

## 1936 Scrapbook, image 117

Thursday, November 19, 1936

### NEW ARRIVALS

A son was born to Menno E. and Fannie Schwartz Eicher Sunday.

Gordon and Agnes Amstutz Bracker are the proud parents of a son, William Hugh, born Tuesday.

A boy, James Oswald, was born to Tilman H. and Edna Spichiger Lehman, on Tuesday.

A son was born to Lawrence and Ruth Meyer Pearson of Linn Grove Tuesday morning.

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Thursday, November 19, 1936

Among those from this community who visited at the home in Allen county where Anna Lengacher died Monday, were Mr. and Mrs. Jacob Graber, Mr. and Mrs. David J. Graber, Mrs. Anna Amstutz, Peter Graber, Mr. and Mrs. Sylvan Habegger, Hulda Steury, Mrs. Reuben Steury, Rose Habegger, Martha Mazelin, Arminda Stucky and Velma Liechty. The deceased was a first cousin to Jacob and Peter Graber.

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Thursday, November 19, 1936

Mr. and Mrs. Noah D. Schwartz and Mr. and Mrs. Joel M. Schwartz motored to Richmond Wednesday morning and were accompanied back by Fred Zuercher, who attended the funeral of his father, Anton Zuercher, held Wednesday afternoon [additional words cut off].

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Thursday, November 19, 1936

### CARD OF THANKS

We hereby wish to express our sincere thanks and appreciation for the words of comfort and cheer during the sad hours of our bereavement caused by the departure of

our beloved husband, father and grandfather. We also wish to thank the pastor for his comforting words, and for the messages in song, also to those who contributed the beautiful floral offerings.

Mrs. Anton Zuercher

Fred Zuercher

Mr. and Mrs. C. M. Lantis

Mr. and Mrs. P. G. Habegger

Angelina and Rosemary Habegger

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Thursday, November 19, 1936

BULLETIN

Mrs. Peter D. Schwartz, aged [cut off], died at 4 o'clock this afternoon at her home northeast of town following a long illness. Surviving are the husband, and the following children: Gerhart, Chester, LeRoy, Frances, Raymond, Rosemary and Anna. The father, D. C. Nussbaum and the following brothers and sisters survive: Sam, Jacob, Philip and Menno Nussbaum.

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Thursday, November 19, 1936

NO WORD ON MAN WHO DIED HERE HAS BEEN RECEIVED

No further word has been received here concerning relatives of James Walsh, aged 68, a transient who died suddenly last Saturday night at the Town Hall. So far no relatives have been contacted. Information on the death of the man was broadcast last night over the state short wave police radios, but at noon today no further information had been received here.

The body is still being held at the Bierie and Yager establishment here and it was indicated today that burial may be made here tomorrow unless some relatives claim the body by that time.

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Thursday, November 19, 1936

DIES MONDAY

Anna Lengacher, aged 67, died at her home in Allen county, 2 miles south of Grabill, last Monday. She was a first cousin to Jacob and Peter Graber of northwest of Berne.

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Friday, November 27, 1936

#### WILL PROBATED

A will was offered for probate and probated in the estate of Anton Zuercher. All personal property was given to the widow. The real estate was given to the daughter, Frieda Habegger, with the provision that she provide a home for the widow. At the death of the widow, the personal property is to be given to the daughter. The real estate consisted of 160 acres. An application for letters testamentary was filed by Paul Habegger. The bond was filed, examined and approved. Letters were ordered, reported and confirmed.

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Friday, November 27, 1936

#### BUYS MOSER FARM

The Jacob F. Moser farm, southwest of Berne, was sold Wednesday at public auction. It was purchased by Joel F. Moser, at a price of \$74 per acre. Joy Johnson was the auctioneer.

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Friday, November 27, 1936

Mr. and Mrs. Henry Lehman and daughter Norma Jean, of Bluffton, and Mr. and Mrs. Sylvan Sprunger and family were the dinner guests Thursday of Mr. and Mrs. David F. Lehman, northwest of Berne.

Miss Rosella Inniger, of Peoria, Ill., spent Thanksgiving at the home of her parents, Mr. and Mrs. Abe Inniger north of Berne.

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Monday, December 7, 1936

Relatives and friends of the J. D. Augsburger family are husking corn at their home west of Geneva today. Mr. Augsburger is in failing health.

Thursday, December 24, 1936

## SETTLEMENT MADE IN RICH AND MOSER CASE

### Compromise Settlement Reached in Controversy Over Inheritance

A peaceable compromise settlement was affected last Tuesday in the long-pending Rich-Moser controversy over the inheritance left by the late Mr. and Mrs. C. C. Rich, of Berne. All the relative parties concerned joined in the compromise, except two of the Moser brothers, namely Albert F. Moser and David F. Moser.

This is one of the most interesting cases in recent court history. The Indiana law of descent is that when a man dies leaving a widow but no children and no parents, and no will, all his property goes to his widow. Now if said widow dies without remarrying, all of her property, including that inherited from her deceased husband, goes to her brothers and sisters. That was the exact case of Mr. and Mrs. C. C. Rich.

After the death of Mrs. C. C. (Rosa) Rich, who passed away after her husband, two of her brothers, Edward F. Moser of Warsaw and Peter F. Moser of Berne, were appointed administrators of the good-sized estate, including all the inheritance of her late husband. Of course, these administrators proceeded to administer the estate according to law, not having to recognize in any way blood relatives of the late C. C. Rich. They then inquired into their rights with some of the leading legal talents in this part of the state of Indiana, but were advised that the letter of the law was on the Moser side and little or nothing could be done for them.

Therefore the local law firm of Muselman & Unversaw was consulted by Reuben Meyer, son of Mrs. Mary Meyer, a sister of the late C. C. Rich. At a consequent meeting of all the heirs at the John Rich home, Muselman & Unversaw were asked to take the case. They at once proceeded to work on the case, not on the theory of the law of descent, but on the principle of a constructive trust.

Thus about on year ago suit was filed in the Adams Circuit Court, entitled John Rich and others vs. Peter F. Moser and others, based on utterances and actions of both the deceased C. C. Rich and Rosa Rich, showing their intentions and alleging that it had been their desire to bestow their earthly goods half to the Riches and half to the Mosers. The compromise settlement worked out this week is the results of that action.

The settlement entered into by the parties to the case was in the form of a written agreement, which was approved by the court, and the case was then dismissed. Under the terms of the settlement, seven of the Moser heirs to wit, Edward F. Moser, Peter F.

Moser, Noah F. Moser, Joel F. Moser Aldine Fox, Sarah Huser, Lillian Moser, and Franklin F. Moser Harry F. Moser, Dorothy E. Moser, Edwinna Moser the children of Jacob F. Moser, deceased conveyed by quit claim [inelligible word] Paul Rich, Edward Rich, Elmer Stucky, Ida Stucky Augsburger, Noah stucky, Joseph Stucky, Christian Stucky, Albert Stucky, Lillian Stucky Neifing, Eli Stucky, Ivan Stucky, Selma Stucky Claudon, Noah Rich, William Rich, Ida Rich Nussbaum, Tillie Yoder Habegger, Chancy Yoder, Jessie Yoder, Pearl Yoder Winteregg, joseph Yoder, Selma Yoder Lehman, Albert Yoder, Denver Yoder, Kathleen Beer, Flossie Beer and Roman Dale Beer and the minor heirs of Edna Rich Beer.

The Moser heirs also turned over about \$2,000.00 worth of class A notes, and the personal property on the Runyon farm. The settlement is valued at about \$11,000.00. All of the defendants in the case entered into the agreement and settlement with the exception of David F. Moser and Albert F. Moser.

The settlement constitutes one of the largest estate settlements in recent years and prevents a long bitter litigation. Muselman and Unversaw were chief counsel for the Riches and C. L. Walters was chief counsel for the Moser estate. Other attorneys were H. W. Eichorn of Bluffton and R. C. Gochenauer of Warsaw.

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Thursday, December 24, 1936

GRANDMA YAGER EXPIRES HERE ON WEDNESDAY

Mother of L. L. Yager Dies; Funeral Is Saturday Morning

Mrs. Magdalena Yager, intimately known as "Grandma Yager," age 79, passed away at her home on Fulton St. at 12:15 Wednesday afternoon after a three weeks' illness. Death was due to pneumonia and complications and she had been in a coma since Sunday night. The best of medical care was provided for her and everything possible was done to save her life, but she died exactly three weeks after becoming ill.

Mrs. Yager was born of sturdy Swiss parentage, Nov. 13, 1857, the daughter of Samuel and Elizabeth Christener Beitler, a few miles north of Huntington.

Her father was killed in action while serving with the Union army during the Civil War, leaving his family or widow and small children, barely able to exist in the dense woods in that region. This pioneer life and the hardships made Mother Yager unselfish and ready to help anyone in need throughout her life.

Her marriage to Charles Yager took place in this county, December 15, 1877. He preceded in death in 1887.

Children born to the union are Mrs. Rose Moran of Indianapolis, Marcus Yager of West Unity, O., Lawrence L. Yager of this place, and Mrs. J. R. Zimmerman of Fort Wayne.

Two brothers also survive. They are Samuel of this place and Lawrence Beitler of Monroe. Two half-brothers surviving are Christian Stuckey of Berne and Fred Stuckey of Mercer county, o.

Brothers and sisters preceding the deceased are John, William and Mrs. Elizabeth Ellenberger, the latter preceding eight years ago this coming Christmas.

Ten grandchildren and four great grandchildren survive.

Great grandchildren are Majorie Rose, Joan and Mary Lou Myers, and Suzanne Yager.

Funeral services will be conducted at the Cross Reformed church of which she was a faithful member, on Saturday morning at 9:30 o'clock following a brief service at 9:15 o'clock at the L. L. Yager home. Rev. C. A. Schmid, pastor of the church will officiate at both services. Burial will be at the M. R. E. cemetery.

Pallbearers will be grandsons of the deceased, Luther Yager of Berne, Max and Carl Yager of West Unity, Ohio, Bob Zimmerman of Fort Wayne and Richard Morann and Dr. R. S. Myers of Indianapolis.

The body may be viewed at the L. L. Yager home after 4 o'clock this afternoon.

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Thursday, January 14, 1937

#### NEW ARRIVALS

Harry Grant and Lillie Marie Kneuss Augsburger are the parents of a son, Lyle Duane, born Tuesday morning.

**Adams County Historical Museum**

**1936 Scrapbook, image 117**

**Transcribed by Autumn Callahan**