

OLD UNION - WALNUT TOWNSHIP

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Exceptions were filed Thursday morning in Circuit Court by Homer Bratton, Warner Galey and Frank Walkup, as trustees of Union Presbyterian Church in Walnut Township to the final settlement report of James I. Inlow as executor of the estate of the late John Spohr. This action will bring to a decision the question of whether or not a bequest to an institution that is not technically known by the title under which it is bequeathed property is legal. John Spohr directed that, upon his death, the sum of \$300 was to go to the "Old Union" Cemetery, a burying ground adjacent to the Union Presbyterian Church in Walnut Township which he and his parents had always attended. It developed after his death that there was no such cemetery or organization of "Old Union" and consequently the bequest would revert to the residuary estate. The trustee set forth that "Old Union" and Union cemeteries are one and the same and is the proper recipient of Mr. Spohr's bequest as well as the one to which he intended to leave the money.

In 1840 (sic) Mr. and Mrs. John Porter of Walnut Township deeded the land upon which, in the same year was built the Union Presbyterian Church and a part of the land was set aside as a cemetery. David and Jane Spohr were charter members of the church affiliating with it in 1835 (sic). They were the parents of the late John Spohr who joined the church in 1883 and was always one of its staunchest supporters, financially and otherwise. There seems to be no doubt but that he intended to bequeath the church \$500 (sic but could be \$300 or above \$500 as it is blurry) but his use of the colloquial rather than the technical title of the organization has brought about the present situation. There seems to be but little doubt but that the money will be paid to the trustees of the church upon the settlement of the matter by the court - typed by kbz