

The three deeds of 21 Feb 1834 which follow settle the estate of George Overmier, and include the signatures and/or marks of his five children, their spouses, and that of his widow, Catherine, and her third husband, Frederick Heck. In this deed the heirs sold the three lots purchased by George Overmier in 1812. The following is taken from *Overmier History and Genealogy 1813-1962*.

“Follows now the verbatim copy of significant portions of another deed, which enlightens the study of the family which George, Jr~ (3) left at the end of his short life. In Vol. F. p. 167 of the Land Records in New Lexington we find the following deed covering the sale of Lot 33 in Somerset, formerly “Middletown”, to Jacob Swinehart of the County of Perry.

“Know all persons by these present that we, George Overmier and Susannah, his wife; John Whitmer and Sarah, his wife; William Wells and Leah, his wife; Nancy Overmier; Frederick Heck and Catherine, his wife, all of the County of Perry, and State of Ohio, and Levi Overmire and Sarah, his wife, of the County of Allegheny, and State of Pennsylvania, for and in consideration of the sum of \$40.00 in hand, to us paid, by Jacob Swinehart, of the County of Perry and State of Ohio, have granted, bargained, etc. --etc., and conveyed unto the said Jacob Swinehart, title and interest in and to Lot of Ground No. Thirty-three (33) in the town of Somerset, Perry County, Ohio, reference to the recorded plat of said town being had for a more particular description of said premises. To have and to hold--etc.---etc. Also, all the dower, or right of dower of the said Catherine Heck, is by her and the said Frederick Heck, hereby assigned, quitclaimed, etc.etc. In testimony whereof the said grantors have hereto set their hands and seals, this 21 of February, A.D. 1834.”

William Wells seal

Her Leah X Wells seal mark

John Whitmer seal

Witnesses present: John E. Linn A. Arndt her Sara X Whitmer seal mark

George Overmier seal

Her Susanna X Overmier seal mark

Her Nancy X Overmier seal mark

Witness present for Levi and wife: Robert Christy C. C. Wood Frederick Heck seal her Catherine X Heck seal mark

Levi Overmire seal

Her Sarah X Overmier seal mark

Immediately following now on the deed, are affidavits by Justices of the Peace that the women whose marks appeared for their signatures were not coerced by their husbands and the “X’s” were their own voluntary acts.

Precisely the same procedure as above was followed in the sale, by the same 11

**From:** Sandy Walkenhorst [mailto:sjwalken@msn.com]

**Sent:** Saturday, September 06, 2003 4:53 PM

signatories, on the same clay, February 21, 18~4 01 Lot No. 52 in Somerset, (Middletown) to an Edward Caville of Ross County, Ohio (Vol. F. pg. 164).

Also, on the same day by the same 11, "Outlot" No. 6, located next to the Lutheran Church and between the old and new cemeteries in Somerset was sold to Richard Peterson of Perry County (Vol. F. pgs. 330 and 331).

There is no reference in the above deeds to the signatories as being heirs of George Overmier Jr. (3). We point out however, that this fact is well authenticated in the references to "Nancy Overmier and Levi Overmire and wife Sarah" in the deeds discussed in the chapter preceding on George Overmier Sr. (2)."

*Overmier History and Genealogy 1813-1962*, edited by Melvern D. Overmier, Emmons Overmier, and Jesse Edward Herrman

Know all persons by these presents that we George Overmier and Susannah his wife, John Whitmer and Sarah his wife, William Wells and Leah his wife, Nancy Overmier, Frederick Heek and Catharine his wife all of the county of Perry also State of Ohio and Levi Overmier and Leah his wife of the county of Alleghany & State of Pennsylvania for and in consideration of the sum of Forty dollars to us in hand paid or secured to be paid by Jacob Linnichart of the county of Perry & State of Ohio have granted bargained sold conveyed and confirmed and by these presents do grant bargain sell convey and confirm unto the said Jacob Linnichart his heirs and assigns forever all our right title interest of us and to each of ground abt. thirty three in the Town of Linnichart in the said county of Perry and State of Ohio situate to the recorded plat of said Town being had for a more particular description of said premises. To Have and to hold the said lot of ground unto the said Jacob Linnichart his heirs and assigns forever together with all the improvements & appurtenances thereto belonging or appertaining forever free of and discharged quitclaimed & released of all and singular of the rights and interests of the said granters or their heirs or assigns present or in and to the same also of the dower or right of dower of the said Catharine Heek is by her and the said Frederick Heek hereby assigned quitclaimed and relinquished as of course. In testimony whereof the said granters have here set their hands and seals the 25th day of February A.D. 1834,

Witness present  
John E. Linnichart  
A. J. J. J.

William Wells  
Leah <sup>his</sup> Wells  
John Whitmer  
Sarah <sup>his</sup> Whitmer  
George Overmier  
Susannah <sup>his</sup> Overmier  
Nancy <sup>his</sup> Overmier  
Frederick Heek  
Catharine <sup>his</sup> Heek  
Levi Overmier  
Sarah <sup>his</sup> Overmier

Witness present for said wife  
Robert Christy of C. C. Wood  
The State of Ohio

Perry County, Pa. Personally appeared before the subscriber a Justice of the Peace of said County on the 25th day of February 1834, the above and before signed George Overmier, John Whitmer, William Wells, Nancy Overmier and Frederick Heek, and acknowledged the foregoing to be their voluntary act & deed, Also afterwards on the day and year aforesaid appeared as witnesses the above & before signed Susannah Overmier wife of said George Overmier, Sarah Whitmer wife of said John Whitmer, Leah Wells wife of said William Wells & Catharine Heek wife of said Frederick Heek, and were severally examined by me separately and apart in the absence and out of the hearing of their respective husbands touching their signing and sealing of this deed and now doth acknowledge severally that their signatures & seals are the same of their own free will and accord without the fear threat or coercion of their respective husbands. Given under my hand & certificate the day and year last aforesaid.

John E. Linnichart J.P.

State of Pennsylvania, Alleghany County, Pa. Personally appeared before the undersigned a Justice of the Peace of said County & State George Levi Overmier & acknowledged the above signing to be his voluntary act & deed, Also afterwards appeared the above signed Leah Overmier and having the contents of said deed made known to her and being examined by me touching her signing & sealing in the absence and out of the hearing of her said husband then via and now doth declare that she signed without the fear threat or coercion of her said husband. Given under my hand & seal this 8th day of May 1834.

Robert Christy J.P.

Witness present June 28. 1834  
Present June 30. 1834, Clerk Wm. A. Mottley, etc.

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Know all men to these presents that we George Overmier & Susannah his wife, John Whitman & Sarah his wife, William Wells & Leah his wife, Nancy Overmier, Frederick Weeks & Catharine his wife all of the County of Perry & State of Ohio, Levi Overmier & Sarah his wife of the County of Alleghany & State of Pennsylvania for and in consideration of Fifty dollars to us in hand paid or received to be paid by Edward Carville of the County of Ross and State of Ohio have granted bargained sold conveyed and confirmed and by these presents do grant bargain sell convey & confirm unto the said Edward Carville his heirs & assigns forever all our right title & interest of in and to Lot of ground No. thirty two in the Town of Somerset in the said County of Perry and State of Ohio, reference to the recorder's plat of said town being had for a more particular description of said premises. We have and to hold the said Lot of ground unto the said Edward Carville his heirs & assigns together with all the improvements and appurtenances thereto belonging or appertaining forever free of whatsoever quit claims and releases of all and singular of the rights and interests of the said grantors or their heirs or assigns forever of in and to the same also all the dower or right of dower of the said Catharine Weeks is by her and the said Frederick Weeks hereby assigned quit claimed and relinquished as aforesaid, in testimony whereof the said grantors have hereunto set their hands & seals the 21<sup>st</sup> day of February A.D. 1834.

Witness present  
John C. Linn  
S. Arndt

William Wells  
Leah <sup>plu</sup> <sub>plu</sub> Wells  
John Whitman  
Sarah <sup>plu</sup> <sub>plu</sub> Whitman  
George Overmier  
Susannah <sup>plu</sup> <sub>plu</sub> Overmier  
Nancy <sup>plu</sup> <sub>plu</sub> Overmier  
Frederick Weeks  
Catharine <sup>plu</sup> <sub>plu</sub> Weeks  
Levi Overmier  
Sarah <sup>plu</sup> <sub>plu</sub> Overmier

Witness present for Levi Overmier  
Abel Christy & G. H. Wood

State of Ohio

Perry County, Ohio. Personally appeared before the undersigned a Justice of the peace of said County on the 23<sup>rd</sup> day of February 1834, the above and before signed George Overmier, John Whitman, William Wells, Nancy Overmier and Frederick Weeks and afterwards on the day and year aforesaid appeared as aforesaid the above and before signed Susanna Overmier wife of said George Overmier, Sarah Whitman wife of said John Whitman, Leah Wells wife of the said William Wells and Catharine Weeks wife of the said Frederick Weeks and were severally recommissioned by me separate and apart in the absence and out of the hearing of their respective Touching their separate signing and sealing of this deed and they then did and show do acknowledge severally that they signed and sealed the same of their own free wills and accord without the fear threats or coercion of their respective husbands Given under my hand and certified by me the day & year last aforesaid.

John C. Linn, J.P.

Given under our hand and seal of our office and by these presents do freely fully and absolutely give grant bargain sell alien convey & confirm unto the said John C. Chappalaon his heirs and assigns forever. A certain tract or parcel of land lying and being in the County of Perry and State of Ohio said tract being part of the N. W. qd. of Section No. five T. 13. R. 14, commencing at the South West corner of said quarter Section thence running South 706 poles 13 links to a post thence East 109 poles 15 links to a post thence N. 7 1/2° East 105 poles 7 links to a post thence running West 133 poles more or less to the place of beginning. Containing 84 acres & 60 poles to the same more or less, of the lands directed to be sold at Hamilton by an act of Congress. Do Grant and to have the above described tract or parcel of land with all the appurtenances & privileges & conveniences to the same belonging or in any wise appertaining to him the said John C. Chappalaon his heirs or assigns forever to him and their own heirs and behoof forever as a good perfect and absolute estate in fee simple and in the said John C. Chappalaon and Rachel for ourselves our heirs executors & administrators do covenant to and agree with the said John C. Chappalaon his heirs & assigns that we are lawfully seized in fee of the above described tract or premises that they also for from all incumbrances and that we will warrant and defend the same to him and them forever against any lawful claims of all persons. In witness whereof we set our hands and seals this 18th day of October in the year of our Lord 1833.

Attest

Loga Seal Rachel Seal

Thomas Dale & Lawson Seal & Thomas Porter a Justice of the peace in and for the County of Perry aforesaid do hereby certify that Rachel Seal the wife of said Loga Seal & parties to the within and personally appeared before me in the County aforesaid and being examined by me separate and apart from her said husband and having the said deed fully explained to her she did declare that she did voluntarily sign seal & acknowledge the same to be her act and deed and she was still satisfied therewith and now acknowledges the same, all at the same time and place came the said Loga Seal and acknowledged the signing and sealing of the said instrument as his act and deed. Witness my hand and seal this 28th day of October A.D. 1833.

Received Dec. 3. 1834. Esd Thomas Porter L.P. Seal  
 Received Dec. 4. 1834. Attest M. S. Moeller Recorder

Know all persons by these presents that we George Overman and Susannah his wife, John Whedner and Sarah his wife, William Wells & Leah his wife, Nancy Overman Fargueick Heck and Catharine his wife all of the County of Perry and State of Ohio and Levi Overman & Sarah his wife of the County of Allegheny & State of Pennsylvania for and in consideration of Seventy dollars to us in hand paid or secured to be paid by Richard Petermann of the County of Perry and State of Ohio have granted bargain sold conveyed and confirmed & by these presents do grant bargain sell convey and confirm unto the said Richard Petermann his heirs and assigns forever

all our right title interest of in and to out Lot of ground number Six containing the Town of Lincoln in the said County of Perry and State of Ohio. We Richard and to hold the said Lot of ground unto the said Richard P. Overman, his heirs and assigns together with all the improvements and appurtenances thereto belonging or in any wise appertaining forever free of and discharged quit claimed and released of all and singular of the rights and interests of the grantor or their heirs or assigns claim of in and to the same. Also all the docket weight of docket of the said Catharine Weeks is by her and the said Frederick Weeks hereby assigned quit claimed and relinquished as aforesaid. In testimony whereof the said grantors have hereunto set their hands and seals this 27<sup>th</sup> day of February 1834.

Witness present  
John E. Linn & J. A. Adams

Robert Christie & C. C. Wood  
Attornys for Lewis & Sarah Overman

- 1 William Wells Esq
- 2 Leah Wells Esq
- 3 John Whitmer Esq
- 4 Sarah Whitmer Esq
- 5 George Overman Esq
- 6 Susanna Overman Esq
- 7 Nancy Overman Esq
- 8 Frederick Weeks Esq
- 9 Catharine Weeks Esq
- 10 Lewis Overman Esq

State of Ohio  
Perry County ss Personally appeared before the subscriber a Justice of the peace of said County in the 28<sup>th</sup> day of February 1834 the above and before signed George Overman, John Whitmer, William Wells, Nancy Overman and Frederick Weeks and acknowledged the foregoing to be their voluntary act and deed. Also afterwards in the day & year aforesaid appeared as aforesaid the above and before signed Susanna Overman wife of said George Overman Sarah Whitmer wife of John Whitmer Leah Wells wife of said William Wells and Catharine Weeks wife of said Frederick Weeks and severally examined by me separate and apart in the absence and out of the hearing of their respective husbands touching their separate signing & sealing of this deed and they there and now both acknowledge severally that they signed and sealed the same of their own free will and accord without the fear threats or coercion of their respective husbands. Given under my hand and certified the day and year aforesaid.

John E. Linn J.P. Esq

State of Pennsylvania

Alleghany County ss Personally appeared before the subscriber a Justice of the peace of said County on the 3<sup>rd</sup> day of May AD 1834 Lewis Overman and acknowledged the foregoing signing and sealing to be his voluntary act and deed. Also afterwards appeared the above signed Sarah Overman wife of said Lewis and having had the contents of the within deed made known to her and being by me examined in the absence and out of the hearing of her said husband acknowledged that she signed and sealed without the fear threats or coercion of her said husband. Given under my hand and certified the day and year last mentioned.

Received Dec. 9. 1834. Extra

Robert Christie J.P. Esq

Received Dec. 9. 1834. Attest Amos S. Moeller, Cleric

-----Original Message-----

**From:** Sandy Walkenhorst [mailto:sjwalken@msn.com]

**Sent:** Saturday, September 06, 2003 4:53 PM

1. I have the deeds where George Overmyer's (b. 1755) estate is settled (stating that Levi and Nancy were two of five heirs of son, George Overmier, who was by then deceased) in 1832.
2. I have the deeds where his son, the above George Overmier, bought three lots in Middleton or Middletown (later Somerset), Fairfield (later Perry) County, Ohio in 1812.
3. I have the deed where these same lots in Somerset, Perry Co, OH were sold, showing his 5 children and spouses signing along with Catherine and Frederick Heck in 1834.
4. I have a deed where Catherine Heck, widow of Frederick Heck, sold property to George Overmyer in 1849.
5. I also have a deed showing that on the same day George and Susan Overmyer sold the property to someone else. (This would be my George Overmier and Susannah Houtz, youngest of George Overmyer and Catherine Emerich's five children.  
The above deeds are readable - they tire the eyes, but they are readable.
6. I have Patsy's partition record, which shows that Catherine Heck was Catherine Emerich.
7. Evelyn sent me a deed (poor copy) which shows that Frederick Heck and wife Catherine sold property to John Heck in Perry Co in 1825.

Does anyone have a copy of the marriage record of Catherine (Kitty) Overmier to John Henry on 2 Jul 1815? Fairfield Co records in Lancaster, Ohio - the 1803-23 Vol. pg. 94

Does anyone have a copy of the marriage record of Catherine Henry to Frederick Heck on 25 Mar 1828? Vol 1, pg. 94 - records in New Lexington (is this Perry Co, OH?)

I originally got these deeds because my goal is to somehow prove this lineage to DAR - their standard of proof is very high. I just don't know if it will work when we don't have a birth record for George or a marriage record for him and Catherine Emerich. However, thanks to all of you my arguments are getting stronger. I will have to wait for Catherine's other marriage records, however. I have about 10-15 other Revolutionary War direct ancestors, but I just really want to do this line first, since it is my patriarchal line. Overmier was my maiden name.