell assign and deliver[^] to said Marcellus E. Hutton three shares of said capital stock so owned by him, and that said three shares are the absolute property of said Hutton; and that said decedent in his lifetime did also transfer, assign and deliver to said Hutton ~~to~~^{two} shares of said capital stock so owned by him as collateral security for said Hutton, and to indemnify and secure said Hutton as surety for said decedent on a certain note of \$80.00 given to the Bank of Geneva by said decedent and by said Hutton, as surety. which note is still unpaid and is a just claim against said decedent's estate.

And your petitioner further shows to the Court that by and on account of the claims of the respective parties in and to said capital stock so owned by decedent, that it would be~~y~~ in his opinion impracticable and impossible to sell the same without first having the rights of the respective claimants therein, if any, determined

and fixed.

And he further shows that in his opinion that said shares of stock would sell at better advantage and to the best interest of said estate if sold in lots as claimed to be held by said individuals, as follows; 10, 12, 4, 3, 2, 2, 2, and 2 shares each, and the remainder of the stock be sold as one lot, ~~22~~

And he therefore prays the Court that notice of the hearing of this petition be given to said parties claiming an interest in and to said shares of captial stock, and the interest of said parties therein, if any, be found and de~~x~~termined, and that he have an order to transfer to said Marcellus E. Hutton three shares of said stock if the same be found to be the property of said Hutton, and that he have an order for the sale of said stock in lots as hereinbefore setout at public sale upon such notice, time, terms, and conditions as the Court may deem ~~222~~ proper, and for any further necessary order in the premises

Andrew Gottschalk

Subscribed and sworn to before me this January 8 1908.

Paul C. Roman

Commission expires My Commission Expires Feb. 5, 1911

Notary Public.



State of Indiana, Adams County.

In the Adams Circuit Court, February Term, 1908.

In the estate

No. 1096.

of

Report of sale of shares of oil stock.

Wilson H. Shepherd, deceased.

Comes now Andrew Gottschalk, executor of the last will and testament of Wilson H. Shepherd, deceased, and reports to the Court, as follows:

That agreeable to the order of this Court he caused the sixty ^{two} shares of ^{Capital} ~~oil~~ stock ⁱⁿ of the Shepherd Oil Company, a corporation, ~~to be~~ ordered sold in this cause to be duly appraised by Silas W. Hale and James H. Hardison two reputable freeholders and householders residing in Wabash Township, Adams County, Indiana, being the township wherein the home office of said corporation is located, which appraisement together with oath of said appraisers was heretofore filed in this cause on February 3rd, 1908.

That in all things agreeable to the order of this Court, he caused notice to be given of the time, terms and place of the sale of said shares of oil stock ~~to be given~~ by publication in the Geneva Herald of general circulation a weekly newspaper, printed and published in Adams County, Indiana, and by posting up like notices in more than three public places in Wabash township in said County and State, being the township wherein said property was offered for sale, for more than three weeks prior to the day set for said sale, proof of which publication and posting is filed in this cause and is hereby referred to and made a part hereof.

¹⁹⁰⁸
xThat on ~~22~~ February 21st, between the hours of 10 o'clock A.M. and two o'clock P.M. of said day, at the office of the Shepherd Oil Company, a corporation, in the Hutton Building on Line Street in the Town of Geneva, Adams County, Indiana, he offered for sale at Public Sale free of liens, in lots of ten, twelve, four, three, two, two, two, two and twenty five shares each, the sixty two shares of the capital stock